

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

Minutes of January 20, 2005

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 Stan Uyehara, County of L.A. Dept. of Health Services
General Public Representative, represented by Mike Mohajer
Rita Robinson, represented by Karen Coca, City of Los Angeles Bureau of Sanitation
Jim Stahl, rep. by Charles Boehmke, 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:

Christopher J. Garner, City of Long Beach
David Kim, City of Los Angeles Appointee

OTHERS PRESENT:

Paul Alva, County of Los Angeles Department of Public Works
George De La O, County of Los Angeles Department of Public Works
Travis Lange, City of Santa Clarita
Phil Moralez, California Integrated Waste Management Board
Lara Orchanian, City of La Habra Heights
Josh Rosenbaum, City of Signal Hill
Carlos Ruiz, County of Los Angeles Department of Public Works
Isabel Schleif, City of Covina
Coby Skye, County of Los Angeles Department of Public Works
Steve Uselton, California Integrated Waste Management Board

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES OF NOVEMBER 18, 2004

A motion was made to approve the minutes of November 18, 2004. The minutes were unanimously approved.

III. IMPROVEMENT TO AB 939 DIVERSION COMPLIANCE SYSTEM

Mr. Mike Mohajer stated the Waste Board had conducted workshops in the past to gather stakeholders' input to assist in its decision on whether future compliance with AB 939 should be measured through mathematical compliance, program implementation, or a combination of the two. The Waste Board will be releasing information on what the next steps will be shortly.

Mr. Phil Moralez of the Waste Board stated that the Waste Board would release the information within the next week. It will also be placed on their website.

IV. WASTE BOARD CONVERSION TECHNOLOGY REPORT TO LEGISLATURE

Mr. Paul Alva presented an overview of the Waste Board's draft Conversion Technology Report to the Legislature which was prepared in response to AB 2770 (attached). The Report defined and described conversion technologies (CTs), and provided a discussion on the differences in impacts between CTs, landfilling, and transformation. The Report also evaluated how CTs would impact California's compost and recycling markets.

Mr. Alva stated the Report concluded there were insufficient real-world data regarding CTs which led the Waste Board to recommend the following:

- The Legislature should statutorily define CTs in two categories: thermal/chemical conversion and biochemical conversion;
- Conduct additional studies to determine and acquire emissions data as it relates to CTs;
- Conduct additional research to determine China's impact on California's recycling markets; and
- Diversion credit should be given to biochemical CTs since they "produce lower emissions than thermal chemical conversion technologies" under the new definition.

Mr. Alva stated staff analyzed the Waste Board's Report and concluded that it: (1) assumed Legislators understood the background and issues of CTs, (2) used too much technical jargon, and (3) contained contradictory information. Mr. Alva stated that based on these observations, staff had identified 20 issues relative to the Report and forwarded a letter on January 10, 2005, containing the following comments:

- The Report should be more reader-friendly, include relevant background information, and be prepared as a policy paper which succinctly summarizes issues for Legislators;
- The Report should clearly identify the role of CTs in the management of solid waste and present the Waste Board's findings which indicated: (1) there would be no negative impact on the recycling and composting market as a result of developing CTs; and (2) under the theoretical model, CTs may be comparable, if not surpass, other waste management options;
- The Report should include activities conducted by local governments as they relate to the development of CTs, and discuss what California can do to catch up with other countries that have already established CT facilities;
- The Report should discuss why landfilling and incinerators in California are viewed negatively by the public;
- The Report should discuss the long-term impact CTs have on environmental quality of life, the obstacles facing CTs, and how diversion credits would spur the development of CTs and act as an added incentive;
- The Report should discuss the role CTs would have on the Waste Board's zero waste policy and the potential benefits CTs would have on energy resources;
- The Report should include positions taken on this issue by various stakeholders and a discussion on how the Waste Board's currently proposed regulations would impact the development of CTs;
- The Report should discuss the percentage of diversion credit given to anaerobic digestion and thermal chemical conversion, and why the Waste Board feels it necessary to focus on China and its impact on local recycling markets;
- The Report should discuss how the Waste Board intends to coordinate development of CTs with other State and local agencies to avoid duplicative efforts;
- The Report should discuss when waste becomes waste.

Task Force members discussed the implications of the Waste Board's CT Report. A motion was made to amend the January 10, 2005, staff letter to: (1) address concerns expressed in Mr. Charles Boehmke's e-mail, (2) delete the comment regarding the public's perception of landfills and incinerators, (3) revise the comment regarding the long-term effects of CTs, and (4) make

reference to Waste Board Resolution 2001-134 when addressing the Waste Board's failure to educate elected officials. The motion passed. All members approved with the exception of the County Sanitation Districts of Los Angeles County representative who abstained.

V. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) REGIONAL COMPREHENSIVE PLAN

Mr. Mike Miller stated SCAG was currently reviewing chapters of its Regional Comprehensive Plan which describes the agency's policies in a number of areas including waste management and environmental issues. Mr. Miller stated it is his intent to keep Task Force members informed of the agency's progress and any discussions regarding waste management issues. He encouraged submittal of comments they might have.

VI. COUNTYWIDE SITING ELEMENT AND SUMMARY PLAN UPDATE

Mr. Coby Skye presented an update on the Countywide Siting Element (CSE). He described the revisions made to Goals 1 and 2 (attached), as were discussed at November's meeting. A question was raised regarding the letter staff had been instructed to prepare and send to the cities of Glendale, Whittier, Palmdale, and Los Angeles with regard to supporting landfill expansions in their jurisdictions. Mr. Skye stated staff had consulted County Counsel as to the letter's format and had been advised to send a general letter to all 88 cities instead.

Task Force members provided clarification on their request and instructed staff to send a letter to the cities and agencies/officials involved that: (1) provides a brief summary of the CSE's background and reasons for its existence, and (2) requests whether these cities would like their site listed in the CSE. Members then discussed Goals 3 through 6 and provided staff with feedback and comments on their potential revisions (attached).

VII. REPORT ON LANDFILL ALTERNATIVE DAILY COVER AND CALIFORNIA COMPOST INFRASTRUCTURE

Mr. Mohajer provided comments on the report on California's composting infrastructure which had been presented before the Waste Board at its January 18, 2005, meeting. Mr. Mohajer stated that while the report discussed the practice of using green waste as alternative daily cover (ADC) and its impact on the State's composting infrastructure, he objected to some of the questions used in the survey on which this report is based.

A motion was made to send a letter to the Waste Board stating that any further or future studies on the use of green waste as ADC in reference to its impact on California's composting infrastructure should be reviewed by a committee which includes members from the landfill industry and local cities and counties. The motion passed unanimously.

VIII. CALIFORNIA PERFORMANCE REVIEW UPDATE

Mr. Alva provided a PowerPoint presentation on the California Performance Review (CPR) report submitted to Governor Schwarzenegger on August 3, 2004 (attached). The CPR made over 1,000 recommendations after examining what State government could do to be more responsive, efficient, and effective.

Among these was the recommendation to eliminate more than 100 boards/commissions, including the Waste Board and Cal-EPA, and establish 11 integrated departments, such as the Department of Environmental Protection (DEP), which would consist of five divisions that would address environmental issues, create policies, and enforce regulations as they relate to these issues.

Mr. Alva stated the CPR report also recommended the following, which has the potential to significantly impact solid waste management:

- RES 03 – Consolidate specified solid and hazardous waste management programs to form a single Waste Management Program.
- RES 04 – Consolidate specified recycling and pollution prevention programs to form the Pollution Prevention and Recycling Program.
- RES 23 – Eliminate the requirement for the Waste Board to concur in the issuance of solid waste facility permits.
- RES 27 – Amend AB 939 to provide more flexibility to determine rural jurisdictional compliance with mandated waste diversion goals.

Mr. Alva stated that as a response to the CPR report, the Little Hoover Commission released its own report discussing the critical impact the Governor would have in transforming State government. Mr. Alva then described the Governor's reorganization proposal to the Little Hoover Commission recommending elimination of several State boards/commissions including the Waste Board. Under the proposal sent on January 6, 2005, the Waste Board would be absorbed into Cal-EPA and an officer (appointed by the Governor) would oversee the Waste Board at the pleasure of the Secretary to Cal-EPA.

Task Force members discussed the significance of the Governor's proposals and the impact it would have on agencies such as the Waste Board that are actively involved with solid waste issues and responsive to stakeholders' comments and concerns. A motion was made to send a letter to the Little Hoover Commission requesting: (1) preservation of the Waste Board, (2) elimination of overlapping duties of different environmental agencies, (3) expansion of RES 27 to include both rural and urban jurisdictions, and (4) clarification as to which agency will revise the regulations and how responsive it will be to those being regulated. The motion passed unanimously. Representatives from the County Sanitation Districts of Los Angeles County and the League of California Cities (Ms. Margaret Clark) were absent from voting.

IX. TASK FORCE COMMUNICATIONS AND OPERATING PROCEDURES

Postponed to the February 17, 2005, meeting.

X. REPORT FROM THE WASTE BOARD

Mr. Steve Uselton of the Waste Board provided an update on Waste Board issues (attached). He stated information for jurisdictions to complete their Annual Report is available on the Waste Board's website. The deadline for submittal of the 2003 Annual Reports is March 1, 2005.

Mr. Uselton stated the sunset date for a jurisdiction's time extension is approaching quickly. There can be no extensions past December 31, 2005. He encouraged jurisdictions to carefully evaluate the progress of their programs and determine whether they made a good-faith effort or would require a second time extension to improve program implementation. Mr. Uselton added that applications requesting a time extension are due February 1, 2005.

Mr. Uselton stated additional information on electronic waste was available on the Waste Board's website which he encouraged members to visit. He also stated that a notice had been sent to jurisdictions requesting their participation in a survey on construction and demolition activities which would help the Waste Board identify the top five barriers to construction and demolition debris reuse and recycling.

Mr. Mohajer commented on the method used by the Waste Board to measure waste tonnages processed by biomass facilities and to calculate the diversion credit given to these facilities. He stated that although waste currently processed by biomass facilities is given ten percent diversion credit, the Waste Board had expressed its intention to calculate diversion credit according to the "dry bone" weight, which excludes the weight that moisture

adds to waste tonnage amounts, and consequently decreases the diversion credit given. Mr. Mohajer requested that the Waste Board address this issue and provide written clarification on the policy used by the Waste Board to measure a biomass facility's diversion credit.

XI. LEGISLATIVE UPDATE

Mr. Skye stated the legislative session had begun December 6, 2004, and that several new members had joined the State Assembly and Senate. He added that the County Engineers Association of California would be proposing legislation regarding conversion technology and that an update on AB 32, which relates to greenhouse gas emissions, would be provided at the next meeting.

XII. NEXT MEETING DATE

The next meeting date is tentatively scheduled for February 17, 2005, at 1 p.m. in the 12 floor Executive Conference Room.

XIII. OPEN DISCUSSION / PUBLIC COMMENT

There were no public comments.

XIV. ADJOURNMENT

The meeting was adjourned at 4 p.m.

Attach.