

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes for February 20, 2020

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBCOMMITTEE MEMBERS PRESENT:

Betsy Landis, Chair, Environmental Organization Representative
Mike Mohajer, General Public Representative
Shikari Nakagawa-Ota, Rep by Daniel Dela Cruz, County of Los Angeles
Department of Public Health
Carlos Ruiz, Los Angeles County Public Works
Sam Shammass, County Sanitation Districts of Los Angeles County

SUBCOMMITTEE MEMBERS NOT PRESENT:

Wayne Nastri, South Coast Air Quality Management District
Reyna Pereira, City of Los Angeles

OTHERS PRESENT:

Martins Aiyetiwa, Los Angeles County Public Works
Dave Nguyen, Los Angeles County Public Works
Aric Rodriguez, Los Angeles County Public Works
Steve Cassulo, Waste Connections
Gabriel Esparza, Los Angeles County Public Works
Nilda Gemeniano, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Gerald Ley, Los Angeles County Public Works
Dennis Montano, Republic Services
Omid Mazdiasni, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Chris Sheppard, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Elizabeth Zaragoza, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Ms. Betsey Landis called the meeting to order at 11:12 a.m.

II. APPROVAL OF NOVEMBER 21, 2019 MEETING MINUTES

A motion to approve the Minutes from the November 21, 2019, Subcommittee Meeting, as corrected, was made by Ms. Landis and seconded by Mr. Carlos Ruiz. Motion passed unanimously.

III. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Vu Truong, staff to the Task Force, provided an update on the Sunshine Canyon Landfill (SCL) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of January 2019 ([Link](#)).

- During the month of January 2020, 29 complaints were made to the AQMD hotline. Of those, 1 was classified as trash, 4 were listed as No Field Response, and the rest were listed as none, which meant the inspector visited the site and did not detect any odor.
- As of February 6, 2020, AQMD did not issue any Notices of Violation (NOVs) related to odor for the month of January 2020.
- Compared to December 2019, the number of complaints received in January 2020 increased from 16 to 29 complaints.
- Compared to January 2019, the number of complaints for January 2020 increased from 17 to 29 complaints.
- According to the AQMD report, the total number of complaints received during 2020 is 29.

Perimeter Monitoring Well 205R Update

Mr. Truong provided an update on the status of methane readings from perimeter monitoring well 205R.

Staff received the Sunshine Canyon Landfill (SCL) Solid Waste Facility Permit Monthly Local Enforcement Agency (LEA) report dated February 15, 2020, from Republic Services (Republic) for the month of January 2020. The Report provides the methane concentration reading for perimeter monitoring well 205R, which was taken on January 23, 2020. The highest reading for this perimeter well was 2.6 percent methane by volume and continues to be below the 5 percent methane limit. Staff will continue to monitor the monitoring well methane probe readings.

Saddleridge Fire (Wildfire) and Landfill Information Request

Mr. Michael Harmon, staff to the Task Force, provided an update on the impact of the Wildfire at SCL and the Landfill information requests made by the Subcommittee.

Wildfire Update

At the previous Subcommittee meeting, it was reported that the repairs to the gas collection system at SCL were completed and that AQMD performed a permit variance completion inspection to close out the variance. Staff reached out to AQMD to confirm the closure of the variance. Staff was directed to the AQMD Hearing Board's public documents database showing Republic Notification of Final Compliance on December 20, 2019, and Final Landfill Gas Sample and Analysis for the temporary variance on January 7, 2020.

Landfill Emergency Response Plans

Regarding Landfill Emergency Response Plans, the Subcommittee requested staff to reach out to the operators of Class III municipal solid waste landfills in Los Angeles County to acquire copies of their emergency response plans and review for information such as emergency power sources and/or backup generators, watering equipment for use in fire prevention, and lists of emergency contacts in the event of an emergency. Staff received seven landfill emergency response or contingency plans.

Staff's review and findings:

- Three of the seven emergency response plans identify or mention the use of backup power generators.
- One of seven emergency response plans identify the use of watering equipment for fire suppression.
- All seven of the emergency response plans provided include a list of specific emergency contacts in the event of an emergency.

The Subcommittee inquired if all emergency response plans requested from Class III landfills were received. Mr. Harmon responded that two facilities are still outstanding. Mr. Mohajer asked which landfills submitted their emergency response plans. Mr. Harmon responded SCL, Chiquita Canyon, Lancaster, Antelope Valley, Calabasas, Scholl Canyon, and Savage Canyon Landfills.

Ms. Landis asked how many landfills have generators. Mr. Harmon responded that three facilities mention the use of generators in their emergency response plans: Calabasas Landfill, Scholl Canyon Landfill, and Chiquita Canyon Landfill (CCL). Ms. Landis asked which landfills do not have generators. Mr. Harmon answered

that based on the types of plans reviewed, generators are not always noted. Ms. Landis commented that staff needs to ask the respective landfills if they have generators. Mr. Mohajer stated his goal is to get Subcommittee and Task Force approval to send a formal letter to the landfills that do not have backup generators and asking them to consider acquiring them. Mr. Mohajer commented that the Finding of Conformance (FOC) does not require the installation of backup generators, but it would be good to have them.

Ms. Landis asked what other items the Subcommittee requested from the landfills. Mr. Harmon responded that the Subcommittee requested information regarding the use of watering equipment for fire suppression. Generally, the plans did not recommend that staff fight fires that were not small in scope. Mr. Sam Shammass with the County Sanitation Districts of Los Angeles County (Sanitation District) commented that for employees' safety, if the fire is small, the Sanitation District uses water trucks and dozers to smother the fire with dirt. For larger fires, the Sanitation District may have to evacuate the site and leave it up to the Fire Department. Mr. Harmon stated that the landfills were also asked about specific emergency contacts, which they all had.

Mr. Mohajer requested staff to update the Subcommittee at next month's meeting. Ms. Landis commented the landfills having an emergency response plan is the start of what is essential given the current climate. Ms. Landis requested staff provide a list of all active Class III landfills.

4th Quarter 2019 SCL Vegetation Report

Mr. Harmon provided an update on the 4th Quarter 2019 SCL Vegetation Report. Republic submitted the 2nd Quarter 2019 Vegetation Project Status Report on February 4, 2020. The meeting with the Vegetation group at SCL is to be determined and an update from the meeting will be presented at a subsequent Subcommittee meeting.

The following is the progress of the Landfill's efforts related to revegetation during the 4th Quarter of 2019. In October 2019, the landfill vegetation sustained significant damage due to the Wildfire that impacted Sylmar, California. This included direct impacts from the Wildfire including combustion and desiccation, as well as indirect impacts from firefighting techniques and reconstruction efforts.

City Side Sage Mitigation Pilot Project Area - Deck C / Lower Deck

- The Wildfire burned a substantial amount of the lower deck and surrounding area, scorching or partially burning the vegetation and irrigation system. Fire equipment, such as bulldozers, removed and/or crushed vegetation that did not burn in several quadrants.

- Vegetation in this area has been established for several growing seasons since approximately 2014 and it is expected that there is a substantial seedbank in the top layer of the soil.
- Re-establishment of the native vegetation within the Lower Deck is expected to be successional; herbaceous native and non-native grasses and forbs will dominate the understory within the first two to three years, while seedlings of native shrubs re-establish over a longer period of time.
- With average rainfall, it is expected that the native vegetation of the Lower Deck will recover; however, weeding of non-native species during this recovery period is critical.
- Basal sprouts of California Sunflower (*Encelia Californica*) have been noted. Although some sprouting of seeds has occurred, vegetation is small and difficult to identify.

City Side Sage Mitigation Area - Deck B / Middle Deck

- The northwest portion of the Middle Deck burned during the Wildfire. Areas of the Middle Deck that did not burn in the fire generally appear dry, with minimal native grasses present. Annual grasses (*Poa Annua*) are beginning to establish in burned areas.

City Side Sage Mitigation Area – Deck A / Upper Deck

- The southern half of the Upper Deck was burned by the Wildfire.
- Overall, the upper deck continues to be sparsely covered with native vegetation.
- Buckwheat is the dominant native plant; seedlings of non-native wild oats (*Avena Fatua*), brome grasses, and mustard (*Brassica Nigra*) are emerging throughout the Upper Deck.

County Side Sage Mitigation Pilot Project Area

- The southern upper half of the county-side mitigation area burned during the October 2019 Wildfire.
- Native plant coverage in areas that did not burn in the Wildfire remain similar to the previous quarterly monitoring reports.
- California buckwheat dominates the native vegetation coverage with California sagebrush and California sunflower as co-dominants. These native species comprise of approximately 75 percent of the native vegetation cover in areas where vegetation is present.
- Hydroseeding Trial Project: In December 2017, 57 acres of the intermediate slope area was established using initial hydroseeding trial.
- The site completed hydroseeding approximately 155 acres using the approved seed mix was completed in fourth quarter 2019.

Ms. Landis commented that they need to start weeding quickly to get the grasses down. Grass does well with no rain, but the plants and bushes do not. Ms. Landis stated that this is the time that they should go to the southern half of Deck A, plant native vegetation, and weed-out all the non-natives. Those seeds will go downhill to the other decks that can also use it. Discussion ensued.

IV. COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN 5-YEAR REVIEW REPORT

Ms. Nilda Gemeniano, staff to the Task Force, provided an update on the Countywide Integrated Waste Management Plan 5-Year Review Report (CIWMP).

The Subcommittee was emailed the latest revised draft CIWMP 5-Year Review Report incorporating comments received. Any further comments received will be included in the report to be submitted to California Department of Resources Recycling and Recovery (CalRecycle). If no additional comments were made during the meeting, the County would request the Subcommittee to consider making a motion to recommend to the Task Force to approve the CIWMP 5-Year Review Report.

Ms. Landis responded that the report was sent within less than a day before the meeting. Mr. Mohajer stated that he read the report and was fine with it.

Subcommittee members agreed to review and submit their respective comments before the next meeting. Prior to the January Subcommittee meeting, comments were requested to be submitted by January 23, 2020. Staff received comments from Mr. Mohajer, which were incorporated into the report. Minor other changes were made to the report, and Mr. Ruiz commented that the copy that was just distributed had the revised text highlighted. Ms. Landis requested that Subcommittee members submit their comments within the next week.

V. SENATE BILL 1383 COUNTYWIDE REPORTING AND COMPLIANCE STRATEGY

Mr. Gerald Ley reported on Countywide reporting and compliance strategy for Senate Bill 1383 (SB 1383).

The findings of the 2018 Countywide Organic Waste Management Plan Annual Report (Annual Report) dated December 2019 were presented last November 2019. The Organics Plan Annual Report was based on the Assembly Bill 876 (AB 876) methodology regarding the definition of “organic waste” and the calculation of organic waste generation and disposal needs and capacities. It is estimated that 6.8 million tons of organic waste were generated in 2018 as defined under Assembly Bill 1826 (AB 1826). Of that amount, it is estimated that 4.2 million tons were disposed. The Annual Report also found that significant new

infrastructure will be needed to divert organic waste from landfill disposal and meet the requirements of SB 1383 for new organic waste processing infrastructure.

The SB 1383 regulations are currently with the California Office of Administrative Law but have not yet been formally approved. Public Works is developing its strategy for countywide reporting and compliance in accordance with the regulations. Article 11 of the regulations contains the requirements for capacity planning and reporting that counties must comply with. The requirements are split into two major tasks: 1) Organic Waste Recycling Capacity Planning and 2) Edible Food Recovery Capacity Planning. Article 11 requires the County to work in coordination with jurisdictions and regional agencies as well as others in compliance with the Article. Jurisdictions will be responsible to provide information to the County to be compiled and reported to CalRecycle. The regulations are scheduled to go into effect on January 1, 2022, with the first report due on August 1, 2022.

The following is the first major task of Article 11, Organic Waste Recycling Capacity Planning:

- Require counties in coordination with jurisdictions to estimate the amount of organic waste that will be disposed; identify the amount of existing organic waste recycling capacity infrastructure that is “verifiably available” through a contract, franchise, or other documentation to the County and jurisdictions in the County; estimate the amount of new or expanded organic waste recycling facility capacity that will be needed, in addition to what already exists, to process any excess organics; consult with the enforcement agency and local task force regarding locations of new or expanded solid waste facilities; conduct community outreach on locations being considered for new or expanded organics facilities; and consult with community composters to estimate the amount of organic waste that will be handled at their operation.

Ms. Landis commented that this also requires working closely with the State Department of Food and Agriculture and having to satisfy their permit requirements of handling food waste because it is a health issue. Mr. Ley thanked Ms. Landis for her comment.

The following is the second major task of Article 11, Edible Food Recovery Capacity Planning:

- Counties must estimate the amount of edible food that will be disposed by commercial food generators, identify existing available edible food capacity, identify proposed new or expanded edible food capacity, identify any additional edible food capacity needed to recover 20 percent of the estimated edible food disposal, and notify jurisdictions that lack sufficient capacity of the implementation schedule requirements.

To prepare for the task of compiling information, the County plans to develop a database that jurisdictions and regional agencies can access to submit required information. The County also plans to contact all cities and regional agencies in the County as soon as the regulations are approved to inform jurisdictions of the reporting requirements.

Mr. Mohajer commented that staff may want to review how everything will work with regards to Assembly Bill 901 (AB 901). Data reporting from the landfill operators does not go to the County or cities, they report to CalRecycle. Therefore, the calculations that come out will be from CalRecycle. This may reduce the steps staff must do for the plan. Ms. Landis commented that there is a major disconnect in any attempt to tell the County or the Task Force to calculate the data when the data, by regulation, is not allowed or available. Mr. Mohajer responded it does not say it is not allowed, it says the facility operators shall submit data to CalRecycle. It does not by any mean prohibit the County or cities from asking the facility operators for information. Because the internal numbers and CalRecycle's numbers may not coincide, it may be better to get the data directly from CalRecycle right from the start and use the information for the next 15 years, making the process a little easier. Mr. Ley responded this is a good suggestion and stated that AB 901 requires reporting entities to start reporting in the middle of last year and staff will be monitoring the data compiled. Mr. Mohajer commented that it is very important because AB 901 impacts the integrated waste management fees.

Mr. Ley continued with the presentation. He stated that the Organics Plan Annual Report that is being prepared this year will incorporate the strategy for complying with SB 1383, as well as the organic material types listed in Article 11 of the SB 1383 regulations in the estimates and scenarios. It is anticipated the calculation of organic waste generation, disposal, and additional new/expanded capacity needed may increase from the amount that was reported in the Organics Annual Report that was released in December 2019.

County staff has already prepared a new draft survey which will be used to gather data needed for the SB 1383 analysis. Surveys are expected to be conducted starting next month. All composting, chipping & grinding, anaerobic digestion/co-digestion, and organic transfer facilities will be contacted to gather the information that will be used to estimate existing available capacity as well as proposed new and expanded capacity. The draft Organics Plan 2019 Annual Report is expected to be ready by the summer at which time it will be presented to the Task Force.

Ms. Landis asked staff to keep the Subcommittee apprised on the entire process with organizing and locations that are needed by the end of the summer. Mr. Ley mentioned that staff had completed the Organics Plan in 2018 and the annual update was presented in November 2019. This new Organic Annual Report, which will be dated 2020, will have 2019 data. It will have a survey and a list of all the

similar facilities from the previous report, but with additional changes. Ms. Landis commented there is not enough capacity for what they define as organic. Mr. Ruiz commented that planning for capacity will be somewhat tricky, as he understands the law, does not require the County to secure the capacity for the cities. Each jurisdiction, including the County for the unincorporated areas, needs to develop its own plan and estimate its organic waste generation, how much is being disposed, what capacity they have available currently, and how much available capacity they will need. Then they need to submit their plan to the County, who is responsible to consolidate the information and submit to CalRecycle. If a city or the County unincorporated areas lack sufficient capacity, they must submit an implementation schedule to CalRecycle.

Ms. Landis commented there is a major problem and it is not just the State Department of Agriculture but also the local health departments making it impossible for cities to find locations for things like food waste that cannot be recycled or wood waste, especially during fire season. Discussion ensued about the many challenges affecting jurisdictions, conflicting requirements of State law (e.g., AB 876, AB 1826, and SB 1383) regarding the definition of organic waste and organic waste recycling capacity planning, as well as CalRecycle being the driver of the regulations.

Mr. Mohajer noted that there was no County of Los Angeles Department of Public Health (Public Health) Representative present at today's the Subcommittee meeting. He strongly recommended staff giving them a call or, if staff believes it is better for the Task Force to send a letter requesting representation, he would be prepared to make a motion to have the Task Force write a formal letter.

Mr. Mohajer commented that the way CalRecycle is operating is causing the problem. They have their own local inspectors, which is the Local Enforcement Agency (LEA). However, the LEAs (as allowed by law in most cases), are city and County employees. For example, in preparing this plan, CalRecycle sent a questionnaire to a select group of people (Mr. Mohajer noted he is not one of those selected). They also sent a list to the LEAs and what the LEA needs to do and is required to do is enforce the plan. The process makes it difficult for Public Health as the LEA for most of the County, and this is something that comes up at almost every Subcommittee meeting. A segment of the Department of Health is the local Health Officer and that function is different and must be kept separate from the work contracted to the LEA. Therefore, trying to get the LEA and the Health Officer to concur is a challenge and this is evident in the case of SCL. Ms. Landis asked Mr. Ley if a letter should be sent to Public Health and Mr. Ruiz responded that staff would work with Public Health. Ms. Landis suggested that staff should also work with the Department of Food and Agriculture.

VI. UPDATE ON CCL

Mr. Omid Mazdiyarni, staff to the Task Force, provided an update on the CCL.

Lawsuit Update

- CCL filed a lawsuit challenging the NOV issued by the Department of Regional Planning on December 11, 2017. The trial is set for June 25, 2020.
- CCL filed a lawsuit on October 20, 2017, challenging 17 operational conditions and 11 fee conditions of the Conditional Use Permit (CUP). The trial on the challenged conditions is scheduled to take place on April 23, 2020. At the previous Subcommittee meeting, the members requested a list of the challenged conditions. An excerpt of CCL's court filing that includes a summary of all challenged operational and fee conditions was provided to the Subcommittee.

The litigation case is pending and until this case is settled or resolved, the Landfill Operator is under strict requirement to comply with all conditions as listed under the CUP and the Implementation and Monitoring Program.

Ms. Landis asked if staff had any comments about the list of conditions being litigated. Mr. Ruiz responded because the conditions are still in litigation, they cannot comment. Discussion ensued. Staff stated they will continue to provide updates.

VII. DISCUSSION OF FOC REPORTS

Mr. Daniel Wibisono, staff to the Task Force, provided an update on FOC reports submitted by landfill operators which include monitoring and progress reports for various landfills.

4th Quarter 2019 FOC update for SCL

On January 15, 2020, staff received the 4th Quarter 2019 FOC Report dated January 15, 2020. Based on the report, SCL disposed of 527,000 tons in the 4th quarter of 2019. Compared to the 3rd quarter of 2019, the disposal tonnage decreased by 8 percent. Compared to the 4th quarter of 2018, disposal tonnage increased by 0.7 percent.

The beneficial reuse material, including diversion and soil, for the 4th quarter of 2019 was 30,000 tons. Compared to the 3rd quarter of 2019, the beneficial reuse tonnage decreased by 26 percent. Compared to the 4th quarter of 2018, the beneficial reuse tonnage increased by 28 percent.

4th Quarter 2019 FOC update for CCL

On January 15, 2020, staff received the 4th Quarter 2019 FOC Report dated January 15, 2020.

Based on the report, the CCL disposed of 431,000 tons in the 4th quarter of 2019. Compared to the 3rd quarter of 2019, the disposal tonnage decreased by 6.4 percent. Compared to the 4th quarter of 2018, disposal tonnage increased by 4 percent.

The beneficial reuse material, including diversion and soil, for the 4th quarter of 2019 was 175,000 tons. Compared to the 3rd quarter of 2019, the beneficial reuse tonnage decreased by 4.6 percent. Compared to the 4th quarter of 2018, the beneficial reuse tonnage decreased by 1.6 percent.

VIII. PUBLIC COMMENTS

Regarding CCL 4th Quarter Report, Mr. Hunter commented that CCL is required to conduct a minimum of five load checks per operating day, as noted in the landfill's Solid Waste Load Checking Data Sheet. However, he does not see records for five load checks per day unless the Data Sheet summarizes the load checks for each individual day. He also noticed lots of mattresses and asked if the Mattress Recovery Program only covers Los Angeles County. Mr. Hunter mentioned SCL does not have electronics and mattresses coming in like CCL. Mr. Hunter asked if CCL is allowed to bury bulky items and stated that bulky items and electronics should be diverted from landfills. Mr. Martins Aiyetiwa, staff to the Task Force, mentioned that CCL cannot turn down solid waste that comes through the gates unless it is prohibited industrial waste. He further indicated that looking at the data sheets provided by CCL, staff does not see any violation and believes CCL is handling things properly. Discussion ensued.

IX. ADJOURNMENT

The meeting adjourned at 12:51 p.m. The next meeting is tentatively scheduled for Thursday, March 19, 2019, at 11:00 a.m., in Conference Room A of Public Works Headquarters.