

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

**Minutes of September 15, 2016**

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  
Betsey Landis, Environmental Organization Representative  
Ron Saldana, Los Angeles County Disposal Association  
Mike Mohajer, General Public Representative  
Sam Pedroza, League of California Cities-Los Angeles Division

**COMMITTEE MEMBERS REPRESENTED BY OTHERS:**

Craig Beck, rep by Charlie Tripp, Long Beach Public Works Department  
Gail Farber, rep by Carlos Ruiz, County of Los Angeles Dept. of Public Works  
Enrique Zaldivar, rep by Reina Pereira, City of Los Angeles Bureau of Sanitation  
Cynthia Harding, rep by Gerry Villalobos, County of Los Angeles Department of  
Public Health  
Grace Hyde, rep by Christopher Salomon, County of Sanitation Districts of Los Angeles  
County

**COMMITTEE MEMBERS NOT PRESENT:**

Sam Perdomo, Business/Commerce Representative  
David Kim, City of Los Angeles  
Mitchell Englander, City of Los Angeles  
Rafael Prieto, City of Los Angeles  
Jack Hadjiniian, League of California Cities-Los Angeles Division  
Wayne Nastri, South Coast Air Quality Management District

**OTHERS PRESENT:**

Dale Sargent, City of Santa Clarita  
Ben Lucha, City of Palmdale  
Terry Levesque, Biogas Conversions  
Reg Renaud, Biogas Conversions  
Elizabeth Fisher, Valley Vista Service  
Jennifer Wallin, CalRecycle  
Mainak D'attaray, Private Attorney  
Coby Skye, County of Los Angeles Department of Public Works  
Clark Ajwani, County of Los Angeles Department of Public Works  
Caren Alvarez, County of Los Angeles Department of Public Works  
Armando Aguilar, County of Los Angeles Department of Public Works  
Mackenzie Domann, County of Los Angeles Department of Public Works  
Jason Jones, County of Los Angeles Department of Public Works  
Daniel Paez, County of Los Angeles Department of Public Works  
Tranette Sanders, County of Angeles Department of Public Works

**I. CALL TO ORDER**

Meeting called to order at 1:11 p.m. by Ms. Margaret Clark.

**II. APPROVAL OF MINUTES FOR AUGUST 18, 2016**

A motion was made by Ms. Betsey Landis and seconded by Mr. Mike Mohajer to approve the August 18, 2016, minutes, as corrected. The motion passed unanimously.

**III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)**

Ms. Mackenzie Domann provided a report from the ATAS meeting stating there was discussion on hosting another Conversion Technology Convention next year. Staff will be looking into the feasibility of having the conference in the spring. Ms. Domann also stated there was a presentation from Reg Renaud and Terry Levesque of Biogas Conversions on their company's steam injected biomass reactor technology to convert organic waste into biogas. Finally, Ms. Domann reported that staff went on a tour of the Titus Secondary Materials Recovery Facility. Titus receives the residual waste from materials recovery facilities for further processing and sorting to recover an additional 50 percent of this material that otherwise would have been sent to landfills.

**IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE (FPRS)**

Ms. Betsey Landis provided an update on the Facility and Plan Review Subcommittee (FPRS) meeting. Ms. Landis stated that Mr. Gerry Villalobos made a presentation on vegetation requirements on the closed portions of the Sunshine Canyon Landfill (SCL). The closed portions are within the jurisdiction of the City of Los Angeles, and Mr. Villalobos will be inquiring when the Water Board certified closure of these areas.

Ms. Landis reported that in August 2016, a total of 85 complaints were made to the South Coast Air Quality Management District (SCAQMD) hotline relating to odors at SCL. In comparison with July 2016, the number of complaints increased by 63 percent, from 52 to 85. When compared to August of 2015, the number of complaints decreased by 33 percent, from 126 to 85. Of the 85 complaints received in August 2016, there were no complaints called in from nearby schools or parents of students that attend a nearby school. The total number of complaints made to the SCAQMD hotline since 2009 is 9,309, and the total number of complaints received this year is 895. The total number of Notices of Violation issued to the landfill by the SCAQMD since 2009 is 183, with one notice of violation issued in the month of August.

Ms. Landis provided an update on the Intermediate Cover Enhancement (ICE) Project. She reported that due to CUP Condition 79's requirement, Republic Services was asked to present and solicit comments on the project from community and interest groups. To comply, Republic Services had presented and offered to receive comments on the project at the SCL-CAC meeting in September. Ms. Landis further reported that the Task Force members, as an interest group, would like to receive a presentation on the ICE Project. Mr. Villalobos mentioned that he will relay the Task Force's request to Mr. Rob Sherman, the Manager for Sunshine Canyon Landfill.

Ms. Landis also provided an update on the landfill gas collection system in the closed city portion of SCL. Ms. Landis stated that flare number one is still operating and collecting gas. She also stated that there was a lot of information given on the use of alternative daily cover and questions are still being raised.

Ms. Landis reported there was a presentation on the Draft/Regional Countywide Organic Waste Management Plan (Plant) which identifies the organic waste recycling facility capacity needed to process the amount of green waste generated in the County over a 15-year period per AB 876, which was signed into law on October 8, 2015. During the presentation, the Subcommittee had a number of concerns that were not addressed in the presentation, such as including a discussion on conversion technologies and what will happen if green waste is quarantined in the County and therefore must be processed in-County. Mr. Carlos Ruiz commented that the intent of the Plan is to evaluate and present an accurate picture of the current organic waste processing infrastructure in the County and invited the Task Force to comment on the Plan before next month's Task Force Meeting.

Finally, Ms. Landis stated that Chiquita Canyon Landfill is pursuing a draft EIR due to the public's reaction to the extension of the life of the landfill.

Ms. Margaret Clark commented that she attended the breakout session on the farm land and drought at the Local Government Commission Seminar on Climate Change Adaptation. She shared the Task Force's concerns on the diversion of organics and the handling of contaminated green waste materials, and the Commission seemed very interested in the issues.

Mr. Mike Mohajer provided an update on the status of the letter to County Public Health and Public Works from the Task Force regarding the transportation of green materials out of quarantined areas, the health impacts, and the presentation provided by Rob Smice of the Agricultural Commissioner/Weights and Measures at the August 18, 2016, Task Force meeting. Mr. Mohajer stated he spoke with CalRecycle, and they mentioned that they are addressing the concerns stated in the Task Force letter to CalRecycle and the Department of

Food and Agriculture. CalRecycle is working with the California State Department of Food and Agriculture and will be holding training classes for all the LEA's in the next few months on inspections of material coming from quarantine areas.

Mr. Ron Saldana asked for an update on SCAQMD's Petition for an Order for Abatement at Sunshine Canyon Landfill. Mr. Villalobos stated that hearings on this matter will be held by SCAQMD on October 26, 27 and 28.

## **V. LEGISLATIVE UPDATE**

Ms. Caren Alvarez gave an update on current legislation and reviewed items on the attached [legislative table](#).

- AB 655 (Quirk) – Bill has been signed by Governor Brown.
- AB 1103 (Dodd) – Bill is with Governor Brown.
- AB 1613 (Assembly Committee on Budget) – Bill has been signed by Governor Brown.
- AB 1669 (Hernandez) – Bill is with Governor Brown.
- AB 1923 (Wood) – Bill is with Governor Brown.
- AB 2153 (Garcia) – Bill is with Governor Brown.
- AB 2313 (Williams) – Bill has been signed by Governor Brown.
- AB 2511 (Levine) – Bill has been signed by Governor Brown.
- SB 32 (Pavley) – Bill has been signed by Governor Brown.
- SB 423 (Bates) – Bill is with Governor Brown.
- SB 778 (Allen) – Bill is with Governor Brown.
- SB 970 (Leyva) – Bill has been signed by Governor Brown.
- SB 1229 (Jackson/Stone) – Bill has been signed by Governor Brown.

## **VI. 2015 CARPET STEWARDSHIP PROGRAM ANNUAL REPORT & ASSESSMENT BY CALRECYCLE**

Mr. Armando Aguilar provided an update on the 2015 Carpet Stewardship Program Annual Report and Assessment by CalRecycle. Mr. Aguilar stated that Assembly Bill 2398, passed in 2010, established the first mandatory carpet stewardship program in the country with the purpose of increasing the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products or otherwise managed in a manner that is consistent with the state's hierarchy for waste management practices. The Carpet America Recovery Effort (CARE) serves as the legislatively designated California Carpet Stewardship Organization (CSO) and is tasked with designing and implementing the nation's first and only extended producer responsibility (EPR) law for carpet.

Per the requirements of the California Carpet Stewardship Program, CARE is required to submit an Annual Report to CalRecycle that includes information on amounts of carpet sold, postconsumer carpet recycled, ultimate disposition of collected carpets, program costs, an evaluation of performance and how to improve it, and examples of educational materials.

In 2014, CalRecycle found the California Carpet Stewardship Program out of compliance because the *2013 Annual Report* demonstrated the Program was not making continuous meaningful improvement and found the Program noncompliant once again in September 2015, based on review of the *2014 Annual Report*. At that time CalRecycle provided specific suggestions and delayed any potential enforcement action until receipt and review of the *2015 Annual Report* to allow CARE time to make improvements, including improving its plan to attempt to improve recycling. CARE submitted its *2015 Annual Report* to CalRecycle on June 30, 2016.

#### Findings and Analysis of CARE'S 2015 Annual Report

The *2015 Annual Report* describes CARE's performance data for 2015 as well as the actions CARE took in response to CalRecycle's noncompliance determination in September 2015 regarding the *2014 Annual Report*. CalRecycle acknowledges CARE made several changes to the Program; however, the *2015 Annual Report* does not show that CARE is meeting the performance goals outlined in its approved plan.

The following key findings on the *2015 Annual Report* support that CARE continues to be noncompliant:

Finding 1 – CARE is required to show “continuous meaningful improvement in the rates of recycling and diversion of postconsumer carpet”. The 2015 report shows that the carpet **recycling rate** fell from 12% of discards in 2014 to 10% in 2015. The plan goal is 16% by 2016. The last three years of the program have shown fluctuation but have declined overall from a high of 14% in early 2013. **Source reduction** shows no change from last year at 4.2 pounds per square yard.

**Recyclability** of carpet decreased 1% from 2014 with 34% of gross collections being converted into recycled input in 2015.

**Reuse** increased in 2015 from 174,000 pounds to 602,000 pounds; however, this represents a small fraction of the carpet discarded that year.

Net **Diversions** decreased from 29% of discards in 2014 to 23% in 2015.

**Market growth** increased in 2015 with 11.7 million pounds of non-nylon carpet materials sold to end-use manufacturers, an increase of 18% over 2014 (9.9 million pounds). Nevertheless, non-nylon carpet sales to end-use manufacturers represent only 11% of gross collections for the year.

CalRecycle has the following two options for responding to the *2015 Annual Report*:

1. Based on the Statewide Technical and Analytical Resources (STAR) staff findings that several key components of the 2015 Annual Report, as well as previous Annual Reports, are noncompliant, direct the Waste Evaluation and Enforcement Branch (WEEB) to verify these findings and other potential violations of the statute and regulations and, if warranted, consider action(s) including but not limited to imposition of civil penalties, a compliance schedule, or other options to achieve compliance.

2. Based on STAR staff findings that several key components of the 2015 Annual Report, as well as previous Annual Reports, are noncompliant and the fact that CARE has made recent efforts which may ultimately achieve the goals of the current Plan, suspend referring this issue to WEEB for enforcement evaluation until data through the end of 2016 are available to evaluate compliance with Program goals. Pending outcome of 2016 data, this case may or may not be referred to the WEEB for further verification of the findings and other potential violations of the statute and regulations, including but not limited to consideration of imposition of civil penalties, a compliance schedule, or other options to achieve compliance.

Because efforts to date have not resulted in a demonstration of continuous meaningful improvement and the recycling output rate has actually gone down, CalRecycle staff is recommending Option 1.

Mr. Mike Mohajer made a motion to send a letter to CalRecycle in support of their analysis of the 2015 Annual Report and support CalRecycle's staff recommendation of Option 1. The motion was seconded by Mr. Ron Saldana and passed unanimously.

## **VII. CALRECYCLE PROPOSED POLICY ON PACKAGING**

Ms. Caren Alvarez provided an update on the CalRecycle Proposed Policy on Packaging. She stated CalRecycle has been conducting workshops and studies to determine solutions to the growing amounts of packaging waste. CalRecycle will be holding another workshop on September 20, 2016, to summarize the outcomes from all of the previous workshops. Materials for that workshop are publicly available for review. Ms. Alvarez provided the following summary of the findings:

The industry such as product manufacturers, brand owners, and trade groups, recommended that CalRecycle focus on voluntary approaches rather than mandatory; thus, CalRecycle decided to offer the Manufacturers Challenge, a call

for the industry to indicate how they could voluntarily reduce the amount of packaging going to landfill by 50 percent by 2020.

The Taskforce sent a letter to CalRecycle on January 21, 2015, to provide comments on the workshops and background paper. The Task Force suggested a combination of policy approaches, which could potentially be the answer, such as Extended Producer Responsibility (EPR) - including recovery goals, convenient take-back programs, metrics for efficiency, and oversight by CalRecycle; advanced recovery from materials that cannot be recycled such as Conversion Technology, which unfortunately is regarded as a separate topic at the workshops; avoid landfill bans on recyclables, which are costly to local governments; and they consider energy and water usage associated with any proposed approaches.

CalRecycle received good industry participation but the responses failed to comprehensively address the four key components. Therefore CalRecycle is recommending the following options to their Director:

1. Develop a packaging policy model containing components necessary for a mandatory, comprehensive state-wide packaging program in California including, but not limited to, definitions, scope, goals, metrics, stakeholder roles and responsibilities, program financing, and oversight. This would include outreach and education to explore impacts to stakeholder groups such as local governments, haulers, and recyclers under a mandatory program. CalRecycle staff would conduct an extensive public consultation process to gather feedback during development of the model. Examples, of policies and considerations to explore during the public consultation process include (not limited to):
  - a. EPR
  - b. Landfill bans on recyclables
  - c. Minimum recycled content

The timeline is September 2016 - December 2017.

2. Explore the following complementary, individual voluntary activities presented at the January 2016 Manufacturers Challenge workshop:
  - a. Participate in discussions with the American Chemistry Council (ACC) and GreenBlue's Sustainable Packaging Coalition (SPC) on plastic film recycling (Wrap Recycling Action Program).

- b. Participate in discussions with the Closed Loop Fund on potential financing strategies such as using green bonds to finance infrastructure projects.
- c. Keep apprised of potential activities based on AMERIPEN's statement that it intends to convene a working group to explore policies and programs that would support the packaging/food waste nexus.

A third option to continue the Manufacturers Challenge as a voluntary effort to develop a comprehensive packaging reduction and recovery strategy was provided but is not being recommended by the staff.

Unfortunately, CalRecycle is still considering further discussion on landfill bans, continues to express that CT's/energy recovery technologies are a separate topic, and do not discuss the energy/water usage component. Therefore, after reviewing CalRecycle's findings, staff recommended the Taskforce send a letter of support for the EPR recommended options to consider after monitoring the September 20 workshop. Mr. Mike Mohajer made the motion to send the letter to CalRecycle before the September 20 workshop seconded by Ms. Betsey Landis. The motion passed with one abstention (Mr. Chris Salomon).

#### **VIII. BIOGAS/WASTE TO ENERGY**

Mr. Reg Renaud and Mr. Terry Levesque of Biogas Conversions gave the attached [PowerPoint presentation](#).

#### **IX. CALRECYCLE UPDATE**

Ms. Jennifer Wallin reported that both tire related grants are due in October 2016.

Ms. Wallin also stated that on October 20, 2016, there will be a meeting regarding next steps for the Manufacturers Challenge, and on October 26, 2016, in the Riverside office, there will be workshops related to the beverage container recycling program and the rate determination study. There will also be a public hearing in regards to that study and the proposed rate adjustment.

Finally, Ms. Wallin stated 2016 Used Oil & Household Hazardous Waste Training & Conference will be November 1 – 4, 2016, in Sacramento.

#### **X. PUBLIC COMMENT**

Mr. Chris Salomon stated that the October 20, 2016, Task Force meeting will be his last meeting, due to his retirement in November 2016.

Mr. Mike Mohajer would like to add the Thomas Bruen letter sent to the Task Force to the October 20, 2016, Task Force agenda.

Mr. Mainak D'Attaray a private attorney for unnamed clients asked the Task Force to be added to the October 20, 2016, agenda to discuss his clients concerns. The Task Force informed him to contact Los Angeles County staff Carlos Ruiz to be vetted before being place on the Task Force agenda.

#### **XI. NEXT MEETING DATE**

The next meeting is scheduled for Thursday, October 20, 2016, in conference room D.

The meeting adjourned at 2:56 p.m.

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