

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

Minutes of October 21, 2004

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
Betsey Landis, Environmental Organization Representative
Joe Massey, Institute of Scrap Recycling Industries
Michael Miller, League of California Cities-Los Angeles Division
Ron Saldana, Los Angeles County Disposal Association

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Thomas Garthwaite, rep. by Pete Oda, County of L.A. Dept. of Health Services
David Roberti, represented by Mike Mohajer, General Public Representative
Rita Robinson, represented by Karen Coca, City of Los Angeles Bureau of Sanitation
Jim Stahl, rep. by John Kilgore, County Sanitation Districts of Los Angeles County
Don Wolfe, rep. by Shari Afshari, County of Los Angeles Dept. of Public Works
Ben Wong, rep. by John McTaggart, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS NOT PRESENT:

Ron Deaton, City of Los Angeles Appointee
Christopher J. Garner, City of Long Beach
David Kim, City of Los Angeles Appointee
Barry Wallerstein, South Coast Air Quality Management District

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Paul Alva, County of Los Angeles Department of Public Works
Kelly Astor, LACWMA
Toyasha Black, City of Arcadia
Maureen Craine, e-Recycling of California
Michelle Leonard, SCS Engineers
Benjamin Lucha, City of Santa Clarita
Mary Ann Lutz, Task Force Alternate
Carolyn Meredith, City of Pasadena
Cuong Nguyen, City of Santa Fe Springs
Lara Orchanian, City of La Habra Heights
Carlos Ruiz, County of Los Angeles Department of Public Works
Steve Uselton, California Integrated Waste Management Board
Ron Coffman, Norwalk Industries
Charles Siroonian, Norwalk Industries

I. CALL TO ORDER

The meeting was called to order at 1:02 p.m.

II. APPROVAL OF MINUTES OF SEPTEMBER 16, 2004

A motion was made to approve the minutes of September 16, 2004. The minutes were unanimously approved.

III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

Mr. Paul Alva provided a summary of the Alternative Technology Advisory Subcommittee meeting. He reported the Task Force had received responses from 13 materials recovery facility (MRF) operators in Santa Barbara, Ventura, Riverside, San Bernardino, and the City of Los Angeles, with regard to developing pilot demonstration conversion technology facilities. Follow-up activities with these MRF operators will be conducted. Mr. Alva also stated the Subcommittee had received three reports from its contractor and staff is scheduled to provide comments within the next few days.

In addition, Mr. Alva discussed the recently released conversion technology regulations, stating they were similar to those proposed in 2003. He recommended staff further analyze before bringing them before the Task Force for consideration in November.

Mr. Alva stated the Strategic Action Plan would be finished within the next week, in compliance with the Regional Planning Commission's deadline of November 1, 2004.

IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Mr. Albert Avoian provided a summary of the Facility and Plan Review Subcommittee meeting. Mr. Avoian stated the City of Santa Fe Springs wants to amend its Nondisposal Facility Element (NDFE) to include 1) the City's proposed expansion of the existing Norwalk Industry's Transfer Station and 2) a green waste processing facility. This expansion would allow the transfer station to accept a capacity of up to 100 tons per day (tpd) and would permit the construction of a greenwaste chipping and grinding facility.

Mr. Avoian stated the Subcommittee, upon review of the City of Santa Fe Springs' proposed amendments to its NDFE, recommended concurrence with staff's recommendations for the City's NDFE. The Subcommittee also recommended the following comments be included in the City's amended NDFE:

- Greenwaste processing to be in an enclosed building
- Greenwaste removal to be done on a daily basis (except in emergencies)
- Task Force to be notified of any local enforcement agency's requirement of a public hearing

V. CONSIDERATION OF AMENDMENT TO THE CITY OF SANTA FE SPRINGS' NDFE

Mr. Avoian stated the Subcommittee recommends the Task Force approve the Amendment to the City of Santa Fe Springs' NDFE. A motion was made to approve the Amendment with the three stated provisions. The motion passed unanimously.

VI. ELECTRONIC WASTE COLLECTION AND RECYCLING BY E-RECYCLING OF CALIFORNIA

Ms. Maureen Craine, of e-Recycling of California, conducted a presentation of the company's electronic waste collection and recycling program (attached). With processing facilities in Paramount and Hayward, e-Recycling is an end-of-life recycler that does not refurbish or resell the electronics it collects. Ms. Craine described the recycling process, which includes having the electronics broken down and segregated to their various component levels (plastics, metals, processors, circuit boards, etc.).

Upon segregation, the individual components are sent to their respective end-markets. Glass is de-manufactured and sent to Doe Run, Missouri; metals and plastics are sent to scrap recyclers throughout California; circuit boards are sent to Arizona-based Asset Recovery; and wood waste is sent to one of the company's two greenwaste recycling operations. For materials which contain sensitive or confidential information, Ms. Craine stated e-Recycling provides end-of-life destruction and disposal.

Ms. Craine added that e-Recycling offers a wide scope of services. Employees are trained and equipped to work at household hazardous waste collection events. Residents can drop off their electronic waste at any of the company's facilities six days a week for a nominal fee. As most businesses do not have the resources to drop off their electronic waste, e-Recycling will conduct field surveys and provide cost estimates for containers and other necessary services such as transportation and labor.

In addition, Ms. Craine stated that for clients requesting documentation, the company prepares a wide variety of reports, including unit reports, that may be required by municipalities. She encouraged Task Force members to visit e-Recycling's facility in order to see for themselves the company's recycling process firsthand.

VII. ELECTRONIC WASTE EMERGENCY REGULATIONS

Mr. Alva stated the Governor had approved SB 50, the “clean-up” Bill for SB 20 that addresses issues relating to classification of electronic waste and reimbursement of its collection/recycling. He stated that in early October, the California Integrated Waste Management Board (Waste Board) conducted a workshop to discuss the electronic waste recycling issues and the implications of its recently released emergency regulations (attached).

Mr. Alva commented that the Waste Board addressed stakeholders’ concerns and re-released its emergency regulations on October 19, 2004. One concern was the Waste Board’s provision that jurisdictions provide a free collection event upon receiving reimbursement from the Waste Board. Mr. Alva stated this provision had been removed. The revised regulations would be considered by the Waste Board at its Sustainability and Market Development Committee meeting on November 3 and by the full Waste Board on November 9, 2004. These regulations would then be forwarded to the Office of Administrative Law in December.

A question was raised regarding the Waste Board’s usage of the phrase, “convenient and free,” in its emergency regulations. The phrase, used by the Waste Board to describe drop-off locations for electronic waste, was viewed as being too ambiguous in light of the Waste Board’s newly vested authority to revise and adjust electronic waste collection fees.

A discussion about the phrase’s possible definition ensued. After discussion, a motion was made to send a letter to the Waste Board requesting how it plans on providing “convenient and free” electronic waste collection programs, pursuant to Sections 42461(b) and (c) of the Public Resources Code. The motion was approved unanimously.

VIII. ADJUSTMENT METHODOLOGY FORMULA

Mr. Alva presented an overview of the adjustment method formula used by the Waste Board to calculate a jurisdiction’s waste diversion rate (attached). He stated the formula, established in the mid-90s, uses a variety of factors to calculate diversion, including base-year data, current-year disposal data, a jurisdiction’s population, employment rates, taxable sales, and the consumer price index (CPI).

Mr. Alva mentioned the formula was revisited by the Waste Board and its working groups in 2001, which concluded the current adjustment method formula should still be used, with the reminder that there were limitations given the margin of errors associated with the factors used by the formula to

calculate diversion. He stated the Waste Board is reviewing the formula once again and is in the process of revising it to ensure better accuracy.

Mr. Alva stated the Waste Board had conducted its first working group meeting on September 27, 2004, and had discussed replacing the CPI factor with the taxable sales deflator since the CPI only accounts for consumer purchases in urban areas, and not rural. He added the CPI factor does not account for businesses and government transactions and includes items exempt from the taxable sales figure. It was eventually determined that the CPI actually overestimates inflation, which subsequently decreases a jurisdiction's diversion rate between one to five percent on an annual basis. The Board of Equalization also recommended replacing the CPI with the taxable sales deflator.

Mr. Alva stated that if the taxable sales deflator was incorporated into the adjustment method formula, the State would see a three to six percent difference in its diversion rate. Mr. Alva expressed his appreciation toward Waste Board staff for conducting a thorough and productive working group meeting, and added that the next meeting was tentatively scheduled for October 27, 2004, in Riverside, when the Waste Board would discuss the possible incorporation of construction and debris activity into the formula.

IX. IMPROVEMENT TO AB 939 DIVERSION COMPLIANCE SYSTEM

Mr. Mike Mohajer stated the Waste Board conducted a workshop October 5, 2004, in order to discuss the AB 939 diversion compliance system and its current strengths and weaknesses. Mr. Mohajer stated that, in response to this workshop, he had submitted comments to the Waste Board and had received responses from Waste Board members, Linda Moulton-Patterson and Rosalie Mulé (attached). Mr. Mohajer stated both members generally agreed that more focus should be centered on program implementation as opposed to the "bean-counting" that many jurisdictions are subjected to in their attempts to reach AB 939 compliance.

Ms. Karen Coca, who was one of the workshop panelists, stated the workshop's intent was to discuss how to go beyond numerical compliance. She stated that much of the workshop was spent brainstorming ideas on how to implement new waste diversion programs and maintain current ones.

X. REPORT FROM THE WASTE BOARD

Mr. Steve Uselton of the Waste Board announced they would be conducting a workshop on November 30, 2004, to discuss further improvements to the existing diversion compliance system. He also stated an e-mail announcing

the workshop had been distributed. Task Force staff would forward this e-mail to the Task Force members.

XI. COUNTYWIDE SITING ELEMENT AND SUMMARY PLAN UPDATE

Mr. Chuk Agu presented an overview of the following major Countywide Siting Element (CSE) issues (attached) for the Task Force members to consider in developing revised goals and policies of the Siting Element and providing staff some direction.

- Updating CSE goals and policies to: (1) ensure adequate waste management services for the 15-year planning period, (2) account for recently adopted regulations, and (3) reflect policies, funding sources, and other administrative changes, in conformance with the Findings of the Los Angeles County Countywide Integrated Waste Management Plan Five-Year Review Report.
- The need to (1) remove Elsmere Canyon and Blind Canyon sites from the Siting Element, (2) revise CSE discussion on alternative disposal technology, and (3) list previously unpermitted facilities affected by the C&D Phase II Regulations.
- Major changes and trends in in-County disposal capacity since the development of the current CSE, including the removal of Elsmere Canyon and Blind Canyon sites. Mr. Agu commented that over 6,000 tons per day (tpd) of waste was exported from the County in 2002, and that in 2014, there is a projected shortfall in in-County disposal capacity of 38,900 tpd (with the status quo) and 27,900 tpd (with all proposed landfill expansions to date).
- Providing adequate disposal capacity to fill the projected disposal gap by considering (1) the indispensability of out-of-county disposal capacity, (2) the need for in-County infrastructure necessary for exporting solid waste, (3) whether TS/MRF capacity should be incorporated as a CSE goal, (4) the extent to which the County should rely on conversion technology to fill the projected disposal gap, (5) conversion technology issues such as diversion credit and how conversion technology facilities should be regulated, and (6) whether to encourage higher (voluntary) diversion goals from all jurisdictions.
- Incorporating unpermitted inert landfills into the CSE, and whether to establish specific policies for certain inert landfills.
- Incorporating new facilities into the CSE through the FOC, JPA, or MOU process. Considering the FOC process for transfer stations and MRFs,

and possibly addressing the CSE siting criteria early in the land-use approval process.

- Evaluation of the adequacy of the current funding sources in light of the required CSE amendments.
- Environmental justice considerations.

Mr. Agu asked the Task Force whether it would want the Facility and Plan Review Subcommittee to develop the revised goals and policies before bringing it to the Task Force for consideration. Members indicated they would prefer that discussions regarding the Siting Element take place at the full committee level, and requested staff to instead provide a draft of the revised goals and policies for their consideration at the next meeting.

XII. LEGISLATIVE UPDATE

Mr. Alva provided a status on Legislative Bills (attached) and mentioned that the Legislative session had recently closed in August.

- AB 338—Introduced by Levine

Mr. Alva commented on the Governor's veto of AB 338, which would specify CalTrans' use of rubberized asphalt in 35 percent of their projects by 2012. Mr. Alva stated the Governor had vetoed the Bill as he felt that one of its clauses, which dictated the crumb rubber used should originate from California, would violate the NAFTA agreement. Mr. Alva added the Governor had directed the Legislature to revisit the issue as he would still like to sign the Bill.

- AB 2176—Introduced by Montanez

Mr. Alva stated that AB 2176 was signed by the Governor. This Bill would require the Waste Board to make a model ordinance for local jurisdictions to adopt or enhance recycling at large venues.

- AB 2901—Introduced by Pavley and Kehoe

Mr. Alva stated that AB 2901 was signed by the Governor. This Bill would require cell phone retailers to accept and collect used cell phones for reuse, recycling, or proper disposal by July 1, 2006.

- SB 50—Introduced by Sher

Mr. Alva stated that SB 50 was signed by the Governor. This Bill would allow the Waste Board to review and adjust electronic waste recycling fees and require the Board of Equalization to collect electronic waste recycling fees from retailers.

XI. NEXT MEETING DATE

The next meeting is tentatively scheduled for November 18, 2004, at 1 p.m.

XII. OPEN DISCUSSION/PUBLIC COMMENT

There were no public comments.

XIII. ADJOURNMENT

The meeting was adjourned at 2:46 p.m.

Attach.