

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

**Minutes of July 18, 2002**

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

COMMITTEE MEMBERS PRESENT:

Albert Avoian, Business/Commerce Representative  
Margaret Clark, League of California Cities-Los Angeles Division  
Clarence Gieck, Greater Los Angeles Solid Waste Management Association  
John McTaggart, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Ron Deaton, represented by Rafael Prieto, City of Los Angeles  
Fred Leaf, represented by Virginia Maloles, County of L.A. Dept. of Health Services  
James A. Noyes, represented by Mike Mohajer, County of L.A. Dept. of Public Works  
Jim Stahl, represented by John Gullede, County Sanitation Districts of L.A. County  
Judith Wilson, represented by Nady Maechling, City of Los Angeles Bureau of Sanitation  
Ben Wong, represented by Michael Miller, League of California Cities-  
Los Angeles Division

COMMITTEE MEMBERS NOT PRESENT:

Ginger Bremberg, General Public Representative  
David Kim, City of Los Angeles Appointee  
Betsey Landis, Environmental Organization Representative  
Joe Massey, Institute of Scrap Recycling Industries  
Ed Shikada, City of Long Beach  
Barry Wallerstein, South Coast Air Quality Management District

OTHERS PRESENT:

Steven Amromin, Waste Management  
Bob Barker, County of L.A. DPW  
Melinda Barrett, County of L.A. DPW  
Toyasha Black, City of Arcadia  
Tammy Evans, City of Monrovia  
John Garcia, City of Beverly Hills  
Bernardo Iniguez, City of Bellflower  
Scott A. Jenkins, Waste Management

Ben Lucha, City of Santa Clarita  
Carolyn Meredith, City of Pasadena  
Michelle Nicholls, SCS Engineers  
Jason Rush, Waste Disposal  
Ron Saldana, LACDA  
Vanessa Tubaces, Palos Verdes Estates  
Cynthia VanHul City of Claremont

**I. CALL TO ORDER**

The meeting was called to order at 1:10 p.m.

**II. APPROVAL OF MINUTES**

The minutes of June 20, 2002, were approved as presented.

**III. UPDATE ON CONSTRUCTION AND DEMOLITION/INERT DEBRIS REGULATIONS**

Mr. Mike Mohajer stated that the California Integrated Waste Management Board (CIWMB) is going through the process of adopting regulations that would control construction, demolition, and inert (C&D) material that is stored or processed at a site, or goes to a landfill or depleted gravel pit. Mr. Mohajer stated that Phase I of the regulations concerns the transfer and processing of C&D material. Mr. Mohajer stated that the public review period for these revised regulations ended July 15. The revisions exempt public works activities which relate to airport, flood control, and road projects.

Mr. Mohajer stated that proposed regulations specify a time limit for materials stored in one location. If the time period is exhausted, then the stored material will become disposal for purpose of achieving the AB 939 waste reduction mandate. Mr. Mohajer also stated that, if the source separated material is taken to another location, this activity falls under the jurisdiction of the CIWMB to be regulated. Mr. Mohajer stated that a letter (see attached) was sent to the CIWMB explaining that although the principle is supported, the CIWMB should enforce its authority to regulate facility operators and impose penalties rather than using the regulations to penalize jurisdictions. Also, the regulations exempt grading activities as long as the materials are generated on site. However, once materials are moved off site (even simply across the street), the project will have to receive CIWMB approval. Therefore, if soil is imported for a project, it would count as disposal and CIWMB approval would be required.

Mr. Mohajer stated that Phase II of the regulations concerns C&D material that goes to landfills and depleted gravel pits. Facilities up to the registration tier will not be required to pay the State's \$1.40 tipping fee. However, Mr. Mohajer added that the number of facilities that will actually meet the criteria for this tier is unclear. Materials that go to facilities in the registration tier will count as disposal for the purpose of achieving the AB 939 diversion requirement. Mr. Mohajer stated that while this will satisfy facility operators, it will penalize jurisdictions.

#### **IV. UPDATE ON MINE RECLAMATION DISPOSAL**

Mr. Mohajer stated that there are currently three gravel pits (Calmat Reliance Pit No. 2, Nu-Way-Live Oak, and Peck Road Gravel Pit) in the State of California that have solid waste permits and the CIWMB's consistent position has been that whatever goes to those facilities counts as disposal. Mr. Mohajer explained that the Task Force supported AB 2308 which stated that inert materials, defined as asphalt, concrete, and dirt, that go to a gravel pit will not be counted as disposal. Mr. Mohajer reported that AB 2308 passed unanimously in the Assembly, however, while in committee, the CIWMB expressed concern that AB 2308 would unintentionally hurt jurisdictions who would have to account for the waste in their base year. The Bill was then amended to only state that it is the intent of the Legislature to address inert waste. Mr. Mohajer reported that after a lengthy meeting between CIWMB staff and representatives from jurisdictions, the CIWMB corrected their position and agreed that there is indeed a policy in place to account for the material in the base year. At the meeting, language for the legislation was created that will enable a jurisdiction to choose whether or not it wants to use the disposal exemption.

#### **V. MONTHLY STATUS REPORT ON AB 939 REGIONAL AGENCY FORMATION**

Ms. Nady Maechling presented the monthly status report for Ms. Karen Coca. Ms. Maechling stated that the Joint Powers Agreement(JPA) is being modified for its final draft and will be mailed to jurisdictions for signatures by their Mayors and City Managers in August. Ms. Maechling stated that once it is signed and returned to the City of Los Angeles, it will be presented to the Board of the City's Public Works Department for approval. The JPA will then go to the City's Mayor and City Council for approval before going to the CIWMB. Ms. Maechling stated that, as a conservative estimate, approximately ten cities will initially join the Regional Agency. Task Force members suggested that a 15 cents per ton fee may be too high if the funds are going solely to administrative costs. Ms. Maechling stated that the amount may change depending on how many jurisdictions join the Regional Agency.

#### **VI. LEGISLATIVE UPDATE**

Ms. Lisa Radford, of the Department of Public Works, presented the legislative update for Mr. Paul Alva. Ms. Radford stated that the legislative summary table was updated to include minor amendments (see attached). Ms. Radford stated that due to the budget stalemate in Sacramento, there has not been significant legislative activity to report. Mr. Mohajer stated that SB 1523, an e-waste Bill supported by the Task Force, would have provided money to local organizations and a matching fund to local governments but was amended to eliminate the matching fund. However, SB 1619, also an e-waste Bill, has been amended to include a matching fund for local governments.

## **VII. REPORT FROM THE CIWMB**

Mr. Steve Uselton, the CIWMB representative from the Office of Local Assistance, was not able to attend the meeting. In his absence, Mr. Mohajer provided an update and reported that several jurisdictions within the County of Los Angeles are on the CIWMB July agenda for approval of biennial reports. Mr. Mohajer reported that Monterey Park received a Notice of Intent to be given a Compliance Order. However, Monterey Park submitted a schedule for work to be conducted under its new contract for the City's residential and commercial franchise. The CIWMB considered the submittal as a request for an extension and postponed its action. Mr. Mohajer also reported that the CIWMB approved time extensions for the Cities of Avalon, Hawthorne, Maywood, and Sierra Madre.

Mr. Mohajer stated that under SB 1066 a jurisdiction can request two extensions for a total of six years. However, Mr. Mohajer explained, the part of the legislation that allows for the time extension will sunset in 2006. Therefore, if a jurisdiction has not yet requested an extension, the jurisdiction as of today will only have up to four years. Also, the CIWMB is requesting that jurisdictions request time extensions for a period of years rather than months to prevent a jurisdiction from having to go through the process of requesting another time extension if it finds that it needs more time. Mr. Mohajer also reported that the CIWMB voted that it will not approve any request for an extension more than two years. However, after the vote, the CIWMB approved the City of Hawthorne's request for a three year time extension.

## **VIII. DISCUSSION ON DIVERSION RATE ACCURACY INDICATORS**

Mr. Mohajer stated that as a part of SB 2202, the Synthesis Group identified problems with the Disposal Reporting System. In response to these findings, the CIWMB has established accuracy indicators to account for errors in the system. Mr. Mohajer stated that the diversion indicators were on the CIWMB July agenda for consideration. Task Force members expressed concern that the indicators will require additional bean counting for the jurisdictions rather than focusing on programs. Mr. Mohajer stated that comments by the County were sent to the CIWMB and a meeting was then held with CIWMB staff. At the meeting, CIWMB staff agreed to include County comments. Mr. Mohajer stated that he requested that the committee pull the item from the CIWMB agenda so that Department staff could review the changes, however CIWMB staff responded that the changes would be made as agreed and presented to the Board at its July 23 meeting.

**IX. OPEN DISCUSSION/PUBLIC COMMENT**

Task Force members discussed the CIWMB's policy regarding the biennial review process for year 2000 Annual Reports and findings of Good Faith Efforts (GFE). Task Force members stated that the CIWMB has established a "big GFE" and "little GFE". The big GFE is given to jurisdictions whose diversion percentage is in a range of 46 to 50 percent and the little GFE is given to those jurisdictions who have a diversion rate between 40-45 percent. Task Force members stated that if a jurisdiction is outside the little GFE range, it will be given a Notice of Intent to be placed on a Compliance Order and apply for a time extension. Task Force members expressed concern that the CIWMB is utilizing this policy even though it has not gone through the rule-making process and no documentation regarding the policy has been provided to jurisdictions regarding this policy.

Mr. Mohajer also reported that CIWMB Board Member Senator David Roberti is retiring and will be leaving in September of this year.

**X. NEXT MEETING DATE**

The next meeting date is tentatively set for August 15, 2002

**XI. ADJOURNMENT**

The meeting adjourned at 2:20 p.m.

AS:ma

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