

Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes of June 20, 2002

County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California

COMMITTEE MEMBERS PRESENT:

Albert Avoian, Business/Commerce Representative
Margaret Clark, League of California Cities-Los Angeles Division
Clarence Gieck, Greater Los Angeles Solid Waste Management Association
Betsey Landis, Environmental Organization Representative
John McTaggart, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Ginger Bremberg, represented by Lois Shade, General Public Representative
Fred Leaf, represented by Virginia Maloles, County of L.A. Dept. of Health Services
James A. Noyes, represented by Mike Mohajer, County of L.A. Dept. of Public Works
Judith Wilson, represented by Karen Coca, City of Los Angeles Bureau of Sanitation
Ben Wong, represented by Michael Miller, League of California Cities-
Los Angeles Division

COMMITTEE MEMBERS NOT PRESENT:

Ron Deaton, City of Los Angeles Appointee
David Kim, City of Los Angeles Appointee
Joe Massey, Institute of Scrap Recycling Industries
Ed Sahikada, City of Long Beach
Jim Stahl, County Sanitation Districts of Los Angeles County
Barry Wallerstein, South Coast Air Quality Management District

OTHERS PRESENT:

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| Paul Alva, County of L.A. DPW | Ben Lucha, City of Santa Clarita |
| Steven Angarita, City of San Fernando | Chris Ludlum, City of Arcadia |
| Melinda Barrett, County of L.A. DPW | Mark Revilla, LACSD |
| Elaine Hsieh, County of L.A. DPW | Edgar Rojas, City of Irwindale |
| Richard Long, City of Lancaster | Jason Rush, Ware Disposal |

I. CALL TO ORDER

The meeting was called to order at 1:03 p.m.

II. APPROVAL OF MINUTES

The minutes of May 9, 2002, were approved as presented.

III. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Mr. Al Avoian stated that the Facility and Plan Review Subcommittee met to consider the amendment to the City of Lancaster's Nondisposal Facility Element (see attached) to add the City of Lancaster Maintenance Yard Transfer Site as a new transfer facility. Mr. Avoian reported that this facility is used to contain street sweepings. Mr. Avoian elaborated that in the City of Lancaster, the street sweepers collect water with street sweepings. The highly saturated street sweepings are then taken to a facility where the water is drained and the dried material is sent to the landfill while the water is contained until it evaporates.

Mr. Avoian stated that the Subcommittee revised staff's recommendation for item two under Recommendations in the staff report. The revised Recommendation two will "require" the owner/operator of the facility to submit monthly reports on a quarterly basis which will be a copy of the required form by the Department of Health Services with the title Monitoring and Reporting Form for Transfer Stations. The Subcommittee recommended to the Task Force approval with revision.

IV. CONSIDERATION OF AMENDMENT TO THE CITY OF LANCASTER NON-DISPOSAL FACILITY ELEMENT

A motion was made to approve the Subcommittee's recommendation and passed unanimously.

V. CONVERSION TECHNOLOGY, BRIGHTSTAR ENVIRONMENTAL

Mr. Kyle Michel, of Morgan Meguire, a Federal affairs consulting firm, introduced Michael Hucks, Senior Vice-President of Business Development for Brightstar Environmental, to give a presentation regarding the company's process to gasify municipal solid waste (MSW) to produce useful products such as electricity. Mr. Hucks stated that Brightstar Environmental is a part of Energy Developments, a publicly traded Australian-based company, and Brightstar's focus is exclusively on MSW with 100 percent utilization as their goal. Mr. Hucks stated that although

environmental organizations envision a “no waste society”, the reality is that in response to all best efforts to reduce waste, waste continues to increase and there is a need to explore alternative technologies to waste disposal. Brightstar’s technology provides “post recycling” functions in addition to recycling by utilizing materials in MSW that cannot be recycled. Mr. Hucks stated that the company’s first commercial plant was built in Wollongong, Australia and is co-located with a landfill that residents in the area want closed. Mr. Hucks stated that the facilities are modular and can be sized up or down. Therefore, if a community utilizing one of these facilities achieves a significant reduction in the quantity of waste going to that facility, a module can be removed and placed at another facility.

Mr. Hucks described the facilities’ four step process: receiving the waste, processing it to remove recyclables and making a homogenate out of it, gasifying it, and producing electricity. Mr. Hucks stated that on the tipping floor, items such as treated lumber and large appliances are pulled out from the waste. Once those items are removed, the waste is put into the autoclave (a pressure vessel charged with steam) and cooked for about 30 minutes at 130 degrees Celsius. Following the autoclave, the material goes to a materials recovery facility where recyclables are removed and items that cannot be gasified are also removed. The remaining pulp is mixed with water and put in a floatation tank where glass, sand, and grit sink. These materials can be pulled from the bottom to be used to make masonry blocks, pavers, road beds, inert masonry materials, or landfill cover. The pulp flakes are then dried using waste heat from the engines that are generating electricity. Following drying, the pulp is gasified to produce a clean fuel which is a mixed gas of methane, hydrogen, carbon monoxide, and carbon dioxide. The gas is filtered and processed to remove mercury and sulfur contaminants and then run into engines that will turn generators to produce electricity. Mr. Hucks stated that 300,000 tons of MSW produces about 30 megawatts of energy.

Mr. Hucks stated that the challenge in California is permitting, noting that in other states, permitting takes a maximum of twelve months, whereas in California, it takes about two years. Task Force members inquired about the reaction to these facilities from landfill operators. Mr. Hucks responded that although they generally view Brightstar’s technology as a threat, a few have approached the company to try joint ventures because Brightstar’s technology can help extend the life of a landfill by creating a 90 percent reduction in what is going to the landfill.

VI. DISCUSSION ON DIVERSION RATE ACCURACY INDICATORS

Mr. Carlos Ruiz stated that on November 13, 2001, the CIWMB adopted a report that was to be sent to the legislature pursuant to AB 2202 which analyzed the State Diversion Rate including the Disposal Reporting System (DRS). This report included recommendations to address the deficiencies that were identified in the DRS. Mr. Ruiz stated that one of the recommendations was to add (see attached

SB 2202 Table of Recommendations) alternatives to numerical compliance. This recommendation included adding a table of indicators to identify the circumstances when the diversion rate estimate was deemed to be unreliable. In those situations the report recommended focusing on diversion program implementation.

At the CIWMB's May 7, 2002, Diversion, Planning and Local Assistance Committee meeting, the Committee decided to circulate proposed indicators to jurisdictions and other interested parties for a thirty day review and comment period (see attached). Mr. Ruiz stated that the County of Los Angeles Department of Public Works (Department) reviewed the indicators and sent comments in a letter dated June 13, 2002 (see attached). Mr. Ruiz stated the Department concluded that the CIWMB had not placed enough emphasis on addressing the deficiencies in the DRS, including examining the responsibility of facility operators and waste haulers regarding the accuracy of the information that is reported. Mr. Ruiz also stated that the CIWMB's transmittal indicated that the CIWMB would use this information to balance diversion rates estimated with diversion program information, however, it was not clear how the CIWMB is going to use the indicators. Mr. Ruiz elaborated that it is not clear if the CIWMB is going to use these indicators to identify situations where it is appropriate to focus more on program implementation as recommended in the Report or if these indicators will be used to require new base year studies and more bean counting.

Mr. Ruiz stated that due to the detailed nature of the Department's comments, the Department requested to meet with the CIWMB and recommended that the CIWMB use these indicators in accordance with the recommendations of the SB 2202 Report. Mr. Ruiz stated that the CIWMB sent a response acknowledging the comments and assuring that the indicator data will be only one aspect of the consideration of a jurisdiction's diversion rate and program implementation. The CIWMB also indicated that they would be willing to discuss through a conference call.

VII. LEGISLATIVE UPDATE

Mr. Paul Alva passed out an updated status table of Bills (see attached) and presented three Bills for the Task Force to consider.

AB 2308 - Introduced by Chavez

This Bill addresses the issue of inert waste not counted as disposal by allowing the exclusion of inert waste disposed of at an existing or former surface mining operation where the disposal occurs pursuant to an approved reclamation plan. Mr. Alva stated that staff recommends support of AB 2308 because inert waste taken to these facilities would not be counted as disposal. A motion was made

to support AB 2308 with the amendment that the Bill clarify that it is not the intent of the legislature to require local governments to conduct a new base year or revise their Source Reduction and Recycling Element (SRRE). The motion to support and amend AB 2308 passed unanimously.

AB 2770 - Introduced by Matthews/Bogh

This Bill would redefine transformation to only mean incineration of solid waste, define conversion to mean the processing, through noncombustion thermal means, other than composting, of residual solid waste from which marketable, recyclable materials have been substantially diverted or removed, or both, to produce products, including, but not limited to, electricity, alternative fuels, chemicals, or other products that meet quality standards used in the marketplace, with minimum amount of residuals remaining after processing. The Bill will require that a jurisdiction can not claim diversion credit for conversion (up to 10 percent) if it will be claiming diversion credit for transformation (or incineration) or biomass conversion in its SRRE, and vice versa.

Mr. Alva stated that staff recommends support of AB 2770. A motion was made to support AB 2770 and passed unanimously.

SB 1542 - Introduced by Escutia

This Bill requires the CIWMB, by April 2003, to provide local jurisdictions and private businesses with models to assist with consideration of environmental justice concerns when complying with certain requirements relating to development and revisions of countywide siting elements. The Bill also requires a countywide siting element and any revision submitted after January 2003, to include a description of the actions taken by the city or county to solicit public participation by the affected communities, including minority and low income populations.

A motion was made to oppose SB 1542 and passed unanimously.

VIII. REPORT FROM CIWMB

Mr. Steve Uselton reported that 175 jurisdictions statewide have been approved at above 50 percent or have met the State waste reduction mandate through a good faith effort. Mr. Uselton stated that the CIWMB will recognize those jurisdictions for their efforts to achieve the diversion requirements at the League of California Cities meeting on July 25, in Monterey. Mr. Uselton stated that, within the County of

Los Angeles, 20 cities have achieved the waste reduction requirement with over 50 percent diversion and eight cities with a good faith effort. Also, within the County of Los Angeles, there are 13 approved time extensions. Mr. Uselton reported that the local communities have been very helpful to staff in discussions regarding additional strategies that can be implemented in order to achieve the 50 percent diversion. Mr. Uselton stated that there are also 15 jurisdictions in the County of Los Angeles that have submitted a new base year study and staff is working to get those studies to the Board by the end of the year.

IX. MONTHLY STATUS REPORT ON AB 939 REGIONAL AGENCY FORMATION

Ms. Karen Coca reported that the draft Joint Powers Agreement (JPA) for the formation of the Los Angeles Regional Agency was issued to cities for a 45 day comment period which ended on June 10. Ms. Coca stated that comments were minor and either asked for clarification or gave suggestions to make the language in the JPA more clear. Ms. Coca also stated that the next meeting to review the comments and discuss finalizing the draft JPA will be on June 27, hosted by the City of Hawthorne. At the meeting, members will decide whether or not to add any programs other than the basic reporting and running of the Regional Agency. At the meeting a cost will be set at approximately 15 cents per ton. The JPA will then be issued to cities for their approval. Ms. Coca stated that it appears that about thirty jurisdictions will join initially.

Mr. Mohajer stated that AB 1482 which the Task Force supported, would have limited the AB 939 penalty to a regional agency to \$10,000 maximum per day. Unfortunately, the Bill was amended and that clause has been removed. Mr. Mohajer stated that as amended, the Bill would authorize the regional agency agreement to specify that a city or county is subject to the portion of a penalty imposed on the regional agency that is in proportion to the city's or county's responsibility for the failure to implement a source reduction and recycling element or hazardous waste element. The Bill would prohibit the CIWMB from taking into account the proportion of a city's or county's responsibility as part of the determination to impose penalties and would require the regional agency to provide written notice and the opportunity for a hearing before assessing the city or county a proportion of the penalty.

A motion was made to oppose AB 1482 unless it is amended to reflect the January 8, 2002, amendment. The motion passed unanimously.

Task Force members inquired as to whether or not the City of Los Angeles has been approved at over 50 percent diversion. Ms. Coca stated that the City's base

year is still under review, and is tentatively scheduled to go before the CIWMB this year. Mr. Uselton stated that, although it is on the calendar for this year, it is a large study and there is still a lot work to do to verify the study. In response, members stated the Task Force's position has been that waste is reduced by implementing diversion programs rather than creating more waste through bean counting. Mr. Uselton responded that they are bean counting because it is important to verify accuracy in order to maintain the integrity of the State's 50 percent goal. Task Force members stated the CIWMB must recognize the deficiency of the system and that it is not doing what the legislation had originally intended.

X. OPEN DISCUSSION/PUBLIC COMMENT

Earlier in the meeting, Mr. Avoian brought up the issue of having the Task Force agenda, minutes, and attachments mailed to the members at least one week before each meeting. Task Force members also requested that the agenda and minutes be sent by e-mail in advance of each meeting. Members added that attachments do not need to be included in the e-mail.

XI. NEXT MEETING DATE

The next meeting date is tentatively set for July 18, 2002, at 1:00 p.m.

XII. ADJOURNMENT

The meeting adjourned at 3:05 p.m.

Attach.