

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

Minutes of August 16, 2012

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

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Enrique Zaldivar, rep by Karen Coca, City of Los Angeles Bureau of Sanitation
Mitchell Englander, rep. by Nicole Bernson, City of Los Angeles
Gail Farber, rep. by Pat Proano, County of Los Angeles Department of Public Works
Grace Chan, rep by Chris Salomon, County Sanitation Districts of Los Angeles County
Dr. Jonathan Fielding, rep. by Cindy Chen, County of Los Angeles Department of Public Health
Dr. Barry Wallerstein, rep. by Jay Chen, South Coast Air Quality Management District

COMMITTEE MEMBERS NOT PRESENT:

Sam Perdomo, Business/Commerce Representative
Michael Conway, City of Long Beach
David Kim, City of Los Angeles
Gerry Miller, City of Los Angeles
Carl Clark, rep by David Thornburg, Institute of Scrap Recycling Industries, Inc.

OTHERS PRESENT:

Jennifer Wallin, CalRecycle
Jacqueline McMiller, Clements
Chip Clements, Clements
Mark Patti, City of Santa Clarita
Tobie Mitchell, County of Los Angeles Department of Public Works
Gabriel Arenas, County of Los Angeles Department of Public Works
Corey Mayne, County of Los Angeles Department of Public Works
Coby Skye, County of Los Angeles Department of Public Works
Wayde Hunter, NVC/GHNNC
Becky Bendikson, SCL-CAC
Peggy Polinsky
George Gomez, County of Los Angeles Department of Public Works
Christine L. Hinkel, Waste Less Living
David Garcia, Urbaser
Frances Mandujano, County of Los Angeles Department of Public Works
Art Vandalay

OTHERS PRESENT - Continued:

Betsey Meyer, Los Angeles County Waste Management Association
Lisa Scales, County Sanitation Districts of Los Angeles County
Kelly Astor, Los Angeles County Waste Management Association
Suk Chong, County of Los Angeles Department of Public Works
Claudia Holguin, County of Los Angeles Department of Public Works

I. CALL TO ORDER

Meeting called to order at 1:05 p.m.

II. APPROVAL OF MINUTES OF JULY MINUTES, 2012

A motion was made by Ms. Betsey Landis to approve July minutes with a second by Karen Coca. The motion passed with abstentions from Jay Chen, Margaret Clark and Mike Mohajer.

III. PUBLIC EDUCATION AND INFORMATION SUBCOMMITTEE

Mr. Mike Mohajer reported the subcommittee reviewed and approved articles with minor changes and revisions. In the next publication they will provide more information on PaintCare, composting regulations vote from CalRecycle and the Water Board, update on legislation, and the Sharps program from Alameda County. The subcommittee wanted to let the committee members and public know they are looking to receive articles from the cities and industry for inclusion in the Inside Solid Waste publications requested interested parties submit articles. He briefly discussed the Siting Element with the committee.

IV. FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that due to Savage Canyon Landfill's pending Solid Waste Facility Permit application with the Local Enforcement Agency, the subcommittee will not make a determination on the Finding of Conformance requirement until all the paperwork from the City of Whittier is complete.

Staff provided a chart showing an odor complaint trend for complaints reported by the residents of Granada Hills. Mr. Anthony Bertrand of Republic Services indicated that Flare No. 9 was recently installed in August and several thousand gas collection lines have been installed since last year. Republic anticipates installing another flare by August 2013.

Mr. Bertrand responded to the subcommittee's questions regarding the second quarter 2012 vegetation report. The subcommittee discussed the need for weed abatement because vegetation will not establish until weeds are under control.

Ms. Landis made a motion to send a letter of encouragement to Republic on the progress made towards revegetation and recommend regular frequent weed abatement to improve the growth of native plants. Mr. Mike Mohajer seconded the motion. The motion passed with opposition from Mr. Chris Salomon.

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

Ms. Mitchell reported the ATAS met this morning and primarily discussed previous meeting minutes; however, there was a short discussion on the definition of “conversion technologies”. The Subcommittee reviewed a definition proposed by staff and a definition in the Countywide Siting Element. Staff would like to establish a set definition for use in future Task Force and ATAS correspondence. The Subcommittee approved the version submitted by Staff, but eliminated the word “solid” from the term “solid waste”, since conversion technologies are capable of processing multiple types of waste. Members of the Task Force discussed the definition approved by the Subcommittee. Mr. Pat Proano made a motion, seconded by Chris Salomon, for staff to come up with a definition to present at next month’s Task Force meeting. The motion passed unanimously.

VI. TASK FORCE ROLES AND RESPONSIBILITIES

Ms. Natalie Jimenez and Ms. Julia Weismann, County of Los Angeles County Counsel, gave the [attached presentation](#) on the roles and responsibilities of the Task Force and committee members and a brief update on the Brown Act and written procedures. Ms. Jimenez stated staff is preparing a manual that outlines the role of the Task Force and members that will include an updated copy of the written communication procedures once the revised version has been approved by the Task Force. Several questions came up regarding the Brown Act, communication from the Task Force with the public, and interaction with the audience during meetings. Ms. Weismann stated that she wasn’t the expert on the Brown Act but would arrange for Barbara Gould, County of Los Angeles County Counsel, to come and give a presentation to the Task Force focused on the Brown Act.

In response to a question about speaking with the public outside of meetings, Ms. Nicole Bernson stated that for communications between meetings the California League of Cities has adopted policies on certain issues and can comment on bills based on those policies. She suggested that would be a good model for the Task Force. Mr. Pat Proano suggested that staff come up with written guidelines and present them to the Task Force for review and approval. Ms. Margaret Clark pointed out that the Brown Act states that “the People do not give their elected representatives the right to decide what’s good for them to know and what isn’t,” and that the People are the boss, elected officials are the

servants, and staff serves the elected official as they serve the People. There should be dialogue between the people and committee. Mr. Mike Mohajer stated that this issue was previously discussed with County Counsel and established and adopted a policy on written rules and communications on October 20, 2005. If changes are to be made, copies of the procedures, Public Resources Code, and County Code must be distributed and discussed among the members. Mr. Mohajer also added that during subcommittee meetings, they make decisions that become recommendations to the Task Force to take action which may not be on the agenda and that the State left the Brown Act enforcement up to the local governments, and Supervisor Antonovich made a motion that the County of Los Angeles will comply with the Brown Act. Ms. Bernson clarified her interpretation of the rule is that action cannot be taken on item that is not on the agenda. Since subcommittee reports are on the agenda, action can be taken; however, specific actions item cannot be voted to change or accept or it's a violation. Ms. Mary Ann Lutz suggested in-depth questions like this be addressed by Ms. Goul when she comes. Ms. Bernson added that recent case law stated agendas must contain a degree of specificity that would lead a member of the public to understand what was on the agenda so they could attend and comment. Violations of the Brown Act are very serious and come with monetary fines. Ms. Bernson also suggested an Ad Hoc Committee be established to review, edit or modify the written procedures and manual before the final draft is presented to the Task Force for approval. Ms. Lutz made clear to form an Ad Hoc committee, it must be agenized. Mr. Proano specified that staff is putting together a packet of communication procedures and documents to provide to the Task Force for discussion, review, and editing. It will be presented at a future meeting.

Ms. Betsey Landis suggested a sentence be added to the agenda that states the action may be taken of the agenda items or items brought forth from the subcommittees. Ms. Weismann confirmed that that the public does need to provide notice to the public of what will be acted on so a review should be done of how to draft the agenda to make it clear to the public what will be acted on. She will review that and also the limits of interaction between the committee and the audience and report back. The questions addressed in the meeting will be presented to Ms. Goul for her to clarify when she makes her presentation.

VII. CONSIDERATION OF THE PRELIMINARY DRAFT COUNTYWIDE SITING ELEMENT

Mr. Martin Aiyetiwa gave the attached [revised presentation](#) of the Draft Countywide Siting Element (CSE). He stated staff is open to receive comments and is available to meet with any of the committee members regarding any questions they may have regarding the CSE. Mr. Aiyetiwa began his discussion by describing the transition from the traditional waste management hierarchy to the new waste management paradigm that places the greatest emphases on

waste prevention. The goals and policies in the CSE have been revised to be consistent with the new waste management paradigm. The waste disposal trend was also discussed in conjunction with a graph showing the amount of waste disposed of and generated per year over the next 15 years. With the current trend, staff anticipates meeting the 75% diversion goal. Ms. Karen Coca questioned the current diversion starting point of 55% stating that is a low estimate. Mr. Carlos Ruiz stated it is a conservative estimate based on the 2005 numbers and the current effect of the economy and reduction in waste generation. Ms. Coca stated the diversion number is too low based on the diversion programs many cities have implemented throughout the county. She has concerns that lowering the diversion number may indicate that the cities aren't doing any better today than in 2005. Mr. Jay Chen asked that since waste reduction is on top of the hierarchy how much reduction was considered in the projection and should there be more? Mr. Aiyetiwa responded that the size of packaging of certain products was considered because today there is less packaging which equates to a smaller generation number, but actual numbers specific to product design and packaging are currently not available at the County level for consideration. The waste reduction efforts are included and considered with the diversion estimate and therefore considered in determining the generation quantities. Ms. Betsey Landis commented that there's nothing in the formulas that points to source reduction through producer responsibility, but they only focus on employment, consumer spending, and population growth, and the public may view that the projections do not consider that everyone is working together to reduce and divert waste. Mr. Ruiz responded that the projection line represents what would happen if things were left as they are with no diversion programs, but the assumption of a 75% reduction would include source reductions' extended producer responsibility, increased recycling, and other waste diversion efforts.

VIII. POTENTIAL LEGISLATION, ORGANIC WASTE MANAGEMENT

Mr. Mike Mohajer distributed the [attached handout](#) outlining possible organics legislation being discussed among environmental groups in Sacramento that may be incorporated into existing legislation. Anything with any amount of carbon is considered organic. It may be used by Senator Chesbro as an amendment to AB 2196 or AB 1900. Mr. Coby Skye stated there are incentives for organics placed in landfills to be used to generate landfill gas and renewable energy in out-of-state landfills, but the same material cannot be injected in the pipelines in-state. Mr. Pat Proano confirmed that the language is to be incorporated into AB 2196 as reported at a meeting held last week for the California State Association of Counties (CSAC). The meeting was attended by Waste Management, Republic Services, Waste Connection, and CSAC. Mr. Proano stated they sent a letter expressing their opposition to the bill and the issues parallel AB 341. The bill is endorsed by Californians Against Waste, but the waste companies are against it. Mr. Mohajer stated AB 2196 would allow pumping of landfill gas into

regular gas lines and it would be eligible as renewable energy. Ms. Karen Coca stated these types of proposal are disasters for local governments because none of the funds invested in the plans goes toward actual diversion programs with costs being forced on local jurisdictions and customers. Ms. Landis commented that this bill implies composting is a good use of organics, which isn't the most environmentally preferred use of material. Mr. Eugene Sun commented that he's seen an increase of composting facilities in his area and they cause a lot of problems including odors, air pollution, emissions, etc.

Mr. Proano made a motion to send a letter to Senator Chesbro opposing the legislation and the state going around the AB 341 process not considering the costs to local governments. A discussion ensued, and Mr. Chris Salomon commented that the County Sanitation Districts is taking a different stand in terms of composting facilities in response to the 75% diversion plan and this legislation. They want local jurisdictions to be able to determine and select the type of technology to use to handle this type of material instead being told they have to compost it. From an industry standpoint, Mr. Ron Saldana feels that if the Sacramento has decided composting is the answer, then they must become a part of that process. The discussion continued with Mr. Mohajer commenting that one of the issues is that the Regional Council of Rural Counties (RCRC), consisting of 17 counties, has lots of land but little organics and has the ear of Sacramento. Agreeing with that point was a member of the audience, Kelley Astor stating that he attending the prearranged meeting and, the three local governments represented were San Jose, San Francisco, and Humboldt Counties, which doesn't represent the vast interests of jurisdictions. RCRC is vigilant in helping push back but they need to be concerned about usurping the process. Mr. Astor also stated there is specific language in the legislation that could cause problems for Southern California that the Task Force should address when writing the letter. He suggested telling the legislatures that when the deadline of 2020 approaches, and there is no infrastructure in place to support the bill, then they should consider extending the deadline. The discussion briefly continued, and Mr. Mohajer seconded the motion and added there should be a draft floor alert ready to send if needed. The motion passed unanimously.

IX. LEGISLATIVE UPDATE

Mr. Coby Skye reported it's the conclusion of the current two year legislative session and bills are moving rapidly through the legislature. The last day for all the fiscal committees to meet is August 17 and sessions will convene during the next two weeks to conclude the business of the legislature. The last day for bills to be passed out of the legislature is August 31, and the Governor will have 30 days to sign or veto all bills. He anticipates many bills will be amended and passed through during this time. The [attached Legislative](#) summary of the following three bills was given.

AB 845 – Task Force members received an e-mail regarding the gut and amend of this bill, which incorporated language from AB 1178. It's on its third reading. A Floor Alert was sent to oppose. Staff will continue to monitor.

SB 568 – A Floor Alert was recently sent to support. It is pending removal from the inactive file of the Senate Appropriations Committee.

SB 1118 – Originally, the Task Force took an "oppose unless amended" position on this bill. The bill was amended, and last month the Task Force took a support position. Subsequently, the bill was amended again and contains areas of concern regarding a voucher system; language regarding waste, used, and disposal of mattresses, which seems to discourage recycling; and recovery of local costs for participating. Staff is recommending the original position of oppose unless amended. After a brief discussion, Ms. Karen Coca made a motion for staff to review the latest version of the bill and send a letter to oppose unless amended if it contains language that relies on a voucher system. Mr. Mike Mohajer seconded the motion, and it passed unanimously.

Mr. Skye stated staff will be closely following all bills the Task Force has acted on as they move through the process and will send Floor Alerts on urgent matters and letters to the Governor on behalf of the Task Force as needed. Ms. Cindy Chen requested a fact sheet be prepared and distributed ahead of time before the meeting. Staff will prepare a fact sheet for future bills.

X. UPDATE ON CALRECYCLE'S DRAFT REGULATORY REVISIONS TO TITLES 14 AND 27, AND WATER BOARD'S PROPOSED STATEWIDE ORDER, REGARDING COMPOSTING FACILITIES

Item was postponed until the next meeting, but staff did report that a comment letter was sent to CalRecycle. The comments were consistent with the previous letters to CalRecycle on this matter. The State Water Resources Control Board (SWRCB) released a draft Order detailing the proposed requirements for compost facilities on August 7, 2012. Staff will be attending a SWRCB workshop on August 28, 2012. The deadline to submit comments regarding the Order is September 12, 2012, by which another letter will be sent to the SWRCB with the Task Force's comments. This Order is anticipated to be voted upon for adoption by the SWRCB during their October Board meeting.

XI. REPORT FROM CALRECYCLE

Mr. Mike Mohajer announced that Ms. Jennifer Wallin was promoted and is now the manager of the Long Beach office. Ms. Wallin reported that Carroll Mortensen was approved as Director of CalRecycle by the Senate. They are still waiting on details for the next workshop for the 75% plan tentatively scheduled for September but the date and location has not be set. They are currently reviewing composting regulations. A date has not been set for the formal

rulemaking to begin. The State Water Resources Control Board will be meeting August 27 and 28, formal comments will be accepted until September 12, and they will vote on the plan October 4. The Beverage Container Recycling program Reform workshop will be held on October 21 in conjunction with the public meeting. The jurisdiction two and four year review has started. Items for review will be brought forward in the spring. The Paint Stewardship plan was approved by Carroll Mortensen July 19. Upcoming events: Public Meeting – October 21; HHWIE – August 22; Tire Conference August 28 & 29; and California Bio Resources Alliance September 11 & 12; and application for rubberized pavement grant due October 23. Mr. Pat Proano mentioned Carroll Mortensen will be meeting with Public Works on August 20, and be invited to be a part of the County Engineers Association policy conference September 13 & 14. CSAC members plan to also meet with her on September 12 from 1 to 4 p.m. at the CSAC conference center to discuss conversion technologies.

XII. NEXT MEETING DATE

The next meeting is scheduled for Thursday, September 20, in Conference Room B.

XIII. OPEN DISCUSSION

The meeting adjourned at 3:35 p.m.

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