

September 15, 2021

TO: Facility and Plan Review Subcommittee Members

FROM: Martin Aiyetiwa *MA*
Staff

TASK FORCE REVIEW COMMENTS ON THE LOS ANGELES COUNTY PRELIMINARY DRAFT REVISED COUNTYWIDE SITING ELEMENT AND DRAFT ENVIRONMENTAL IMPACT REPORT

As you may recall, at the last Task Force meeting on August 19, 2021, the Task Force directed staff to work with Subcommittee members to review and compile all members comments on behalf of the Task Force. Staff has compiled comments received as of September 15, 2021, which are shown in the **attachment**. Staff will continue to accept comments from members of the Subcommittee and the Task Force.

I. Background

The Los Angeles County Public Works (Public Works), under the auspices of and in coordination with the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force), has prepared the Preliminary Draft Revised Countywide Siting Element (Draft Revised CSE). The Draft Revised CSE and its Draft Environmental Impact Report (DEIR) were released for public review on July 1, 2021.

On August 9, 2021, Public Works, acting as the Lead Agency, announced a 45-day extension of the review and comment period of the Draft Revised CSE and its DEIR upon a request made by the Task Force. The new deadline to submit comments to Public Works is Thursday, September 30, 2021.

As part of the review process for the Draft Revised CSE, Public Works is requesting the Task Force to review and submit written comments on the released documents pursuant to Title 14, California Code of Regulations (CCR) Section 18779. CCR Section 18779 provides that, within 45 days of receipt of each preliminary draft, the Task Force is to send written comments to CalRecycle and Public Works (as the agency responsible for preparing the preliminary draft documents).

Also pursuant to CCR Section 18779, Public Works will consider the Task Force's comments and public input in preparing the Final Draft CSE and will prepare written responses to the comments received. Public Works intends to consult with the Subcommittee and Task Force, as appropriate, in preparing the Final Draft CSE. Public Works will then submit the Final Draft CSE and EIR to the Task Force

for further review and comment (CCR Section 18781) prior to commencing the local jurisdictions final review and adoption process.

II. Options for the Task Force

The Facility and Plan Review Subcommittee may decide to:

1. Consider the comments received, present those comments to the Task Force for consideration, and recommend that the Task Force send a letter to Public Works transmitting its comments on the Draft Revised CSE and DEIR.
2. Request an extension of the public review period for an additional 45-days to complete the Task Force's review of the documents.
3. Both Options 1 and 2.

III. Recommendation

Staff recommends the Subcommittee submit its comments on the preliminary Draft Revised CSE and DEIR to the Task Force, and to recommend that the Task Force direct staff to prepare a letter transmitting the comments on the preliminary Draft Revised CSE and DEIR, and submit it to Public Works, as the Lead Agency preparing the documents.

MA:cso

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Attach.

**TASK FORCE COMMENTS RECEIVED AS OF SEPTEMBER 15, 2021
ON THE LOS ANGELES COUNTY PRELIMINARY DRAFT REVISED COUNTYWIDE
SITING ELEMENT AND ITS DRAFT ENVIRONMENTAL IMPACT REPORT**

General Comments:

- The Draft Revised CSE should be consistent in using the terms "disposal facility" vs "landfill". The document discusses disposal facilities, which include landfills and transformation facilities.
- The California Code of Regulations (CCR), Title 14, Section 18756.7, Subdivision A, paragraph 3, requires identification of revenue sources sufficient to support administration and maintenance of the countywide or region-wide solid waste disposal facilities siting program. Therefore, funding should be addressed in the Draft Revised CSE.

Specific Comments:

- Chapter 1 – Introduction
 - Section 1.11 Role of Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force – Update the section to clarify that the Los Angeles County Solid Waste Management Committee (CoSWMC) has not been replaced by the Integrated Waste Management Task Force (Task Force). The role of CoSWMC was expanded as a result of AB 939, and on February 27, 1990, the Board of Supervisors considered and subsequently sought approval from cities in Los Angeles County to designate the CoSWMC as the Task Force.
- Chapter 2 – Goals and Policies
 - Goals 4, 6, 7, and 8 (8.1): add “environmentally appropriate”.
 - Table 2-1, Goals 1, 4, and 8: add the Department of Toxic Substances Control (DTSC) and the California Department of Food and Agriculture (CDFA) to California State agencies that regulate infectious, toxic, or contaminated green waste products such as compost, soil additives, and other products from the processing organic wastes at solid waste facilities.
- Chapter 3 – Existing Solid Waste Disposal Facilities
 - Section 3.1 Purpose and Key Terms (page 53), should include definitions of the following terms: Class I landfill, Class II landfill, and Landfill. Also, add a statement: "All Class II and Class III landfills can accept solid waste. There are no active Class I landfills in Los Angeles County. For the purpose of the CSE,

the use of the term "landfill" refers to Class III landfills." These terms should also be defined in the Glossary of Terms.

- Chapter 4 – Current Disposal Rate and Assessment of Disposal Capacity Needs
 - Scenario Tables (Table 4-11 through 4-17), verify if the remaining capacity of Sunshine Canyon Landfill in 2033, as shown in all scenario tables, is consistent with the requirements of the Landfill's Conditional Use Permit closure year and whether the Landfill can request from the County additional years of operation or not.
 - Table 4-8: Expand "Alternative Technologies" to every In-County Landfill and Recycling Center.
 - Solid waste projections should exclude the influence of Alternative Technologies in decreasing the disposal of solid waste.
 - Figure 4-4 ignores wide use of Alternative Technologies in producing electricity.
 - Table 4-14 has a pink column labeled "Imports from other Countries". This statement should be corrected.
 - Table 4-16 ignores Alternative Technologies.
- Chapter 5 – Alternative Technologies
 - Revise Table 5-2. Table should include useful data on the number of megawatt hours produced per ton of solid waste or how much it takes to produce a specified number of megawatt hours.
 - Appendix 5B, Solid Waste Integrated Resources Plan (SWIRP), Executive Summary, Facility Phasing 2013 – 2030. Revise to do more electric power producing facilities.
 - Appendix 5B, City of Los Angeles SWIRP Waste Management Hierarchy: How well are they doing? I understand they are planning an Alternative Technology facility to produce electrical energy from solid waste. That may impact their solid waste triangle, but the lights will stay on in the City.
- Chapter 6 – Facility Siting Criteria
 - Include a map for Antelope Valley Air Quality Management District.
 - Section 6.3 Specific Requirements, remove the write-up referencing PRC Section 44004 (h) (1).

- Table 6B-1: Should update table with current information.
- Section 6.3: CCR, Title 14, Section 18756: Revise to add use of solid waste transformation and processing for fuel, not disposal, and Section C: for approval of conversion/transformation facilities.
- Section 6.4.1 Siting, Paragraph 1: Replace “transformation processes destroy the waste it handles” with “transformation processes utilize waste to produce useful products such as electricity, sterile compost, etc.” This Section needs to discuss transforming, not destroying solid waste.
 - i. Add new bullet: “Produce electricity and other marketable products of transformation of solid waste.”
- Section 6.6.5: What changes are needed for a revised Finding of Conformance for a solid waste transformation facility?
- Section 6.6.8 Other Agencies: Need to add DTSC and CDFA when the solid waste facility is transforming, not disposing, solid waste.
- Figure 6B-1: Make sure accuracy of number labels for General Forecast and Monitoring Areas.
- Table 6A-2: Should include products of transformation facilities and note that these products meet health and toxicity standards set by DTSC and CDFA.
- Table 6B-1: Add DTSC and CDFA under “State Agencies”.
- Chapter 7 – Proposed In-County Facility Locations and Descriptions
 - Section 7.7: Section should be rewritten.
 - Section 7.8: Why? When approvals were given in 2010, didn’t L.A. County Public Works proceed to build these solid waste transformation facilities? We need local renewable sources of electricity right now, considering the failing power grid, loss of natural waterpower sources, and the power lines lost or turned off in severe wildfire conditions. Los Angeles County needs to use its renewable resources of solid waste to produce electrical power for our 88 cities and unincorporated County. Solar panels don’t work well when the sky is dark with smoke clouds raining corrosive soot particles. Wind farms may likely suffer damage from being coated with corrosive soot and ashes from raging wildfires.
 - i. Will the lights stay on in the rest of LA County?

- Chapter 8 – General Plan Consistency
 - See comment on Chapter 7, Section 7.8 above.
- Chapter 9 – Out-of-County Disposal
 - The purpose of this chapter should be to reduce out of county waste disposal, not buy more air-polluting trucks to send our solid waste to other counties. We need that solid waste to give our County local sources of electrical power. If we produce enough electrical power, we can even afford to reduce air pollution by having our truck fleets run on electricity, reducing our air pollution even more.
 - Section 9.8: CCR, Title 14, Section 187 55 (a) (b) requirements: States the basic requirements for solid waste disposal and transformation facilities or additional strategies. We should be transforming 49% of our solid waste, not exporting it out of LA County!
 - What are the daily emissions from trucks going to out-of-County landfills, then returning to LA County? How many megawatts of electricity and tons of sanitized compost are we throwing away? We may be losing money wasting our solid waste when our cities could be making some money. We have ten sites ready to build transformation/alternate technology facilities right now. What is Public Works waiting for?
- Chapter 10 – Finding of Conformance
 - PRC 50001 (a) (page 411) should read:"no person shall establish or expand a solid waste facility, as defined in Section 40194, in the 'county unincorporated areas and any city within the county' unless the solid waste facility meets one of the following criteria:"
 - Section 10.1: The purpose should be clarified to indicate that non-disposal facilities are not subject to review and approval by the Task Force.
 - Table 10-1, Section B: Add item 8: Provide a contour map showing existing and final contours for landfills only.
 - Table 10-1, Section G, 2a: Add new subparagraph (a): To the maximum degree feasible, minimize disposal of organic waste.
 - Table 10-1, Section G, 2e: Revise to read, "Support the host jurisdiction's Mass Debris Removal and Recycling Plan and Programs."

- Environmental Justice Document
 - Include the community of Val Verde in the Environmental Justice Document.