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

Minutes of May 27, 2010

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
Sam Perdomo, Business/Commerce Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)
Greig Smith, City of Los Angeles

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, represented by Carlos Ruiz, County of Los Angeles Department of Public Works
Stephen Maguin, rep. by Charles Boehmke, County Sanitation Districts of Los Angeles County
Gerry Miller, rep. by Charles Modica, City of Los Angeles
Dr. Barry Wallerstein, rep. 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
Dr. Jonathan Fielding, County of Los Angeles Department of Public Health
David Kim, City of Los Angeles
Mary Ann Lutz, League of California Cities-Los Angeles Division
Steve Tye, League of California Cities-Los Angeles Division
Eugene Sun, League of California Cities-Los Angeles Division
Enrique Zaldivar, represented by Karen Coca, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Martins Aiyetiwa, County of Los Angeles Department of Public Works
Kelly Astor, Los Angeles County Waste Management Association
Nicole Bernson, City of Los Angeles
Suk Chong, County of Los Angeles Department of Public Works
Rogelio Gamiño, County of Los Angeles Department of Public Works
Wayde Hunter, NVC/GHNNC
Natalie Jimenez, County of Los Angeles Department of Public Works
Sevak Khatchadorian, County of Los Angeles Department of Public Works
Tobie Mitchell, County of Los Angeles Department of Public Works
Gina Nila, City of Commerce
Iheanacho Ofo, County of Los Angeles Department of Public Works
Pat Proano, County of Los Angeles Department of Public Works
Coby Skye, County of Los Angeles Department of Public Works

DRAFT

I. CALL TO ORDER

Meeting called to order at 1:07 p.m.

II. APPROVAL OF MINUTES OF APRIL 15, 2010

A motion was made to approve the minutes of April 15, 2010, with revisions. The motion passed unanimously.

III. REPORT FROM THE PUBLIC EDUCATION AND INFORMATION SUBCOMMITTEE

Mr. Mike stated the subcommittee met and considered a number of articles such as the City of San Dimas celebration of Earth Day; City of Malibu eWaste collections; Conversion Technology and what the County Board of Supervisors did April 20, 2010, in approving 3 demonstration projects as well as a new contract for additional work; Program on County Recycling – encouraging the residence to get involved; Landfill Post Closure and Financial Assurance Regulation - already approved and going into effect July 1, 2010; Letters the Air Resource Board, California Energy Commission, and CalRecycle forwarded to Senator Simitian, chair of the Environmental Quality Committee, in support of AB 222 – Conversion Technology; and City Santa Monica curbside green materials recycling and receiving compost in return back from their city hauler.

For the next edition of the *Inside Solid Waste Newsletter*, they will have a legislation update; an article on "Brag About Your Bag," a County program; update on CalRecycle Organic Waste Life-Cycle Analysis, and an article on CalRecycle's mandatory recycling program.

IV. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)

Ms. Tobie Mitchell reported that this month the Alternative Technology Advisory Subcommittee heard a presentation from Kent Bio Energy. This conversion technology company uses an algae and anaerobic digestion process to convert organic waste into soil amendment and biogas for electrical generation. There was also a presentation from the newly approved Phase III and IV technical consultant, Alternative Resources, Inc. (ARI). ARI reported that they conducted kickoff meetings with the three demonstration project developers and partner cities during the week of May 24-28.

The Subcommittee has an available seat which was recently vacated by Kevin Chen of Southern California Edison. The Subcommittee is currently discussing possible replacements.

DRAFT

V. REPORT FROM THE FACILITY FNA PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that the Subcommittee met and discussed the revegetation efforts at the Sunshine Canyon City/County Landfill. The discussions ended with a motion to accept Staff's recommendation with one modification to include South Coast Air Quality Management District's (SCAQMD) Order for Abatement in the list of items for Staff to monitor

Ms. Landis made a motion to accept the Subcommittee's recommendation. Mr. Mike Mohajer clarified that the motion should include: (1) the Task Force's monitoring of the results of revegetation and vegetation efforts; and (2) Task Force's monitoring of the cease and desist order for vegetation and odor control at Sunshine Canyon Landfill, issued by the SCAQMD, and report back to the subcommittee on a monthly basis. Mr. Mohajer seconded Ms. Landis' motion. The motion passed unanimously.

Ms. Landis reported that the Subcommittee made a second motion for the Task Force to send a letter to BFI strongly encouraging BFI to revegetate the helipad area on the City portion of the Landfill. Mr. Mohajer and Ms. Landis of the Subcommittee, Mr. Wayde Hunter of the North Valley Coalition, and Ms. Becky Bendikson, Chairperson of the Sunshine Canyon Landfill Community Advisory Committee visited the Landfill on May 5, 2010. While taking a look at the revegetation efforts, they came to an area of the City portion of the Landfill that was supposed to have final cover, but appeared very flat and bare and had two helipads on it with no vegetation around the banks. Ms. Landis stated that Ms. Bendikson complained about the obnoxious noise created by the taking-off and landing of the helicopters. Ms. Landis explained that the noise, similar to the wind and odors, was being channeled through the canyon, and vegetation would help baffle the sound.

Mr. Greig Smith stated he had no problem with the motion but clarified that the helipad was being used by the City Fire Department for emergency use only.

Mr. Mohajer made the motion to accept staff's recommendations to send the letter to Sunshine Canyon Landfill. Carlos Ruiz seconded the motion. The motion passed unanimously.

As a separate discussion from the motions, Mr. Mohajer stated he was concerned that the regulatory agencies had failed to enforce the odor requirements as the Abatement Order showed several hundreds of reported complaints. The City/County LEA, County Health Officer, and County Department of Regional Planning all have requirements regarding odor and nuisance control, but there was no notice until SCAQMD's Abatement Order.

DRAFT

Mr. Mohajer then asked whether a meeting with the Director of Regional Planning, Mr. Proano, and Mr. Mohajer had been set up to address the enforcement issues of the County CUP. Mr. Proano stated that the meeting was scheduled for June 7, 2010.

Mr. Mohajer asked why the City/County LEA did not enforce odor requirements. Mr. Smith stated because it was an air quality issue, the LEA's responsibility was to notify the SCAQMD. Mr. Smith stated the LEA's requirement is an odor control system, which is in place, and the City has a technical review committee that monitors and certifies the system. Since odor was an air quality standard, SCAQMD is the lead enforcement agecy.. Mr. Mohajer stated the issue is a violation of the State Minimum Standards, and the LEA and SCAQMD should both enforce it.

Mr. Jay Chen stated both agencies could enforce the odor nuisance requirements. But in order to best utilize government resources, the action is generally taken by one agency as not to duplicate the work. In terms of odor issues relating to landfills and materials recovery facilities, the SCAQMD takes more responsibilities and coordinates with the LEA.

Mr. Mohajer stated that the bottom line is regulatory agencies need to do a better job of enforcing the requirements. Solid waste disposal facilities are necessary for the foreseeable future. Problems such as this provide a reason for communities to oppose the siting of these facilities.

VI. LEGISLATIVE UPDATE

Ms. Betsey Landis mentioned at the last meeting a motion was made to send a letter to oppose SB1247 unless amended, but the letter had not been sent. Mr. Mohajer stated that because the bill was just about dead, staff was instructed not to prepare a letter.

Mr. Rogelio Gamino provided updates on previous legislative bills as follows:

1. AB 1329—introduced by Brownley

   This Bill dealt with the prohibition of distribution of PVC packaging. As amended, it would prolong WB abolishment. It was suggested that the Task Force remove their support.

   A motion was made to remove support but not to send a letter. It passed unanimously.

2. SB 624—introduced by Romero

This Bill previously defined anaerobic digestion and removed it from the definition of transformation. The Task Force requested the definition of AD not contain reference to 140 degree Fahrenheit. However, as amended, it would remove serpentine as the state rock and lithologic emblem and would leave the state rock unspecified. The bill would also make a statement of findings about serpentine and its association with an increased risk of the cancer mesothelioma. It was suggested that the Task Force remove their support.

A motion was made to remove support by sending a letter. It passed unanimously.

Mr. Gamino discussed two Federal HHW bills, H.R. 1359 and H.R. 1191.

H.R. 1359, a spot bill, contained broad and general language relating to the disposal of controlled substances by individuals and long-term caregivers. However the bill did not contain the following essential components;

- Timeline for its intent
- No Definition of terms, such as long-term caregiver
- Requirements that disposal option convenient and cost-effective

Mr. Gamino recommended the task Force watch H.R. 1359.

H.R. 1191 would amend the Control Substance Act to:

- Allow Attorney General to create new regulations governing safe, convenient, cost-effective drug take-back programs.
- Remove the current requirement that law enforcement officers be involved in the normal operations of residential drug take-back programs. This adds cost, places burdens on local police and sheriffs, and is not necessary for safe and secure drug take-back programs.
- Allow a broad range of caretakers to dispose of controlled substances through drug take-back programs, including: patients, family members or friends who act as caregivers, hospice workers, long term care facilities, boarding homes for the elderly, school nurses, and veterinarians. All of these people may have drugs they need to dispose of due to illness or providing care.
- Ensure that federal requirements allow drug take-back programs to be designed and operated conveniently and cost-effectively to meet the needs of our diverse communities. Federal requirements should allow a range of collection options, including drop-off at easily accessible locations such as pharmacies, and avoid burdensome requirements that do not enhance security or effectiveness, such as inventorying collected medicines.

DRAFT

- Ensure environmentally sound disposal of waste medicines by means other than flushing down sinks or toilets or disposing in a municipal solid waste landfills

It would also amend the Federal Food, Drug, and Cosmetic Act to:

- Prohibit Recommendations on drug labels from disposal by flushing.

Proposed amendments to the bill include:

- Take back programs should be made available without a federal requirement for additional enabling legislation at the state or local levels.
- No Statute related to drug disposal should preempt a state and local government's right to apply more stringent requirements.

Mr. Gamino also spoke on things to come. June 4 is the last day to pass bills out of their house of origin; July 2 summer recess begins if Budget Bill has been passed; and Legislature reconvenes, which is August 2, 2010. He also mentioned the difficulty on passing bills out their house of origin is likely due to the current budget situation. He noted three of the four EPR bills the Task Force has taken position on have been placed in the Suspense File since they would exceed $150,000.

Lastly, Mr. Gamino mentioned four bills (AB 222, AB 479, AB 737, and SB 25) that had previously fallen off the radar because of their two-year status that will potentially resurface during the second half of this two-year legislative session. Mr. Gamino advised staff will monitor.

Mr. Mohajer made a motion that for the Task Force to forward another letter to the Senate Assembly committees restating the Task Force's position to oppose AB 479, AB 737 and SB 25.

Mr. Kelly Astor, General Council Lobbyist for four waste disposal trades including the California Refuse Recycling Council, stated the haulers he represented support AB 479 and AB 737 and stated SB 25 was essentially a dead bill. He stated their focus is on AB 737 because most of AB 479 was amended into AB 737. There is one set of amendments to 737 pending because it got missed in the shuffle. Ultimately AB 737 will look exactly like AB 479.

The industries' assessment of the bill was that an increase in the statewide diversion goal and the disposal reduction goal is inevitable, and we cannot sort and recycle ourselves to zero waste. Their endorsement of the 75 percent piece is because it's a statewide goal and says it will not be enforceable against local governments and haulers. They cities are upset because they feel they're doing their part. They may be able to get to 60 percent, but a fill 75 percent is not

going to be friendly to local governments. The bill is an important shift of focus from the local governments and haulers to society at large, and they thought that was a good thing.

The second reason they support the bill is because in terms of mandatory commercial recycling, it only imposes the requirements against businesses that generate over 4 yards of waste a week. It is franchise friendly in that it acknowledges that the intention in establishing a commercial recycling mandate is not aggravate or frustrate ordinances or contracts that may be in effect now. It also acknowledges that mixed waste processing (MRF) may be an eligible alternative to source separation if it can demonstrate a comparable diversion yield. The clients operating MRFs like that because they can streamline 100 percent of the waste instead of 30 percent.

The third thing they like is permit streamlining. Most of the clients with MRFs have a design capacity that's set higher than their current permitted capacity, and they would like the ability to increase tonnage from their current permitted level to the design capacity without going through an entire formal permit revision process. An alternative to that is a modification, which is a shorter, less expensive route to increase tonnage. Some landfill operators decided that since they are limited to what they can take in, if they were to recycle some of those tons, they shouldn't get allowances for that.

Their political sense is that 75 percent diversion is coming just as commercial recycling mandates are already in the scoping plans of AB 32. Regardless of what may happen with the global warming solutions act, the demographic in this state isn't going to change any time soon. It is vital that they get the kind of 75 percent recycling that is better than the alternative. They are hoping to generate a lot of support for AB 737 and urged the Task Force to give it a second look.

Ms. Margaret Clark asked where the industry stood on AB 222. Mr. Ashtor responded they are vigorous supporters of the measure, and that it was one of the things that AB 737 doesn't do that it should. He stated it's time for additional tools besides recycling if you're going go above 60 or 70 percent. The reason they're still supporting AB 737 despite of the conversion technology piece is because it's in AB 222. Ms. Clark responded that if AB 222 doesn't pass or if it isn't folded into AB 737, she doesn't agree that the Task Force should support AB 737 because if they do the 75 percent mandate without doing the conversion technology component, then cities will be in trouble.

Ms. Landis commented that the proposed laws all have the same sentence that says "this bill would remove oversight of the local enforcement agency to approve increases in the capacity of solid waste facilities. This bill would also remove the requirement for a local Task Force to review and comment on the amendments to a nondisposal facility element." She stated that as chair of the

Facility and Plan Review subcommittee, over the past year she has seen a lot of interesting and not well-regulated instances of locations wanted to change their NDFE requirements, and it looks like the bills are trying to loosen the control of local agencies to make sure their waste management plans are well thought out and working well. She isn't happy with either of the bills and can't see how the state can get to 75 percent diversion and agrees with Ms. Clark that if you don't have AB 222 there is no way get to 75 percent. There are things that affect the Task Force's ability to have a good plan to handle waste management, and she doesn't recommend support either bill.

Mr. Mike Mohajer asked who the four members LA County disposal association were. Mr. Ashtor listed a few such as Waste Management, Inc., Republic Industry, Ped Co., Vertec, Crown Disposal, and Terreverde Industry.

Mr. Mohajer stated he has yet to hear a single work from Waste Management, Inc., in support of AB 222. And in regard to facilities, a lot of times they are designed at a higher capacity than they are permitted for. The action of the local government says that even though you are designed at a certain capacity, they will only permit it a certain amount, and that is how you get the community's support. Now there is language that says you can go higher than what's permitted. That language allows you to bypass local government and things begin to be run through Sacramento. The Task Force is trying to protect local control.

Mr. Ruiz commented that in regards to removing the Task Force's review and comment. He stated the State law gives the local task force certain responsibilities including assisting the cities in developing their local planning documents, so this would be inconsistent with their responsibilities delegated to the local task force.

After the discussion below, the motion passed unanimously to forward another letter to the Senate Assembly committees restating the Task Force's position to oppose AB 479, AB 737 and SB 25.

VII. THE PROPOSED AMERICAN POWER ACT BY SENATORS KERRY & LIEBERMAN (05/12/2010)

Mr. Coby Skye presented the proposed American Power Act (APA). He stated the goals of the American Power Act are to steadily reduce greenhouse gas (GHG) emissions generated in the United States by:

- 4.75% below 2005 levels by 2013
- 17% below 2005 levels by 2020
- 42 % below 2005 levels by 2030
- 83% below 2005 levels by 2050

Mr. Skye noted that the bill primarily addresses energy issues, however there are several aspects of the Act that relate to solid waste. The APA defines the term "Renewable Energy Source" to mean wind energy, solar energy, geothermal energy, renewable biomass, biogas derived exclusively from renewable biomass, and biofuels derived exclusively from renewable biomass. A portion the bill defines "Renewable Biomass" as "…(B)(ii) waste material, including crop residue; other vegetative waste material (including wood waste and wood residues), construction waste; and food waste and yard waste."

Mr. Skye noted that this bill is similar to the Waxman-Markey bill (H.R. 2454) in that H.R. 2454 defined qualified waste to energy as "energy from the combustion of municipal solid waste or construction, demolition, or disaster debris, or from the gasification or pyrolization of such waste or debris and the combustion of the resulting gas at the same facility." The APA is more consistent with the Task Force's position, since waste materials are included in the APA's definition of renewable biomass, and renewable biomass is defined as a renewable energy resource. However, unlike HR 2454, there are no specific technologies listed, therefore there is no acknowledgment of the potential for conversion technologies to meet this goal. In addition it is unclear if MSW is included in these definitions, which is of concern.

The only place MSW is mentioned in the Act is as a component of the term "Utility Unit." A "Utility Unit" is defined as:

- A combustion device that, on Jan. 1 2009, or any date thereafter, is fossil-fuel fired and serves a generator that produces electricity for sale, unless the combustion device, during the 12-month period beginning Jan. 1, 2009, or the date of commencement of commercial operation and each calendar year beginning after that later date;
- …(B) combusts materials of which more that 95 percent is MSW on a heat input basis.

The intent of this language appears to be to exclude waste to energy facilities from the Federal definition of a Utility Unit. The bill also establishes a list of projects that would be eligible to produce GHG offset credits, including:

1. Methane collection from mines, landfills, and natural gas systems
2. Non-landfill projects that involve collection, combustion, or avoidance of emissions from organic waste streams that would have otherwise emitted methane into the atmosphere, including manure management, composting, or anaerobic digestion
3. Recycling and waste minimization projects

Mr. Mohajer made a motion to send a letter of support with a request to define conversion technology projects.

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VIII. CALRECYCLE'S DRAFT REPORT ON ORGANIC WASTE MANAGEMENT AND LIFE CYCLE ASSESSMENT

Ms. Tobie Mitchell presented a status update of CalRecycle's Life Cycle Analysis (LCA). She stated the process started over a year ago when CalRecycle hired a contractor to develop the LCA and the greenhouse emissions tool. The goal was to identify and quantify the life cycle environmental benefits and costs associated with alternatives to manage organics and recyclables, which are currently being disposed in landfills. The purpose of this LCA was to provide data to CalRecycle to support the recommendation of policies to better manage organics and recyclables in the coming years.

The Task Force has been a very vocal participant in the stakeholder process as the LCA progressed over the last year. The Task Force has provided comments expressing a number of concerns, including the lack of analysis of conversion technology alternatives. There were also a number of inaccuracies and assumptions in the LCA. The Task Force cautioned CalRecycle that this LCA will be considered definitive by many of the stakeholders and decision makers since it the only organics LCA in California at this time, and urged CalRecyle to correct the deficiencies in the LCA before it is published.

Last month staff participated in a webinar hosted by CalRecyle regarding the status of the LCA. . CalRecyle expressed displeasure with the outcome of the LCA and requested that it not be used or quoted in policy development or greenhouse gas analysis. Unfortunately, the LCA is still posted the on CalRecycle's website. Several stakeholders at the workshop urged CalRecycle to remove the LCA from the public domain, since the disclaimer on the tool itself would not prevent it from being utilized by policy and decision-makers both within and outside of California, despite its flaws.

Ms. Margaret Clark made a motion to send a letter urging CalRecycle to remove the LCA from their website. Mr. Mike Mohajer seconded. The motion passed unanimously.

IX. CALRECYCLE NEW CLIMATE/DIVERSION MEASUREMENT CALCULATOR FOR CALIFORNIA BUSINESSES

No action. Item postponed until the next meeting.

X. DTSC FRAMEWORK FOR SAFER PRODUCETS REGULATIONS

Mr. Matt Suska presented about the recently released "Safer Consumer Product Alternatives, Draft Outline for Regulations," an integral part of the Department of Toxic Substances Control (DTSC) Green Chemistry Initiative. This Initiative launched in 2007, and DTSC defined the Initiative's goal as the development of

policy recommendations "to stimulate the ‘green' design of products so that the manufacturing, use or disposal of products generates, uses and releases less hazardous chemicals." With this definition, the Initiative represents a major shift in chemical and product regulation in the state, rejecting the traditional chemical by chemical, product by product approach with a scientific and systematic framework for alternatives analysis.

In February of 2010, DTSC released a Conceptual Flow Chart (copy attached). It visually depicts the analysis process that chemicals and products will be subjected to before being allowed to be sold to California consumers. State law requires these regulations to be adopted by January 1, 2011. The first step in the alternatives analysis process, Prioritization, is on DTSC to assess both the universe of chemicals and the universe of consumer products using the various defined criteria and hazard traits. There is also a “Petition” option that allows anyone to request an analysis for either products or chemicals. The second step in the process is on the manufacturer of a consumer product to submit reports to DTSC about their products and alternatives assessment. Finally, possible Regulatory Responses are spelled out. Requiring End-of-Life Management is the most relevant to the Task Force Agenda.

The Conceptual flowchart was the first step and established the framework for the regulatory process. DTSC’s recent release of the Draft Outline of the Regulations is a vital second step that builds on the conceptual flowchart and proposes guidelines for scientific and systematic prioritization, certification of the alternatives assessment, and further development of DTSC’s regulatory responses.

Solid waste management, Task Force’s prerogative, should only be influenced by the imposition of the “end-of-life management” regulatory response. The language is found on page 17 of the Outline. Staff finds the language very much in accordance with the recommendations adopted by CalRecycle for an overall EPR framework. However, Staff Recommends the final regulations fully delineate the roles and responsibilities of the various parties and stakeholders as called for in the CalRecycle adopted “Overall Framework for an EPR System”. Also, in most cases, though determined individually, Staff recommends incorporating and specifying a minimum percentage collection rate in take back programs so as to have measurable results and achievable goals.

DTSC is committed to having Safer Consumer Product Alternatives Regulations adopted by the end of the calendar year. With this Draft Outline DTSC will continue to take comments in its collaboration with all stakeholders to transform the outline into the Green Chemistry Regulations for Safer Products.

Ms. Betsey Landis commented that in the Draft Outline it says “chemical of concern prioritization process” and “product prioritization process.” She is

DRAFT

concerned because that can be two different things because chemicals can be changed and come in all sorts of conditions. The Draft Outline also says "opportunity to petition for inclusion of a chemical and/or product in this process." Ms. Landis asked how the DTSC tells whether a petition is an honest petition based on real evidence and not something everyone is concerned about with no scientific evidence. She also questioned what was meant by certification and does it include evidence from short- and long-term trials.

Mr. Suska responded that the regulations are based purely on sound, peer-reviewed scientific evidence and not political evidence and that the certification is saying that the product is safe and contains no chemicals of concern.

Ms. Landis referenced the European Union's list of chemicals of concern that has thousands of chemicals and asked when faced with a flood gate of chemicals like that and everyone bringing in their hated chemical, how is DTSC going to handle it? Ms. Suska answered that it is an iterative process, and DTSC realizes they will be analyzing sets or generations of chemicals. They will be able to handle a generation of chemicals right now and next year they'll move on to another set. Ms. Landis asked if they are going to use some of the information from the European Union. Mr. Suska confirmed they will be using the information.

Ms. Landis expressed concern about end-of-life management of things when we live in a life so based of chemical compounds especially since an umbrella company can get some molecules from one country and some from another and then combine them to make something else. Mr. Suska responded that DTSC's practical point of enforcement is at the point of sale, so the sellers and producers and retailers will have to deal with that.

Ms. Landis asked about the level of allowable contamination and stated it was going to be very difficult to manage and was concerned if they would have enough staff to manage it.

XI. REPORT FROM CALRECYCLE

Item postponed because Steve Uselton did not attend meeting. Mr. Mike Mohajer made a motion that a letter be sent to CalRecycle requesting that they ensure they send a representative to the Task Force meetings. Margaret Clark seconded. It passed unanimously.

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

No action. Item postponed until the next meeting.

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XIII. PRESENTATION ON THE 2008 COUNTYWIDE INTEGRATED WASTE MANAGMEENT PLAN ANNUAL REPORT

Ms. Linda Lee presented the 2008 Annual Report as required under the California Integrated Waste Management Act of 1989 (AB 9393) and indicated it included two parts. The first part updates the Summary Plan, which was approved by CIWMB in 1999 and describes the steps to be taken by local agencies to achieve the mandated 50% diversion goal. The second part updates the Siting Element, which was approved by CIWMB in 1998 and explains how the County plans to address its long term disposal capacity demand over a 15-year planning period.

Updates to the Summary Plan include the following:

- Puente Hills Landfill will close in October 2013. Jurisdictions that depend on the landfill to divert green materials will be impacted. The closure of could result in the disposal of greenwaste due to inadequate in-county processing capacity and a limited market for compost made from greenwaste.
- In 2007, City of LA released a Request for Proposal for alternative technology development partners. Four of the 12 proposals submitted met the requirements.
- On April 20, 2010, County Board of Supervisors approved Memoradum of Understandings for 3 Conversion Technolgy demo projects at transfer/processing facilites located in Riverside and Orange Counties.
- The recent economic downturn resulted in a decrease in the amount of waste disposed. Trends show the amount of waste disposed and exported for each quarter from 2006 through 2009. In general, disposal declined 31% over the four-year period. In the same time period;
    - Puente Hills Landfill experienced a 35% drop;
    - Sunshine Canyon City/County experienced an <u>increase</u> of 5%, mainly due to the merger of Allied Waste and Republic Services;
    - Chiquita Landfill experienced a 46% drop;
    - Calabasas Landfill experienced a 50% drop; and
    - Scholl Canyon Landfill experienced a 41% drop.

Updates to the Siting element include several proposed facility expansions, for example:

- Antelope Valley Landfill proposes adding almost 9 million tons of capacity and increasing its daily capacity from 1,800 to 3,600 tons per day;
- Chiquita Canyon Landfill proposes adding nearly 24 million tons of capacity and maintaining its existing daily tonnage limits; and
- Lancaster Landfill proposes extending the permitted life of the landfill and increasing its daily tonnage from 1,700 to 3,000 tons per day.

DRAFT

The Annual Report examines 7 scenarios for future waste disposal and analyzes whether there would be available capacity to meet the disposal demand and when a potential shortfall would occur. Based on the status quo analysis, the County would not have adequate capacity for the next 15 years. A shortfall would begin in 2014, shortly after the closure of Puente Hills Landfill.

However, the report shows that the County can avert a shortfall and provide adequate 15-year capacity to meet its disposal needs if the following strategies are pursued:

- Maximize waste reduction and recycling
- Develop alternative/conversion technologies
- Expand transfer and processing infrastructure
- Increase existing landfill capacities
- Develop a waste-by-rail system

A copy of the complete Annual Report can be found online at www.solidwastedrs.org. The 2009 Annual Report is currently being prepared. When it is completed, a copy will be provided.

At the conclusion of the presentation, Mr. Wayde Hunter asked whether the strategies were rated in order of importance because he believes "increase existing landfill capacities" should be the last option. He also asked if Mesquite and Eagle Mountain were included in the analyses. Ms. Lee responded that one of the scenarios assumes an increase in exports up to 16,000 tons per day, including the use of the Mesquite Regional Landfill.

Mr. Ruiz stated that Staff presented two representative scenarios to keep the presentation short, and there are five other scenarios including those recommended by the Task Force in the previous years, such as alternative technologies and increasing jurisdictions' diversion rates.

Mr. Charles Boehmke asked if the scenarios presented were the ones Staff believed were most likely to happen. Ms. Lee explained the graph was chosen because the County needs to show the State how the County will manage its own waste rather than sending it to surrounding counties. The graph presented shows that with a variety of diversion programs and efforts in alternative technologies, the County will be able to avert a shortfall.

Mr. Ruiz added that to be consistent with the Countywide Siting Element, the County pursues in-county landfill capacity, development of out-of-county disposal capacity infrastructure, and development of conversion technologies concurrently. Without diversifying our strategies, we may have a difficulty in meeting the needs of the County residents. And as a matter of policy, the County of Los Angeles needs to make every effort to manage its needs within the County to the extent possible.

DRAFT

Mr. Boehmke stated he did not believe alternative technologies would be able to handle 10,000 tons per day in 10 years. Waste-by-rail is almost complete and permitted for 20,000 tons per day, so that would be a more likely outcome in the next 10 to 15 years. Mr. Mohajer responded that under the best scenario, only 8,000 tons per day would be handled by rail.

Mr. Ron Saldana added the difference between "available" and "utilized" needs to be clear. While we hope there is a lot of available capacity, the market is going to determine where the waste goes. There may be availability, but it may not be utilized due to the market condition. which complicates the assumptions. Ms. Landis agreed and stated that when presenting to the public at large, we need to show all the options available to the County because we would need all of them for the next 15 years.

XIV. NEXT MEETING DATE

The next meeting was scheduled for Thursday, June 17, 2010, at 1 p.m. in Conference Room C.

XV. OPEN DISCUSSION/PUBLIC COMMENT

1. Mr. Carlos Ruiz presented a letter from CalRecycle to the Task Force regarding comments to the proposed updates to the Countywide Integrated Waste Management Plan (CIWMP) Enforcement Policy Part II. Review of the letter will put on the June 17, 2010, agenda.

2. Mr. Mike Mohajer announced the State Assembly presented their proposed budget for the State of California. The proposal is to use the CRV/Bottle Revenue as collateral to borrow $12 billion from the New York financial institution and repay it back over 20 years. That would mean all the CRV money the cities and counties are supposed to get, they would not see any of it. It would also mean the Bottle Bill and recycling would likely be raised.

   Mr. Mohajer encouraged the legal cities and CSAC to keep watch of the proposal and let their officials know if they don't like it.

The meeting adjourned at 3:03 p.m.

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