

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

Minutes of November 20, 2014

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
Mayor Mary Ann Lutz, California League of Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Betsey Landis, Environmental Organization Representative
Ron Saldana, Los Angeles County Disposal Association

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, rep by Bahman Hajialiakbar, County of Los Angeles Dept. of Public Works
Gerardo Villalobos, County of Los Angeles Department of Public Health
Grace Robinson Hyde, rep by Chris Salomon, County Sanitation Districts of Los Angeles County
Mitchell Englander, rep Nicole Bernson, City of Los Angeles
Enrique Zaldivar, rep by Bernadette Halverson, City of Los Angeles Bureau of Sanitation
Barry Wallerstein, rep by Ed Pupka, South Coast Air Quality Management District

COMMITTEE MEMBERS NOT PRESENT:

Dr. Sam Perdomo, Business/Commerce Representative
Carl Clark, Institute of Scrap Recycling Industries, Inc.
David Kim, City of Los Angeles
Michael Conway, City of Long Beach Public Works Department

OTHERS PRESENT:

Rob Sherman, Republic Service
Primitivo Nuñez, CalRecycle
Ralph Kroy, NVC/GHNNC
Jeanne Biehler, Los Angeles County Department of Public Health
Kumari Gossai, Los Angeles County Department of Public Health
Kathy Salama, County of Los Angeles Department of Public Works
Chris Sheppard, County of Los Angeles Department of Public Works
Coby Skye, County of Los Angeles Department of Public Works
Karlo Manalo, County of Los Angeles Department of Public Works
Patrick Holland, County of Los Angeles Department of Public Works
Tranette Sanders, County of Los Angeles Department of Public Works
Gabriel Arenas, County of Los Angeles Department of Public Works
Wu Tan, County of Los Angeles Department of Public Works
Emiko Thompson, County of Los Angeles Department of Public Works
Wayde Hunter, NVC/GHNNC

I. CALL TO ORDER

Meeting called to order at 1:05 p.m., by Ms. Margaret Clark.

II. APPROVAL OF MINUTES FOR OCTOBER 16, 2014, MINUTES

A motion was made to approve the August 21, 2014, minutes as corrected. The motion carried unanimously.

III. REPORT FROM THE PUBLIC EDUCATION AND INFORMATION SUBCOMMITTEE (PEIS)

Mr. Mike Mohajer reported that the Fall Issue of the Inside Solid Waste Newsletter would be going out later that day. The PEIS also discussed articles that are tentatively going to be in the Winter Issue which will be out early January 2015. The articles include; the adopted Alameda County Ordinance, status of Sunshine Canyon Landfill, CalRecycle packaging, EPR in reference to paint, carpet, and mattresses, and the one-year anniversary of the closure of Puente Hills Landfill.

There will be an article on Walt Garrison, a former general manager of the County Sanitation Districts, who passed away at the age of 92. Mr. Mohajer also mentioned they will be having updates on the workshop the Task Force is planning to conduct in the early part of next year on organic waste management.

There will also be an article on how the City of Palmdale is using art as a tool to promote recycling, and the Countywide programs that the Department of Public Works provides. Mr. Mohajer hopes to have an article ready from the City of Los Angeles about their commercial franchise system for which proposals have already been received. He would also like to include an article on the updated 2013 County Integrated Waste Management Annual Report that was submitted to CalRecycle.

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

Mr. Clark Ajwani reported that the Sustainable Waste Management System Roadmap was adopted by the Board on October 21, 2014. Now the interdepartmental working group will begin development of implementation plans for key initiatives and conduct outreach to key stakeholders. The County will be participating in a panel and hosting a booth at the VerdeXchange Conference at the end of January. There have been preliminary discussions on another bill related to conversion technology -for the next legislative session but nothing has been determined yet.

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CalRecycle announced Cap and Trade grants for organics; \$14.5 million was awarded out of \$118 million worth of projects. This is for five anaerobic digesters and/or composting projects.

CalRecycle attended the Renewable Energy from Waste Conference in San Jose, which contained many biochemical technologies. Public Works attended the Decarbonizing California Conference that had several bioenergy presentations and plans to reduce emissions in transportation. With regard to conversion technology projects, there are now 13 anaerobic digestion projects operating in the State of California up from five 24-months ago and three in construction. Mr. Jacques Franco from CalRecycle announced he accepted a new position at UC Davis.

V. REPORT FROM THE FACILITY PLAN & REVIEW SUBCOMMITTEE (FPRS)

Ms. Betsey Landis reported that there were 223 odor complaints in the month of October, which is a decrease by 26 percent from the month of September and an increase by 27 percent from the month of October 2013. Ms. Landis shared various odor complaints charts which were disseminated to the Subcommittee that show the number of odor complaints, surface gas emissions, leachate collected, and notable events that may be attributable to the fluctuations in the odor complaints.

Ms. Emiko Thompson provided a report on measures and efforts by agencies of the Sunshine Canyon Landfill Interagency Working Group to mitigate odors at the Landfill over the past six months. Ms. Thompson discussed Public Works' October 22, 2014, letter to Republic Services (Republic) requiring additional corrective measures within Public Works' purview and authority to mitigate odors at the Landfill. Mr. Ed Pupka of the South Coast Air Quality Management District (SCAQMD) and Mr. Gerry Villalobos of the Sunshine Canyon Landfill – Local Enforcement Agency provided verbal updates at the Subcommittee meeting regarding efforts/actions by their respective agencies to address and mitigate odors from the Landfill. Ms. Thompson reported that the County of Los Angeles Department of Regional Planning and the City of Los Angeles Planning Department have not officially responded to staff's request to obtain information regarding measures and efforts by their agencies to address odors at the Landfill.

Ms. Landis made a motion to send a letter to the County of Los Angeles Department of Regional Planning and the City of Los Angeles Planning Department asking for an official response regarding efforts/actions the agencies have taken to address nuisance mitigation at the Landfill. Mr. Mike Mohajer seconded the motion. The motion carried with one member abstaining (Mr. Ed Pupka).

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Ms. Landis also reported that Republic sent a letter to the County of Los Angeles Department of Public Works requesting Public Works to assist them with obtaining information about an alleged natural gas leak in the Granada Hills neighborhood. Ms. Landis reported that Public Works forwarded the information they've obtained from the Gas Company to Republic. The Gas Company identified the leak in July and reported that it was a centralized leak, which was eventually fixed in October.

Mr. Villalobos reported he has shared information he obtained from the Gas Company regarding the natural gas leak to Republic and will share the information with Public Works.

Ms. Landis made a motion to send a response letter to the Sunshine Canyon Landfill regarding their request for the Task Force's assistance in obtaining information on the alleged natural gas leak in the Mission Tierra neighborhood, and Mr. Mohajer seconded the motion. The motion carried with one member abstaining (Mr. Ed Pupka).

Ms. Landis reported on the presentation regarding a proposal for the Sunshine Canyon Landfill to accept sediment from the Devil's Gate Reservoir Sediment Removal Project. The Final Environmental Impact Report (FEIR), was approved, but does not include the Sunshine Canyon Landfill as one of the final destinations for the disposal of sediment.

Mr. Wayde Hunter expressed his concerns regarding the constituents of the sediment. Public Works informed the Subcommittee that they plan to do an Addendum or a Supplemental to the FEIR, to address potential impacts associated with utilizing Sunshine Canyon Landfill as one of the disposal sites for the sediment, and to allow the public to review and provide comments. Ms. Landis mentioned that more information will be needed to determine whether this project would be feasible.

Ms. Bernson asked Ms. Thompson to brief the Task Force on some of the additional requirements Public Works had required Republic to comply with to mitigate odors from the Landfill. Ms. Thompson reported that considering the increase in odor complaints, Public Works sent a letter to Republic on October 22, 2014, requiring additional corrective measures be implemented at the landfill, related to operations such as landfill gas management and odiferous loads. Republic responded with a letter on November 18, 2014, requesting to meet with Public Works to discuss the various mitigation measures requested. Public Works plans to meet with Republic to discuss the letters.

Mr. Hunter commented that Republic is trying to discredit the 302 complaints in September and the 223 complaints in October by claiming that some of the calls may have been due to the recent gas leak. Mr. Hunter also expressed his

concerns regarding the Devil's Gate Reservoir Sediment Removal Project. Furthermore, he disagreed with Republic's statement in their letter of November 18, 2014, that there is no basis under Condition No. 45 of the County's Conditional Use Permit to require the landfill to further implement measures to protect public health and safety since odors alone are not a threat to public health and safety. Mr. Pupka clarified that the investigation during the timeframe of the odor complaints received were neither confirmed nor described by the onsite inspector as natural gas type odors rather they were landfill gas or trash.

VI. CALRECYCLE UPDATE

Mr. Primitivo Nuñez of CalRecycle reported the following:

AB 1826 Mandatory Organics Recycling (MORe) Implementation

- CalRecycle is developing the implementation and guidelines regarding mandatory organics recycling law. Information will be online and a comprehensive F.A.Q. resource will be available in early 2015.
- CalRecycle will hold workshops that will discuss the implementation process.
- Mandatory Organic Recycling listserv can be found on website.

Organic Materials Management Regulation Revisions

- Comments from a series of informal stakeholder workshops discussing 14 issues to be addressed in the rulemaking process.
- Staff developed proposed regulations.
- Staff completed an Economic and Fiscal Impact Analysis of the proposed regulations.
- A public hearing to receive oral and written comments has been scheduled for December 10, 2014.

Mattress Stewardship

- With the passage of SB 1274, CalRecycle has made revisions to the proposed mattress recovery and recycling regulations.
- Request for Approval has been signed by the Director.
- Economic analysis of the proposed regulations is currently underway.
- Formal rulemaking is scheduled to commence this fall.
- CalRecycle has conditionally approved the certification of the Mattress Recycling Council pending the approval by the IRS on non-profit status.

Carpet Stewardship

- At the September 2014 CalRecycle Public Meeting, an RFA was presented with analysis of the Carpet Stewardship Annual Report.
- Based on staff's recommendations, the following were approved:
 - The Annual Report to CalRecycle was determined to be non-compliant

- Staff to suspend administrative actions on condition that the Annual Report addresses the key issues.
- Overview of the 2013 Metrics of Carpet Stewardship Program, will be finalized with input from the Carpet America Recovery Effort (CARE).

Paint Stewardship

- PaintCare submitted the California Paint Stewardship Program Year 2 Annual Report to CalRecycle on November 1, 2014.
- CalRecycle to determine if report is complete and inform PaintCare via letter no later than December 1, 2014.
- CalRecycle is planning a workshop on January 6, 2015.

CalRecycle Public Notice: 2014 Covered Electronic Waste Net Cost Reporting Requirement

- CalRecycle posted a public notice on the website detailing the requirement that approved collectors and recyclers in California's covered electronic waste (CEW) recovery and recycling program calculate and submit Net Cost Reports for operations conducted in 2014.

GRANT AWARDS

Climate Change and Solid Waste Management

The Governor's 2014-15 Budget, included \$25 million in Fiscal Year 2014/15 for CalRecycle to provide financial incentives for capital investments in composting/anaerobic digestions infrastructure and recycling manufacturing facilities that will result in reduced greenhouse gas emissions.

Organics Grant Program Awards

Program Recommended Award	Project Type	Total Award Recommended
CR&R Incorporated (Riverside Co)	Anaerobic Digestion	\$3,000,000
Colony Energy Partners, LLC (Fresno Co)	Anaerobic	\$2,925,920
Mid Valley Disposal, Inc. (Fresno Co)	Digestion/Food Rescue	
Mid Valley Disposal, Inc. (Fresno Co)	Aerated Static Pile	\$3,000,000
Recology East Bay Organics (Alameda Co)	Composting	
Recology East Bay Organics (Alameda Co)	Anaerobic Digestion	\$3,000,000
Burritec Waste Industries, Inc. (San Bernardino Co - partially funded)	Aerated Static Pile	\$2,595,080
	Composting/Food Rescue	
Total		\$14,521,000

<u>Recycled Fiber, Plastic, and Glass Grant Program</u>		
Applicant	Project Type	Total Award Recommended
Command Packaging (LA County)	Plastic	\$3,000,000
Peninsula Plastics Recycling, Inc. (Stanislaus Co)	Plastic/Fiber	\$1,000,000
Sonoco Products Company (LA County - <i>partially funded</i>)	Fiber	\$1,000,000
Total		\$5,000,000

OPEN GRANT/LOAN CYCLES

Greenhouse Gas Reduction Revolving Loan Program

- Competitive program. \$4,662,000 is available for fiscal year 2014/15.
- Applications are due December 1, 2014.

Illegal Disposal Site Abatement Grant Program

- This program provides financial assistance in the form of reimbursement grants up to \$500,000 to help public entities cleanup, restore sites for fiscal year 2014/15.
- Applications are due February 4, 2015.

Legacy Disposal Site Abatement Partial Grant Program

- The program provides financial assistance in the form of reimbursement grants up to \$750,000 in matching funds to assist public entities requiring financial assistance, for fiscal year 2014/15.
- Applications are due February 4, 2015.

Tire-Derived Product Grant Program

- A competitive Tire-Derived Product (TDP) Grant Program to promote markets for recycled-content products derived from waste tires generated in California.
- Applications are due December 4, 2014.

Mr. Ron Saldana had a comment on the Organics Grant Program from an industry prospective. He believes it's a very poor start to how the money is distributed. Each awardee received less than what CalRecycle originally stated they would be given, which is inadequate for the infrastructure needed.

Ms. Bernadette Halverson asked about the debriefing or the discussion on how they rate the applicants and how they make the selections. Mr. Nuñez is not aware on the procedures taken to make that type of decision. Ms. Halverson would like to know why they were not selected so that in the future they would know how to apply or what they are looking for in the proposal. Mr. Nuñez will find out for the Task Force.

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Ms. Landis asked if consideration is given where the most activity towards handling this particular section of solid waste would be when they making these awards. Mr. Saldana added that one of the criteria's is that they are looking for "disadvantaged communities." Mr. Nuñez pointed out he was not on that committee, but that he would find out what was the scoring criteria or if they have any categories CalRecycle goes by when making their decision and will report back to the Task Force.

Mr. Mohajer indicated that; the Task Force requires a semi waste characterization as part as its Finding of Conformance. The last characterization that was received from Sunshine Canyon, which was conducted the last week of September 2014, showed that food waste, constitute 42 percent of the total waste. Out of that 42 percent, 70 percent was from residential sources and 30 percent commercial. There are no facilities to handle the food waste and once they do, controlling the odors will be another headache.

VII. LEGISLATIVE UPDATE

No Legislative updates.

VIII. UPDATE ON ALAMEDA COUNTY COURT CASE

Ms. Tranette Sanders gave the [attached](#) presentation as an update on the Alameda County Court Case. After giving background information on the ordinance, she discussed the ordinance timeline and compared the Alameda County Ordinance with two similar Ordinances currently in place in King County and San Francisco. Ms. Sanders also emphasized that PhARMA's last appeal in the lawsuit against Alameda County to the Ninth Circuit Court of Appeals was unsuccessful, and they have until December 30, 2014, to file with the U.S. Supreme Court.

Ms. Sanders also mentioned that the County has increased its efforts to support and explore EPR legislation at the State and local level. Letters of support of pharmaceutical legislation such as SB 727 and SB 1014 have been sent by Public Health, Public Works, and the Sheriff's Department. On December 9, 2014, the Departments of Public Health as the lead agency will reconvene to explore the feasibility of establishing a County EPR Ordinance, which is consistent with the Roadmap recently adopted by the Board.

Ms. Nicole Bernson inquired about a draft motion or resolution, currently on hold, to pursue an ordinance to establish a pharmaceuticals take-back program sponsored by Public Health and the Sheriff's Department. Ms. Sanders confirmed the draft motion is currently on hold and added the Departments will

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resume discussions on whether or not to pursue it at a December 9, 2014, meeting.

Mr. Gerry Villalobos asked if Alameda County has an implementation date. Ms. Sanders answered that they are implementing the ordinance. Mr. Ed Pupka asked what objections were raised by the pharmaceutical manufacturers and if any were related to the program cost that will be imposed on them. Ms. Sanders answered that there were a variety of reasons and cost being one of them.

Mr. Mohajer indicated that the Task Force options depend on what happens with Alameda County case. If PhARMA appeals Ninth Circuit Court decision to the U.S. Supreme Court on December 30, 2014, Mr. Mohajer suggests the Task Force forward a letter to all the cities and the County asking them to submit an amicus brief to join the lawsuit in support of Alameda. If PhARMA does not appeal the decision, then the Task Force should send a letter to the cities and County to adopt similar ordinances as the one in Alameda County. It was previously discussed to have staff speak with County Counsel and research the legal steps that would need to be taken to submit an amicus brief and report back to the Task Force so that an informed decision could be made, including a decision to recommend that the cities adopt similar ordinances. Staff should present the pros and cons and what County Counsel advises at the January Task Force meeting. Ms. Mary Ann Lutz added that most of that will be based whether or not there will be a continued lawsuit. Mr. Mohajer would like to keep this item on the agenda for the January Task Force meeting.

Ms. Lutz made a motion to send a copy of the original letter sent to Board of Supervisor dated April 5, 2010, to Public Health and cc other Departments present at the December 9 meeting, letting them know the Task Force continues to support moving forward, Mr. Mohajer seconded the motion. The motion carried with one member abstaining (Ed Pupka).

IX. SUMMARY OF THE CALRECYCLE PACKAGING WORKSHOP

Mr. Gabriel Arenas summarized the workshop on packaging which CalRecycle hosted on November 13, 2014. The purpose of the workshop was to present, for stakeholder input, potential policy approaches to increase the collection and recovery of packaging in California's disposal stream. The packaging initiative's purpose is to help the state achieve the 75 percent statewide goal established pursuant to AB 341 as well the greenhouse gas reduction targets established under AB 32 and the State Water Board's proposed amendments to the Statewide Water Quality Control Plans. CalRecycle data indicates that packaging comprises one quarter of the waste stream in the state. CalRecycle proposed a definition and scope for the initiative in order to initiate dialogue between stakeholders.

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Mr. Arenas reported that CalRecycle utilized a combination of qualitative and quantitative methods in order to identify priority packaging products/types for the initiative. The result of the evaluation identified seven priority packaging types: Uncoated corrugated cardboard, miscellaneous paper, plastic containers, degradable plastics, pouches, and plastic films. CalRecycle is considering several policy approaches for successful implementation of the effort: mandatory initiatives, landfill bans on recyclables, minimum recycled content requirements, voluntary activities, and voluntary activities with a threshold to pursue mandatory activities.

Ms. Margaret Clark asked how a landfill ban of recyclables would be implemented. Ms. Landis also brought up the various requirements of packaging that can't be tossed out the window which requires a lot of disposable packaging. Ms. Landis gave an example of everything used in the hospital is disposable. Ms. Landis also pointed out contamination, what is done when you have contaminated cardboard when it's filled with oil or feces. You can't easily recycle those items but you can convert them to energy. Another point is that the type of recycling you are talking about it's the type that is going to require a lot of energy, Ms. Landis added. Ms. Landis recommends taking a sharp look into this and asks just how much energy and water is it going to take to have this type of recycling.

Mr. Mike Mohajer attended the workshop on November 13, 2014, and added that CalRecycle's main focus was that the compostable material (20 percent) was packaging and paper waste and in order for the State to reach to 75 percent diversion by 2020, CalRecycle wants this material diverted from going into the landfill. Californians Against Waste (CAW) would like to develop a mandate for recycling packaging similar to the organics recycling bill which was recently passed. Mr. Mohajer reported that the packaging industry was well represented at the meeting; their goal (from Mr. Mohajer's standpoint) is to do nothing. From Task Force standpoint of view Mr. Mohajer indicated that, EPR plays a major role in packaging and that's what the Task Force stands for and the people that manufacture the excess packaging can take it back if they want to.

Mr. Ron Saldana made a couple of comments. He does not agree with Mr. Mohajer that the industry is doing nothing. He mentioned it is a concern for everyone, for industries and municipalities. A lot of the packaging regarding fast foods and food in general is contaminated, if this material is going to be eliminated from the landfill, the next question is, where is it going to be taken. The industry is working on it; he reiterated it's not the case of not wanting to do it. Mr. Mohajer responded that at the workshop there was a long discussion for hours and he kept asking what was the packaging industry going to do and based on responses he heard, he reached to that conclusion.

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Mr. Mohajer made a motion to draft a letter to CalRecycle expressing their support for EPR and energy recovery of recyclables as viable approaches for the packaging initiative, to dissuade CalRecycle from pursuing landfill bans, and take into account water usage in the policy approaches they consider for the initiative, Ms. Bernadette Halverson second the motion. The motion carried with one member abstaining (Ed Pupka). The draft letter will be sent to the Task Force members for their input before mailing it out to CalRecycle.

X. PUBLIC COMMENT

No public comments.

XI. NEXT MEETING DATE

Mr. Mike Mohajer made a motion to cancel the December Task Force meeting if there were not any major issues, Mr. Chris Solomon second the motion. The motion carried unanimously.

The next meeting is scheduled for Thursday, January 15, 2014, **in the 12th Floor Executive Conference Room.**

The meeting adjourned at 2:37 p.m.

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