

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

Minutes of July 16, 2009

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

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities-Los Angeles Division
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, represented by Carlos Ruiz, County of Los Angeles Department of Public Works
Dr. Jonathan Fielding, rep. by Pete Oda, County of Los Angeles Department of Public Health
Stephen Maguin, rep. by Charles Boehmke, County Sanitation Districts of Los Angeles County
Gerry Miller, represented by Charles Modica, City of Los Angeles
Dr. Barry Wallerstein, represented by Jay Chen, South Coast Air Quality Management District

COMMITTEE MEMBERS NOT PRESENT:

Carl Clark, Institute of Scrap Recycling Industries, Inc.
Michael Conway, City of Long Beach
David Kim, City of Los Angeles
Mary Ann Lutz, League of California Cities-Los Angeles Division
Sam Perdomo, Business/Commerce Representative
Greig Smith, City of Los Angeles
Enrique Zaldivar, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Paul Alva, County of Los Angeles Department of Public Works
Joe Bartolata, County of Los Angeles Department of Public Works
Guy Burgess, STI Engineering
Charles Christensen, Remediation Earth
Rogelio Gamiño, County of Los Angeles Department of Public Works
Donna Grotzinger, Pasadena City College
Peter Kokiousis, Remediation Earth
Michelle Leonard, HDR
Paul Lisak, Remediation Earth
Virginia Maloles, County of Los Angeles Department of Public Works
Tobie Mitchell, County of Los Angeles Department of Public Works
Daniel Moscaritolo, Remediation Earth
Reg Renaud, STI Engineering
Lindsay Sagorski, County of Los Angeles Department of Public Works
Coby Skye, County of Los Angeles Department of Public Works
Wu Tan, County of Los Angeles Department of Public Works
Wayne Tsuda, City of Los Angeles LEA
G. Vospher, GES

I. CALL TO ORDER

Meeting was called to order at 1:09 p.m.

II. APPROVAL OF MINUTES OF JUNE 18, 2009

A motion was made to approve the corrected minutes of June 18, 2009. The motion passed unanimously.

III. REMARKS ON SB 696 BY SENATOR WRIGHT'S CHIEF OF STAFF

No action. Item postponed.

IV. PRESENTATION ON STEAM BIO-MASS REACTOR FOR MUNICIPAL SOLID WASTE

Mr. Reg Renaud of STI Engineering provided a presentation ([see attachment](#)) on Steam Injection Landfill Bioreactors. Mr. Renaud noted that injecting water into landfills increases gas production and settlement, and helps to stabilize the landfill sooner. However, water injection has limited effectiveness and increases the potential for leachate leakage. He stated that steam injection, unlike water, does not carry particulate matter through the landfill and provides a more uniform distribution because steam travels in all directions, while water tends to gravitate to the bottom.

The steam injection process requires much less liquid than water injection; it promotes settlement; it warms the waste and enhances organics' biodegradation; and encourages gas to move upward to be captured by collectors. Monitoring the migration of the steam through the landfill can be done by measuring the differences in temperature using thermocouples while liquid migration is difficult to monitor. Mr. Renaud also indicated that the PPT uses a push-in technology and no drilling is conducted to install instruments in the test area.

Mr. Renaud added that studies conducted indicate an acre of landfill can be stabilized in a period of 2.5 years using 1,500 gallons of steam per day and using 5000 gallons of steam per day can stabilize an acre of landfill in nine months. He also stated that from the data collected, it can be surmised that for every cubic foot of steam put into the landfill, one cubic foot of landfill gas was created.

Discussion followed.

V. PRESENTATION ON MODULAR APPROACH TO THERMAL CONVERSION OF MUNICIPAL SOLID WASTE

Mr. Daniel Moscaritolo of Remediation Earth Inc. provided a presentation ([see attachment](#)) on modular approach to thermal conversion of municipal solid waste (MSW). Thermal chemical conversion such as pyrolysis, hybrid pyrolysis, and gasification are used to remediate waste into valuable energy products such as liquid or gaseous fuels, electricity, steam and heat. He stated that REI has been working on waste modular systems since the 1990s and that their system employs a modular approach to treating waste.

Mr. Moscaritolo noted that REI uses separated materials, plastic specifically, and obtains three times higher profit. He also stated that multiple small conversion technology systems in parallel allow production flexibility and maintenance without hampering operations.

Mr. Moscaritolo stressed the fact that thermal conversion is not incineration. He stated that the method used to treat emissions is important to understand the distinction. Mass burn or incineration can only treat fully combusted exhaust while thermal conversions are different because they allow an intermediate step for gas cleanup before the process is complete. Thermal conversions generate much less gas and produces liquids, while incineration does not. He noted that emissions from REI's projects meet worldwide and California standards.

Mr. Moscaritolo stated that REI uses two types of pyrolysis. Pyrolysis I uses petroleum based product waste to produce synthetic diesel. Hybrid Pyrolysis II transforms organic waste into transportation grade green diesel.

Mr. Moscaritolo indicated that REI's "wagon wheel" modular approach consists of spreading various types of thermal conversion technology systems in relative geographical proximity to each other. This allows the various systems to share byproducts and increase the number of prospective vendors to work with.

Questions and discussion followed.

VI. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE AND PRESENTATION ON UNIVERSITY OF CALIFORNIA RIVERSIDE EMISSIONS REPORT

Ms. Tobie Mitchell reported that County of Los Angeles staff expects to present recommendations to the Board of Supervisors for demonstration conversion technology projects by the end of summer. She also reported that City of

Los Angeles staff requested the Bureau of Public Works an additional 45 days to assess the financial health of candidates for their conversion technology development project, and continues to evaluate potential sites for the project.

Ms. Mitchell also reported that the Bioenergy Producers Association, in coordination with the University of California Riverside, released last month a report entitled, "Evaluation of Emissions from Thermal Conversion Technologies Processing Municipal Solid Waste and Biomass."

The report identified 100 operating facilities around the world that process MSW using thermal conversion technologies. Researches looked specifically at 16 facilities, evaluated their emissions, and assessed them against regulatory standards in California, the US, the European Union, and Japan. In almost every case, the facilities that were evaluated had lower emissions than the regulatory standards in California.

Mr. Jay Chen stated that the report contained errors in the presentation of some of the data. Discussion ensued.

VII. UPDATE ON AB 2296 (LANDFILL CLOSURE, POSTCLOSURE, CORRECTIVE ACTIONS AND FINANCIAL ASSURANCE)

Mr. Mohajer reported that he attended a workshop with the AB 2296 Working Group to discuss the proposed financial assurance requirements that the Waste Board wants to implement on closed landfills.

Mr. Mohajer stated that the Waste Board defines closed landfills as "those facilities that closed on or after January 1, 1988, and whose closure was certified by the Local Enforcement Agency (LEA) and the Waste Board." He stated that the Waste Board has identified about 100 landfills that fall under that category, including landfills that are not certified or in the process of closing.

Mr. Mohajer added that the proposed requirements that apply to closed landfills are more stringent than the requirements the facilities had to comply with when they were operating. Closed landfills no longer have a revenue source to meet the proposed financial obligations for postclosure and corrective actions.

Mr. Mohajer noted that the Waste Board at its next meeting will discuss options for mechanisms, requirements and policies to be adopted for closed landfills. At his suggestion, the Working Group will also discuss a grandfathering option for closed landfills.

VIII. UPDATE ON AB 222

Mr. Mohajer reported that AB 222 was heard and approved by the Senate Energy, Utility and Communications Committee on July 7. On July 13, the bill was heard at the Senate Environmental Quality Committee (Committee). At the July 13 hearing, Committee members expressed concern over the lack of data available on air emissions for conversion technology. However, Mr. Mohajer stated that the University of California, Riverside had released a report on that specific subject on June 21 (as discussed under item VI), and that a copy of that report had been provided to Committee members and their staff.

Mr. Mohajer reported that the Committee chair asked the bill author to work with key stakeholders and the Bill's sponsors on amendments to the proposal. These amendments included taking anaerobic digestion out of the definition of biorefineries, and including only the biogenic portion of MSW for the purposes of calculating renewable energy. He reported that the Committee postponed taking action on the bill and decided to reconvene on July 16. However, the July 16, meeting was cancelled and as result, AB 222 has become a two-year bill.

IX. REVIEW AND CONSIDERATION OF AB 274

Ms. Lindsay Sagorski stated that AB 274 was amended in June and July 9, 2009. The Bill is sponsored and supported by Recology. AB 274 would prohibit the owner or operator of a closed landfill that is subject to a closure or postclosure maintenance plan from selling, or offering for sale, any portion of the landfill unless the purchaser provides evidence of ability to meet the financial assurance requirements.

AB 274 would also establish the Solid Waste Postclosure Trust Fund (Trust Fund) which would allow operators of a solid waste facility operating after September 1, 2001, to voluntarily opt into a \$0.12 per ton fee, starting July 1, 2011. The Waste Board may only expend money from the Trust Fund to pay for corrective action and postclosure activities that have not been performed by the operator of a landfill participating in the Trust Fund, after determining that various conditions have been met. The proposed conditions are the following:

- The owner/operator has failed to comply with a final order issued by the Waste Board
- The financial assurance mechanisms are inadequate to fund the necessary compliance activities
- The facility was operating pursuant to a valid solid waste facilities permit

- The board has first used and exhausted the financial assurance mechanisms provided by the public operators

Ms. Sagorski indicated that once an owner/operator decides to “opt in” to pay the fee, they may not “opt out.” An operator of multiple landfills that elects to participate in the Trust Fund is required to include all of their operating landfills. The Waste Board will recover from landfill operators the amount of money expended from the Trust Fund and may impose a lien on the operator’s assets as an additional remedy to recover funds. The new fee will not go into effect unless the Waste Board receives letters of participation from landfill operators representing at least 50 percent of the total annual disposal volume in 2009. Also, the Waste Board at its June 16, meeting approved a recommendation to the Legislature to consider the possibility of establishing statewide pool funds to address residual financial exposure that cannot be addressed through the proposed Phase II regulations.

Ms. Sagorski stated that based on the Task Force’s past position on the issue of pool funds, staff recommends that the Task Force oppose AB 274, as written, because the Bill proposes a voluntary fund that combines public and private money; and the fourth amendment requirement for expenditures from the Trust Fund suggests that the Bill would allow the use of public financial assurance mechanisms first, before using the money in the trust fund.

Mr. Mohajer stated that the Bill is formulated to protect privately owned landfills; that the funds for the voluntary program will ultimately come from the consumer as private operators raise fees; and the Bill contains mixed information regarding fees, what constitutes an owner/operator, and specific uses of monies from Trust Funds.

A motion was made to send a letter to Assembly Member Portantino in opposition to AB 274 unless amended to clarify its confusing language. The motion passed with Messrs. Charles Boehmke and Ron Saldana abstaining.

X. LEGISLATIVE UPDATE

Mr. Rogelio Gamiño provided updates on the following Legislative Bills ([see attachment](#)):

1. AB 925—introduced by Saldaña

This Bill would prohibit a retailer, on and after January 1, 2012, from selling a single-use plastic beverage container with a cap not tethered or affixed to the beverage container.

Mr. Gamiño noted that over 61,000 caps were collected in a statewide beach cleanup conducted in 2005.

A motion was made to send a letter to Assembly Member Saldana in support of AB 925. The motion passed unanimously.

2. AB 1329—introduced by Brownley

This Bill would, on and after July 1, 2014, prohibit a retailer from selling, distributing, or importing in commerce a single-use packaging container that is comprised predominantly of polyvinyl chloride plastic resin.

A motion was made to send a letter to Assembly Member Brownley in support of AB 1329. The motion passed with Mr. Pete Oda abstaining.

3. AB 1343—introduced by Huffman

This Bill would create the architectural paint recovery program, require architectural paint manufacturers to develop and implement strategies to reduce the generation, promote the reuse, and manage the end-of-life of post consumer paint through collecting, transporting, and processing. It would prohibit manufacturers or retailers from selling architectural paint in this State, unless the manufacturer submits a paint stewardship plan individually or through a representative to the Waste Board.

A motion was made to send a letter to Assembly Member Huffman in support of AB 1343. The motion passed with Mr. Boehmke and Ms. Margaret Clark opposing, and Mr. Charles Modica abstaining.

4. SB 4—introduced by Oropeza

This bill would extend the smoking prohibition to state coastal beaches, punishable by a \$100 fine. It would also extend the prohibition to units of the state park system, on condition that the district superintendent of the state park system post an order in accordance with state park regulations policy that prohibits smoking in those areas.

No action was taken on this Bill.

5. AB 1173—introduced by Huffman

This Bill would prohibit the distribution of moneys from energy efficiency investment funds to any entity for the purchase of compact fluorescent lamps, unless the residential fluorescent lamps meet certain specifications, including that the lamp manufacturer individually or collectively implement a recycling program. The manufacturer or distributor may alternatively pay an unspecified amount for every lamp received. Funds generated would be deposited into the Residential Fluorescent Lamp Recycling Fund.

A motion was made to send a letter to Assembly Member Huffman in opposition to AB 1173 unless amended to include all manufacturers. The motion passed unanimously.

6. AB 64—introduced by Krekorian

This Bill would amend the California Renewable Portfolio Standard (RPS) program, effective January 1, 2011, to include local publicly owned electric utilities in the RPS program, and to increase the renewable electricity requirements by the following: 23 percent of electricity delivered to retail customers be from a renewable energy resource by 2014, 27 percent by 2017, and 33 percent by 2020. This bill would also contradict changes in statute which the Task Force has and continues to advocate for through AB 222.

Mr. Mohajer noted that the Task Force has opposed this Bill in the past because of its provision limiting the use of conversion technologies. The Bill also contains a provision requiring that a proposed energy project generating between 5 and 50 megawatt (MW) be under the jurisdiction of the California Energy Commission (CEC). Mr. Mohajer stated that this would preempt local land use authority for facilities as small as 5 MW (the CEC already preempts local authority for projects 50 MW or larger).

A motion was made to send a letter to Assembly Member Krekorian in opposition to the Bill, specifying that the Task Force opposes the take over of local land use decisions by the CEC. The motion passed unanimously.

7. SB 486—introduced by Simitian

This Bill would require, on or before July 1, 2010, and annually thereafter, a pharmaceutical manufacturer that sells or distributes medication that is self-injected at home through the use of hypodermic needles and other similar

devices to submit to the Waste Board a plan for the safe collection and proper disposal of home-generated sharps waste.

A motion was made to send a letter to Senator Simitian in support of SB 486. The motion passed unanimously.

XI. UPDATE ON LIFE CYCLE ASSESSMENT OF ORGANICS DIVERSION ALTERNATIVES

Ms. Linda Lee provided a presentation ([see attachment](#)) on the Life Cycle Assessment of Organics Diversion Alternatives. She stated that the Waste Board has conducted studies to evaluate diversion alternatives to reduce the amount of organics waste going to landfills. These alternatives include composting, chipping and grinding, anaerobic digestion, biomass to energy, waste to energy, and recycling.

Ms. Lee stated that the final report presented four scenarios, each of a set of diversion alternatives that achieves certain objectives, from 2006 to 2025. Scenario 1 objectives would be to achieve minimum cost and diversion rate of 75 percent by 2020; scenario 2 objectives would achieve minimum green house gas (GHG) emissions; scenario 3 objectives would achieve minimum costs, State GHG emission reduction targets, and low carbon fuel standards; and scenario 4 objectives would achieve minimum energy consumption.

Ms. Lee stated that the report provides some interesting results. For instance, the report presents a scenario that by 2025, 75 percent of the waste would be processed using chipping and grinding, composting, material recovery facilities (MRF), and waste to energy. Another result in the report shows the number of facilities required to achieve the scenario presented before.

Ms. Lee reported that the Waste Board's study did not evaluate the effect of using green materials as alternative daily cover (ADC) as a diversion alternative. In addition the Waste Board maintains a firm position on excluding emerging technologies such as gasification and hydrolysis from the study. She also stated that a large percentage of recovered materials are shipped to foreign markets and that the report inaccurately assumes similar energy use and emissions profiles for operations in US and foreign markets. Furthermore, the study inaccurately assumes across the board, closed-loop recycling.

A motion was made to send a letter to the Waste Board addressing the issues the Waste Board study did not cover. The motion passed unanimously.

XII. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL LOCAL ENFORCEMENT AGENCY

Mr. Wayne Tsuda, program manager for the Sunshine Canyon City/County Landfill Local Enforcement Agency (LEA), provided an update on the LEA operations. He stated that Sunshine Canyon Landfill required the creation of a separate LEA from two distinct, existing LEAs under a unique management structure, and spanning two geopolitical boundaries. The City/County LEA has been in operation since July 22, 2008, when the combined City/County facility was permitted, and has held four meetings.

Mr. Tsuda stated that the LEA has a unique organizational structure which includes a five-member Board. Two Board members are appointed by the City of Los Angeles, two by the County of Los Angeles, and a fifth member is nominated by the four members of the Board. The current City/County LEA Board members are Mr. Al Medina, Mr. Dietrich Allen, Councilmember Greig Smith, Mr. David Honda, and Mr. Skip Van Berg.

Mr. Tsuda stated that the program is functioning well. The City/County LEA has inspectors at the landfill on all hours of operations, including holidays. This was a requirement for the land use approval by both the City and County of Los Angeles. He stated that the LEA Board will evaluate the program at its October meeting. The LEA Board will report the findings of the evaluation to the Waste Board who will then consider the LEA for full certification.

Mr. Tsuda reported that the LEA Board has appointed him to continue as program manager until the end of the calendar year. In addition Ms. Cindy Chen, of the County LEA, will serve as program manager once Mr. Tsuda's term ends. Mr. Tsuda also reported that the City/County LEA is working on a website which will contain all documents relevant to the LEA's operation, including inspector reports and any other documents the public may eventually request. This is one of the ways the LEA plans to keep in touch with the community. He stated that he will inform the Task Force when the website is fully operational.

XIII. PROPOSED AMENDMENTS TO CEQA GUIDELINES REGARDING GREEN HOUSE GAS EMISSIONS BY THE CALIFORNIA NATURAL RESOURCES AGENCY

Ms. Mitchell stated that SB 97 directed the Office of Planning and Research (OPR) to develop regulations for the analysis and mitigation of greenhouse gases (GHG) under the California Environmental Quality Act (CEQA). These regulations do not establish a threshold of significance for GHG emissions, nor do they prescribe an assessment

methodology, but instead recommend that the lead agency determines what methodology to use when assessing the GHG emissions impact of a project.

Ms. Mitchell stated that OPR was required to prepare, develop and transmit the guidelines to the Natural Resources Agency (NRA) on or before July 1, 2009; and the NRA must certify and adopt the guidelines on or before January 1, 2010. In April of this year, OPR submitted the draft guidelines to the NRA and on July 3, NRA posted the guidelines on their website.

Ms. Mitchell reported that earlier this year, staff sent a letter to OPR with comments on the preliminary guidelines. One of the concerns addressed in the letter was that the guidelines should provide the option to the lead agency to conduct a life cycle analysis when considering an indirect or direct impact of GHG emissions a project may have on the environment. Another concern was to include the term "integrated waste management plan" throughout the guidelines when referring to documents that may be used to determine GHG emissions impact.

Staff reviewed the revised plan released this month and found that the Task Force's recommendations were adequately addressed. The revised plan includes new guidelines such as, acknowledging the difficulty in defining significant impacts, leaving it up to the lead agency to determine if there will be direct or indirect physical changes to the environment. In addition, the plan gives authority to the lead agency to analyze and mitigate the effects of GHG emissions at a programmatic level such as the general plan, long range development plan or separate plan.

Ms. Mitchell reported that stakeholders expressed concern regarding the CEQA guidelines that the interim statewide threshold of significance currently being developed would be zero emissions; a standard which would be very difficult to meet. She noted that two public hearings have been scheduled for August 18 and 20, to submit comments on the revised plan.

A motion was made to send a letter to the NRA expressing that any interim threshold of significance developed should be realistic and based on scientific evidence. The motion passed with Mr. Jay Chen abstaining.

XIV. REPORT FROM CIWMB

No action. Item postponed until next meeting.

XV. UPDATE ON COURT DECISION REGARDING LAWSUIT BROUGHT AGAINST REGIONAL WATER BOARD

No action. Item postponed until the next meeting.

XVI. NEXT MEETING DATE

The next meeting was scheduled for Thursday, August 20, 2009, at 1 p.m.

XVII. OPEN DISCUSSION/PUBLIC COMMENT

There was no public comment. The meeting adjourned at 3:48 p.m.