

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

**Minutes for February 18, 2021**

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

**WEB CONFERENCE**

COMMITTEE MEMBERS PRESENT:

Michelle Chambers, California League of Cities  
Margaret Clark, League of California Cities  
Gideon Kracov, Los Angeles County Disposal Association  
Eddie De La Riva, League of California Cities  
Betsey Landis, Environmental Organization Representative  
Mike Mohajer, General Public Representative  
Rafael Prieto, City of Los Angeles  
Jim Smith, City of Los Angeles, Los Angeles City Council 6<sup>th</sup> District

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Robert Ferrante, rep by Sam Shammass, Sanitation Districts of Los Angeles County  
Barbara Ferrer, rep by Shikari Nakagawa-Ota, Los Angeles County Public Health  
Mark Pestrella, rep by Coby Skye, Los Angeles County Public Works  
Enrique Zaldivar, rep by Reina Pereira, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Jeff Farano, Institute of Scrap Recycling Industries  
Wayne Nastri, South Coast Air Quality Management District

OTHERS PRESENT:

Patrick Holland, Los Angeles County Public Works  
Wayde Hunter, North Valley Coalition of Concerned Citizens  
Gerald Ley, Los Angeles County Public Works  
Keith Lilley, Los Angeles County Public Works  
Dorcas (Dee) Lugo, Los Angeles County Public Health  
Carol Oyola, Los Angeles County Public Works  
Carlos Ruiz, Los Angeles County Public Works  
Chris Sheppard, Los Angeles County Public Works  
Kawsar Vazifdar, Los Angeles County Public Works  
Jennifer Wallin, California Department of Resources Recycling and Recovery  
Julia Weissman, County Counsel  
Jeffrey Zhu, Los Angeles County Public Works

**I. CALL TO ORDER**

Meeting called to order at 1:02 p.m. by Ms. Clark. Mr. Coby Skye introduced Deputy Director Keith Lilley.

**II. APPROVAL OF THE JANUARY 21, 2021 MINUTES**

Ms. Betsey Landis made a motion to approve the minutes, as corrected, and Mr. Eddie De La Riva seconded. Motion passed unanimously.

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

Mr. Mohajer, PEIS Chair, reported that the Subcommittee reviewed several articles to be published in the winter issue of the Inside Solid Waste Newsletter, including the following topics: Exclusive Commercial Franchise System, Food Waste Recycling Initiative, Sustainable Waste and Recycling Management, New CalRecycle Director, Update on Senate Bill 1383 (SB 1383), Statewide Recycling Commission, Update on Long Beach Recycling Program, and Waste Management/Anaergia Sun Valley Facility.

A couple of articles were requested to be written for the next issue of the Newsletter, including: Assembly Bill 1826 (a joint effort by Public Works and CalRecycle) and extended producer responsibility for pharmaceuticals. Staff will also write an article on the impact of COVID-19 on waste haulers' operations after conducting a telephone survey of the waste haulers.

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

Mr. Christopher Sheppard, ATAS Chair, reported the ATAS received a presentation from EnVerde, LLC. EnVerde has a thermal-chemical conversion technology (CT) that can turn biomass and plastics into fuels and biochar. EnVerde is looking to start developing demonstration projects in California.

The ATAS had a discussion on the Anaerobic Digestion Fact Sheet that was prepared for the Task Force and disseminated last month.

An update on upcoming events, all to be held virtually, was provided at the ATAS meeting:

- CRRRA SB 1383 Conference - February 23 – 25, 2021
- Anaergia Webinar on Achieving SB 1383 Compliance Through High Diversion Organics Waste Processing Facilities – February 24, 2021
- Verde Xchange 2021 - March 2 and 16, 2021
- SoCal SWANA Chapter Workshop: Edible Food Recovery – March 11, 2021
- International Conference on Solid Waste Technology and Management – March 14 – 16, 2021
- International Biomass Conference & Expo – March 15 – 17, 2021
- SoCal Waste Management Forum Spring Conference – March 24, 2021
- SoCal SWANA Chapter Workshop: Legislative Updates – April 8, 2021
- SoCal SWANA Chapter Workshop: Safety Summit – May 13, 2021

After Mr. Sheppard's ATAS update, Ms. Clark requested the list of events be sent to the Task Force. Ms. Clark also asked how EnVerde can make fuel from plastics. Mr. Sheppard responded they use a high-temperature gasification process that breaks down plastics or other materials such as biomass into a syngas. The syngas can then be turned into fuels or electricity, depending on available markets.

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

Ms. Landis, FPRS Chair, provided a report on the discussion at today's FPRS meeting:

- Sunshine Canyon Landfill (SCL) odor complaints - There were no Notices of Violation issued by AQMD for the month of January and the total complaints received by AQMD for 2021 is 7 odor complaints.
- SCL Vegetation Report – The 4<sup>th</sup> quarter report has not been released. Staff is waiting for an update from Republic Services in their report regarding the specific timeframes for the consultant's recommended mitigation measures to be completed.
- Proposed Soil importation at SCL - Republic Services' sent a letter to Public Works regarding soil importation. Public Works is continuing to work with Republic on the issue.
- Chiquita Canyon Landfill Lawsuits – Lawsuits are ongoing. Court hearing dates have been postponed due to the pandemic. The Subcommittee requested copies of the Conditional Use Permit and Finding of Conformance for the Chiquita Canyon Landfill and will be discussing them at the next Subcommittee meeting.

## **VI. UPDATE ON TASK FORCE'S 2021/ PRIORITIES, GOALS, AND OBJECTIVES**

Mr. Carlos Ruiz gave a presentation on the Task Force's 2020 Task Force Priorities, Goals, and Objectives Report that was approved November 2019. The Task Force set forth a plan to enhance its administration, meet statutory responsibilities, and focus legislative and regulatory outreach efforts. Due to COVID-19, the plan required adjustments, but much has been accomplished to date, including:

- Increased Task Force member participation.
- Implemented revised agenda procedures (e.g., review of legislative bills, forecasting planning documents requiring Task Force review, progress reports prepared by other County Departments, and conducting more efficient meetings).
- Monitored the response to COVID-19 by state, local jurisdictions and the waste management industry.
- Monitored, reviewed, and commented on state regulations and policies by CalRecycle, including SB 1383 regulations, case studies, compliance process, and local service rate analysis report; enforcement of mandatory commercial and organic waste recycling requirements; the progress towards the achievement of SB 1383 goals, and tracking the disposal of recyclables during the pandemic. The Task Force also had a representative from CalRecycle attending monthly meetings, as well as upper management from CalRecycle attending a meeting to address items that were of importance to County jurisdictions.

With the new legislative session starting and the completion of the SB 1383 regulations, the Task Force may wish to review and make adjustments on the priorities, goals, and objectives. A list of items to be brought before the Task Force for consideration for 2021 and 2022 at next month's meeting for subsequent meetings include; legislative agenda and advocacy strategy; communication strategy; election of the Task Force Vice-Chair; staff agenda preparation procedures including staff recommendations on legislative bills; and administrative procedures, such as new member orientation binders.

Ms. Landis requested an e-mail of the list of the considerations mentioned. Mr. Coby Skye responded the list would be disseminated to all Task Force members. Mr. Skye also thanked Mr. Ruiz and his team for all the work they have done for the past year, as well as all the work that will be done on this year's items. Ms. Landis also thanked Mr. Ruiz for all the work that has been done.

Ms. Clark commented that she has been the Vice Chair of the Task Force for many years and the Vice Chair should be changed every two years. Mr. Ruiz reached out to Ms. Clark about stepping down and she is good with it.

Mr. Gideon Kracov acknowledged all the work that County staff has done with the priorities, goals, and objectives that originally had an ad hoc committee. Mr. Kracov noted there is much work to be done, especially with filling vacancies on the Task Force and that a review of the priorities, goals, and objectives will make the Task Force as effective as it can be in coordinating waste policies in the region and making certain it works for everybody in an environmentally and cost effective manner. Ms. Landis also gave her thanks to County staff.

## **VII. LEGISLATIVE UPDATE**

Mr. Sheppard provided an update on the [Legislative Table](#), which includes current Assembly and Senate Bills. February 19, 2021 is the last day to submit bills. There are currently 36 bills on the table and staff made recommendations on the following 12 bills:

- AB 33 (Ting) – Prohibits new public buildings from having natural gas connections – Staff recommendation: Oppose Unless Amended. Ms. Clark made a motion to oppose and to send a letter encouraging clean natural gas and to encourage companies coming to California to develop way to handle organics. Ms. Landis seconded. Motion passed with 6 voting yes, 2 voting no, and 3 abstentions. There was much discussion on the pros and cons and how the bill affects the environment.
- AB 96 (O'Donnell) – Provides incentives for waste haulers to create a circular economy for organic waste and waste collection vehicles – Staff recommendation: Watch. Mr. Mohajer made a motion to support and Mr. Gideon Kracov seconded. Motion passed unanimously. Mr. Mohajer added a comment to the notes for this bill to read "20 percent of greenhouse gas to be made available."
- AB 246 (Quirk) – Contractors: Disciplinary Actions – Staff recommendation: Support. Mr. Mohajer made a motion to support and Mr. Coby Skye seconded. Motion passed unanimously.
- AB 318 (Levine) – Hazardous Waste Exclusions: Green Waste – Staff Recommendation: Oppose unless Amended. Mr. Mohajer made a motion to oppose unless amended and Ms. Clark seconded. Motion passed unanimously. Staff will send Ms. Landis more information.
- AB 322 (Salas) – Energy: Electric Program Investment: Biomass – Staff recommendation: Support. Mr. Mohajer made a motion to support and Mr. Skye seconded. Motion passed with 1 abstention.

- AB 332 (Committee on Environmental Safety and Toxic Materials) – Hazardous Waste: Treated Wood Waste: Management Standards – Staff recommendation: Support. Mr. Kracov made a motion to support and Ms. Clark seconded. Motion passed unanimously.
- AB 478 (Ting) – Solid Waste: Thermoform Containers/Recycled Content – Staff Recommendation: Watch, as it is a spot bill.
- AB 504 (McCarty) – Solid Waste: Commercial/Organic Waste: Recycling Bins – Staff recommendation: Support. Mr. Mohajer made motion to support and Mr. Kracov seconded. Motion passed unanimously.
- AJR 4 (Cristina Garcia) – Basel Convention: Ratification – Staff recommendation: Support – Mr. Skye made a motion to support and Mr. Kracov seconded. Motion passed with 1 abstention. Mr. Skye briefly explained that the primary focus of the Basel Convention when first adopted was to address electronic waste going overseas with no oversight and most recently addressing mixed plastics. Discussion ensued.
- SB 244 (Archuleta) – Lithium-ion Batteries Fire Prevention – Staff recommendation: Support. Mr. Mohajer made a motion to support and Ms. Landis seconded. Motion passed unanimously.
- SB 289 (Newman) – Recycling: Household Batteries – Staff recommendation: Watch, as it is a spot bill.
- SB 343 (Allen) – Environmental Advertising: Recycling Symbol – Staff recommendation: Support. Mr. Kracov made a motion to support and Mr. Skye seconded. Motion passed unanimously.

### **VIII. BROWN ACT REFRESHER**

Ms. Julia Weissman, gave a refresher on the Brown Act and its recent developments. County Counsel prepared a handout that can be disseminated if the Members need. The Task Force is a legislative body subject to the Brown Act.

- Agenda – Must be posted 72 hours in advance and must include a brief description of every item that will be discussed or acted upon and include an item for public comment. Anything discussed at a meeting, must be on the Agenda. The exception to the rule is an emergency situation.
- Serial Meetings – Occurs when members of a legislative body engage in collective conversations regarding issues and/or decisions. Task Force Subcommittees are also considered members of a legislative body. In accordance with Assembly Bill 992, certain social media actions can be treated as a serial meeting and must be avoided. The Task Force and Subcommittee members must be very careful on what they post. If members are commenting on the same topic, it could be considered serial communication. Another provision in Assembly Bill 992 is that a member of a legislative body cannot

- directly comment on a post by another member. Members may also reconsider giving a thumbs up to a tweet from the Director of Public Works because it can potentially be a violation of this legislation.
- Meeting Location Addresses and Teleconferencing – Prior to COVID-19, meeting addresses had to be posted on agendas, including addresses for those members calling in so that the public had the option to attend the meeting at posted locations. Due to COVID-19, the Governor suspended many of the meeting requirements and has allowed video conferencing and teleconferencing. The public may still participate in the meetings electronically.

Ms. Landis asked with video conferencing and teleconferencing working so well and not having to travel so far or having her home ADA compliant and opened to the public, if there was any possibility that the Brown Act could be modified. Mr. Kracov commented that there is a bill being introduced in the Bay Area on this very topic but does not know where it currently stands. He agreed this was a good idea. Ms. Weissman responded that due to the COVID-19 and the declared emergency, the Governor was able to suspend the Brown Act requirements. However, when the emergency is over, the Governor cannot unilaterally modify the Brown Act. If there is legislation, then there may potentially be some change. Mr. Mohajer commented that there are other requirements besides the Brown Act for meetings, and mentioned the Davis Stirling Act, which governs Homeowners Associations. Mr. Skye also mentioned the Bagley-Keene Act for state commissions and boards. Mr. Wayde Hunter of the North Valley Coalition of Concerned Citizens shared his concerns about the Brown Act and asked Ms. Weissman what the County is doing about the Brown Act requirements because it makes it impossible for people to attend meetings, especially if they have no office and only have their homes. Mr. Weissman responded that she has no knowledge of the County proposing any legislation or anything to modify the Brown Act requirements. With her experience with the Brown Act the last 15 years, she has observed legislature becoming more restrictive with each amendment to the Brown Act. Discussion ensued.

Mr. Skye asked Ms. Weissman if it is a requirement for members of a legislative body to have their video camera on during a meeting. Ms. Weissman responded she does not believe there is a requirement because it can be a telephonic meeting. The Board of Supervisors' meetings have no video and is only voice.

## **IX. TREATED WOOD WASTE WEBINAR**

Mr. Sheppard provided an update on treated wood waste. With the urgency legislation of Assembly Bill 332, the State Department of Toxic Substances Control is moving forward with a temporary variance program for treated wood waste. A

webinar was held on February 11, 2021, to discuss the program which began on February 16, 2021. The application process is open to apply for the variance program. The variances will impose similar conditions to the previous standards. There will be 6 different types of variances and at the moment the variance process is only open to landfills. Another webinar is planned for February 19, 2021, at 1 p.m., regarding the opening of the additional variance processes. The variance program is a short-term solution as the State Department of Toxic Substances Control works to address the challenges of managing treated wood waste.

## **X. GREEN ZONES ORDINANCE**

Mr. Sheppard provided an update on the [Los Angeles County Green Zones Ordinance](#) (Ordinance), which was a follow up to the October 15, 2020, Task Force presentation on the Ordinance. Changes to the County's zoning code will include creating 11 new Green Zone districts, developing new standards for facilities near sensitive uses, and developing siting and permitting requirements for new recycling, organic waste processing, and solid waste management facilities, thus streamlining the permitting process. The standards will apply to many solid waste-related facilities including conversion technology facilities, chipping and grinding facilities, and composting facilities. The Department of Regional Planning (Regional Planning) released the public draft Ordinance in May 2020 and the draft Environmental Impact Report (EIR) in December 2020. The revised Ordinance is currently open for public comment until April 2021. A Regional Planning Commission Hearing is scheduled for April 21, 2021. If approved, the Ordinance will go before the Los Angeles County Board of Supervisors for consideration in June 2021.

Mr. Kracov commented that solid waste issues are integrated in the Ordinance and does not believe that the Task Force needs to spend time reviewing and commenting on the Ordinance as long as Public Works has reviewed the Ordinance and is comfortable with it. Mr. Skye confirmed that both Public Works staff and Task Force staff have reviewed and made comments on the Ordinance to make certain that it aligned with the goals and priorities of both entities and that they would continue to work with Regional Planning as the Ordinance moves forward.

Mr. Sheppard informed the Task Force members that a copy of the Ordinance and a link to the EIR would be e-mailed to them.

Mr. Kracov asked if the Task Force has sent a comment letter to Regional Planning on the Ordinance. Mr. Sheppard responded that they have not. Mr. Kracov asked if Public Works recommends that the Task Force send a comment letter to

Regional Planning. Mr. Sheppard responded Public Works was not planning to unless there was an issue that the Task Force members wanted to comment on. Mr. Skye asked if there was an additional public comment period. Mr. Sheppard responded that the EIR public comment period had concluded, but the Ordinance is currently open for public comment until the Regional Planning Commission Hearing in April 2021 and the Task Force could submit a comment letter any time before then. Mr. Kracov suggested that the Task Force may want to consider sending a letter to Regional Planning in support of the Ordinance. Ms. Landis requested that a copy of the ordinance be sent to all TF members.

## **XI. CALRECYCLE UPDATE**

Mr. Jennifer Wallin reported the following from CalRecycle:

- Published a new SB 1383 procurement calculator tool.
- The Rubberized Pavement Grant is due on February 22, 2021.
- CalRecycle is conducting webinars on SB 1383 requirements, including edible food, collection, and procurement. Planned webinars include: March 11, 2021 (Bay Area), March 25, 2021 (Central Coast), and March 30, 2021 (Northern California). Webinars are open to all and will be posted.

Ms. Clark asked about the liability if someone else puts something in someone else's trashcan that is wrong. Ms. Wallen responded it is up to the local jurisdiction, but that there have been updates on the rulemaking process and fining residents in that situation have been taken out. CalRecycle is focused more on education and outreach. Mr. Mohajer commented since the requirement for the County ordinance is that it must provide a provision for imposing penalties on its residents, he asked if that requirement still existed. Ms. Wallen responded yes if residents refuse service, but not for the contamination aspect. Ms. Clark asked what she meant about refusing service. Ms. Wallin responded penalties could be assessed for refusing to have service when it is determined that the service is needed. She stated there is also discussion about waivers for residential areas. Mr. Mohajer stated that the bottom line was that fines could be imposed on residents.

## **XII. PUBLIC COMMENT**

None.

## **XIII. ADJOURNMENT**

The meeting adjourned at 3:25 p.m. The next meeting is scheduled remotely on Thursday, February 18, 2021, at 1 p.m.