

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

January 20, 2022

WEB CONFERENCE

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBCOMMITTEE MEMBERS PRESENT:

Mike Mohajer, General Public Representative
Dorcas (Dee) Hanson-Lugo, County of Los Angeles Department of Public Health
Betsey Landis, Chair, Environmental Organization Representative
Coby Skye, Los Angeles County Public Works
Sam Shammass, Los Angeles County Sanitation Districts

SUBCOMMITTEE MEMBERS NOT PRESENT:

Reina Pereira, City of Los Angeles

OTHERS PRESENT:

Martins Aiyetiwa, Los Angeles County Public Works
Joe Bartolata, Los Angeles County Public Works
Omid Mazdiasni, Los Angeles County Public Works
Steve Cassulo, Waste Management
Chris Coyle, Republic Services
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Carol Oyola, Los Angeles County Public Works
Trishena Robinson, Los Angeles County Public Works
Gladys Rietze, Los Angeles County Public Works
Aric Rodriguez, Los Angeles County Public Works
Carlos Slythe, Los Angeles County Public Works
Dave Thompson, Sunshine Canyon Landfill-Local Enforcement Agency
Julia Weissman, County Counsel
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Ms. Betsey Landis called the meeting to order at 11:04 a.m.

II. APPROVAL OF NOVEMBER 9, 2021, SPECIAL MEETING MINUTES AND NOVEMBER 18, 2021, MEETING MINUTES

Mr. Sam Shammas made a motion to approve the Special Meeting Minutes, as corrected, and Mr. Coby Skye seconded. Motion passed with two abstentions: one from Mr. Mike Mohajer and the other from Ms. Dee Hanson-Lugo.

Mr. Skye made a motion to approve the Meeting Minutes, as corrected, and Mr. Shammas seconded. Motion passed unanimously.

Mr. Wayde Hunter of the North Valley Coalition of Concerned Citizens stated a minor correction on the November 18, 2021, Meeting Minutes. He was in attendance at the Subcommittee meeting and wanted his attendance noted.

III. UPDATE ON THE LOS ANGELES COUNTY PRELIMINARY DRAFT REVISED COUNTYWIDE SITING ELEMENT AND DRAFT ENVIRONMENTAL IMPACT REPORT

Mr. Joe Bartolata, staff to the Task Force, provided an update on the Los Angeles County Preliminary Draft Revised Countywide Siting Element (Draft CSE) and Draft Environmental Impact Report (DEIR).

The Task Force sent a letter to Public Works (PW) dated December 22, 2021, transmitting the Task Force's comments on the Draft CSE and DEIR. Currently, PW staff is reviewing all comments received and will make the necessary changes to the documents as appropriate. Once completed, PW will share all comments received and any revisions to the documents with the Subcommittee before officially releasing the Final Draft.

IV. UPDATE ON CHIQUITA CANYON LANDFILL

Mr. Omid Mazdiyasni, as staff to the Task Force, provided an update on Chiquita Canyon Landfill (CCL) odor complaints, lawsuits and Notice of Violations (NOVs).

Odor Complaints and NOVs

- South Coast Air Quality Management District (AQMD) agreed to provide odor complaint data on a quarterly basis.
- CCL received 31 complaints in October 2021, 27 complaints in November 2021, and 45 complaints in December 2021.

- There were zero NOVs issued by AQMD for the months of October, November, and December 2021.

Update on Lawsuits

CCL filed two different lawsuits against the County.

- The first lawsuit was filed on October 20, 2017, challenging operational conditions and fee conditions of the Conditional Use Permit (CUP). In July 2020, the trial court issued a decision finding in the County's favor on some conditions and in CCL's favor on other conditions. The parties are currently engaged in settlement discussions.
- The second lawsuit was filed on April 13, 2018, challenging a decision by the hearing officer that upheld an NOV issued by Regional Planning on December 11, 2017, for failure to pay Bridge and Thoroughfare Fee, accepting prohibited auto shredder waste, and failure to pay out-of-area fees. The January 18, 2022, trial date was rescheduled to June 2022.

Task Force Request for CCL to Submit a Report regarding NOVs Received

- In accordance with the Subcommittee's request at the November 18, 2021 meeting, staff requested more detailed information to be provided on the monthly report to the Task Force concerning any NOVs issued by regulatory agencies and the landfill's actions to mitigate those NOVs.
- In response, CCL submitted their ninth monthly update on December 31, 2021, which was disseminated to the Task Force on January 13, 2022. The update addressed the April 19, 2021 letter's requirements and included updates on implementation of Conditions 68 (status of air quality monitoring for surrounding communities), 77 (relocation of the site entrance from Henry Mayo Drive to Wolcott Drive), and 79 (schedule of the Street Improvement Project) and the Stipulated Order for Abatement from AQMD.

Stipulated Order for Abatement

- There was a minor modification to the Order for Abatement during the November 2021 meeting, that the modification would require the landfill to assess the feasibility of additional possible mitigation measures and prepare a report assessing the feasibility and ability to implement additional mitigation.
- The landfill is required to continue implementing mitigation measures such as:
 - Perform odor surveillance monitoring twice a day.
 - Adjust the size of the working face and use large fans equipped with odor neutralizer.
 - Implementing the Standard Operating Procedures, Odorous Load Profiles, and Key Performance Indicators.

- The next hearing date is scheduled for May 17, 2022.

Ms. Landis was pleased that there were no NOVs. Mr. Hunter commented that the fact that CCL had not been issued NOVs, simply means they did not get the required number of six people calling in a complaint. Inspectors will go out and investigate and validate odors when at least six people call in a complaint. Mr. Hunter stated a good indicator of odors are not NOVs issued, but rather odor complaints that are being made to the hotline by people being impacted by the odors.

V. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Ms. Gladys Rietze, staff to the Task Force, provided an update on the [odor complaints from the AQMD](#) for the month of December 2021.

- During the month of December 2021, 83 complaints were made to the AQMD hotline. Of those, 17 were classified as Trash, 14 were listed as Landfill Gas, and the rest were listed as No Field Response and None, which meant the inspector visited the site and did not detect any odor.
- Compared to November 2021, the number of complaints received in December 2021 increased from 59 to 83 complaints.
- Compared to December 2020, the number of complaints for December 2021 increased from 22 to 83 complaints.
- As of January 11, 2022, AQMD issued zero NOVs related to odor for the month of December 2021.
- According to the AQMD report, the total number of complaints received during 2021 is 446.

Mr. Hunter commented that the AQMD report was incorrect and that there was a total of 420 odor complaints for the year 2021 and not 446, as well as 26 odor complaints for November, and not 59 as indicated on the AQMD report.

Mr. Hunter mentioned that at the November 13, 2021, Sunshine Canyon Landfill-Community Advisory Committee (SCL-CAC) meeting, residents reported that December being the worst month they have ever had with odors and there were no NOVs issued in December. He also indicated that Mr. Chris Coyle of Republic Services attended the SCL-CAC meeting and stated that they were forced by upper management to accept more trash and that the Landfill was not able to adequately deal with resulted odor.

Mr. Coyle clarified that he never said he was being forced to take in the waste. In fact, he was part of the decision-making process and that the event was specifically

about the January 3, 2022, NOV SCL received. At the SCL-CAC meeting, he apologized about the decision on January 3, 2022, creating a nuisance in the neighborhood.

Ms. Landis recommended staff to provide the Subcommittee with clarification on the SCAQMD odor complaint data due to Mr. Hunter's comment on the data.

Mr. Mohajer noted that the Task Force issued the Finding of Conformance (FOC) for both CCL and SCL, which must be complied with and that it is the responsibility of staff to the Task Force to keep the Task Force informed.

Sunshine Canyon Landfill Local Enforcement Agency (SCL-LEA) Budget

Mr. Aiyetiwa stated that Ms. Dee Hanson-Lugo was available to speak on the budget and that County Counsel was available to answer questions.

Mr. Mohajer asked how much the LEA receives for the work that they must conduct under the LEA standards as specified by CalRecycle. He asked how much the tipping fee surcharge was that the LEA charges for inspections at the Calabasas Landfill.

Ms. Hanson-Lugo responded 41 or 42 cents per ton disposed at Calabasas. Mr. Mohajer asked if the amount varied at each landfill. Ms. Hanson-Lugo responded that they have the same tipping fee amounts at all County landfills they have jurisdiction over.

Mr. Mohajer mentioned that in looking at the budget package provided to the Subcommittee, he was trying to ascertain the level of staffing. He then looked at the SCL-LEA program labor and assumed it included some of the staffing which is \$1,360,000 for that item that should be divided.

Ms. Hanson-Lugo responded that the amount cannot be proportionally divided by number of staff. She clarified that the 41 cents per ton fee is for the Los Angeles County LEA and the SCL-LEA and is run by the Joint Powers Authority (JPA) agreement, which is based on a separate funding agreement.

Mr. Mohajer stated that he was trying to make certain that specific requirements the LEA must do, in addition to what CalRecycle requires, and the additional revenue provided to the LEA by the direction of the Board of Supervisors (Board), are being met. He wanted to establish what the additional money is that is being provided to the LEA for additional services that the CUP requires. Ms. Hanson-Lugo responded that there was no additional money in the SCL-LEA budget for CUP activities. Mr. Mohajer contested this point.

Ms. Landis requested staff to investigate and inform the Subcommittee of what money is given by the County to support the LEA and what services the LEA is required to provide. She would like a staff report presented at next month's meeting.

Mr. Aiyetiwa clarified that the County CUP specifically states that once the SCL-LEA is formed by both the County and City and approved by CalRecycle through a JPA, that agency is then in charge of the landfill, not the County or City. The budget that Ms. Hanson-Lugo was explaining was the budget approved by the Board of Directors of the SCL-LEA. It is their responsibility under the JPA to enforce the State minimum standard. They do not enforce the County or City Land Use Permits and are completely independent of the County and City, including their budget.

Mr. Aiyetiwa noted that County Counsel was present to explain the formation of the JPA. Mr. Mohajer responded that the Board, because of complaints and concerns of the neighboring residents, specified additional requirements that are now pursuant to the JPA for enforcement by SCL-LEA and that the funding for the LEA was based on what the Board approved in their efforts to protect the community.

Ms. Julia Weissman indicated she was not familiar with the mechanics of how the LEA is staffed or where their money goes, but that she reviewed the language of the CUP and JPA that formed the SCL-LEA. Condition 28, of the CUP, involves prohibited waste and has a list of items that are prohibited such as hazardous waste, sludge, radioactive material, and incinerator ash.

Ms. Weissman also looked at the Solid Waste Facility Permit, and the list of prohibited waste appeared to be similar. Per Condition 28, the Department of Public Health (DPH) Solid Waste Management Programs will maintain a full-time inspector at the County project, at all times when waste is received. It also said that in the event that the City/County project becomes operational, the inspector shall continue such duties under any ultimate City/County LEA agreement that is entered into the City/County project and that the permit shall compensate the DPH for any personnel transportation and so on.

Ms. Weissman stated it is not very clear on how much they are going to pay and where the money is allocated once the City/County LEA is formed for a City/County project. Her understanding was that the City/County LEA was formed by the JPA and is also under the authority of CalRecycle to regulate minimum standards at the City/County landfill. The JPA basically talks about the duties of the SCL-LEA and the JPA itself, does not really address anything about the CUP.

Ms. Weissman's understanding is that the SCL-LEA is receiving funding for a full-time inspector, but she was not sure exactly how it works and that she would defer to staff. She also does not see anything in the JPA that indicates the

SCL-LEA has any obligation to enforce any authority of the CUP beyond what is in the solid waste facility permit.

Ms. Landis commented after Ms. Weissman's explanation that there is no clear statement as to who is to enforce the conditions. Ms. Weissman responded that the enforcement of the conditions of the CUP are set forth in the CUP and then there is a Memorandum of Understanding between the City and County, which is separate from the LEA as both Ms. Hanson-Lugo and Mr. Aiyetiwa mentioned.

Mr. Mohajer's stated that his intention was for everybody to understand that the LEA gets paid significantly higher compared to other landfills in Los Angeles County as a whole. He wanted to see better service from the LEA protecting the community.

VI. DISCUSSION OF FOC REPORTS

Mr. Ramon Herman, staff to the Task Force, provided an update on the Third Quarter 2021 Finding of Conformance Reports. An updated Staff Report was provided to the Subcommittee on January 12, 2022. The update contained the same information as the previous Staff Report provided on November 10, 2021, with an addition of the Semi-Annual Fall Waste Characterization for Calabasas Landfill.

On November 29, 2021, in accordance with the Subcommittee's request, staff provided the Semi-Annual Waste Characterization Reports on the template Biannual Solid Waste Monitoring and Reporting Form provided by the Task Force. At the November 18, 2021, Subcommittee meeting, due to time constraints, staff was unable to provide the update for the Third Quarter FOC Reports.

The following information was only reflecting of the incoming waste stream during the one-week period when the study was conducted and was not a representative of the entire year or season. Also requested by the Subcommittee are the staff report on the Waste Characterization and Quarterly Monitoring Reports submitted by the respective landfills:

2021 Semi-Annual Fall Waste Characterization for Calabasas Landfill dated November 29, 2021

The Waste Characterization Study was conducted over one operating week period, on the week of October 18, 2021. For this period of study, the landfill sampled approximately 6,761 tons out of the total incoming waste. Following are the top three materials from the collected sample:

- Organic materials composed approximately 61 percent of the total collected sample for this study period. Compared to previous study period of Spring 2021, the percentage of organics was reported at 55 percent.
- Other Waste including inert solids, household hazardous waste and tires and rubber products composed 22 percent of the total collected sample. Compared to Spring 2021, the percentage of waste was reported at 28 percent.
- Plastics composed 10 percent of the total collected sample. Compared to Spring 2021, the percentage of plastics was reported at 10 percent.

2021 Semi-Annual Fall Waste Characterization for CCL dated October 15, 2021

The Waste Characterization Study was conducted over one operating week period, from September 13 – 18, 2021. For this period of study, the landfill sampled approximately 40,300 tons out of the total incoming waste. Following are the top three materials from the collected sample:

- Organic materials composed approximately 71 percent of the total collected sample for this study period. Compared to previous study period of Spring 2021, the percentage of organics was reported at 71 percent.
- Other Waste including inert solids, household hazardous waste and tires and rubber products composed 13 percent of the total collected sample. Compared to Spring 2021, the percentage of waste was reported at 11 percent.
- Metals composed 5 percent of the total collected sample. Compared to Spring 2021, the percentage of metals was reported at 9 percent.

2021 Semi-Annual Fall Waste Characterization for SCL dated October 27, 2021

The Waste Characterization Study was conducted during a six-day period, the week of September 27, 2021. For this period of study, the landfill sampled approximately 45,000 tons out of the total incoming waste. Following are the top three materials from the collected sample:

- Organic materials composed 79 percent of the total collected sample for this study period. Compared to previous study period of Spring 2021, the percentage of organics was reported at 75 percent.
- Other Waste including inert solids, household hazardous waste and tires and rubber products composed 10 percent of the total collected sample. Compared to Spring 2021, the percentage of waste was reported at 10 percent.
- Plastics composed 4 percent of the total collected sample. Compared to Spring 2021, the percentage of plastics was reported at 6 percent.

2021 Semi-Annual Fall Waste Characterization for Antelope Valley Recycling and Disposal Facility dated October 6, 2021

The Waste Characterization Study was conducted during a five-day period, the week of September 20, 2021. For this period of study, the landfill sampled approximately 228 tons out of the total incoming waste. Following are the top three materials from the collected sample:

- Organic materials composed 69 percent of the total collected sample for this study period. Compared to previous study period of Spring 2021, the percentage of organics was reported at 65 percent.
- Other Waste including inert solids, household hazardous waste and tires and rubber products composed 2 percent of the total collected sample. Compared to Spring 2021, the percentage of waste was reported at 3 percent.
- Plastics composed 28 percent of the total collected sample. Compared to Spring 2021, the percentage of plastics was reported at 24 percent.

2021 Semi-Annual Fall Waste Characterization for Lancaster Landfill and Recycling Facility dated October 6, 2021

The Waste Characterization Study was conducted during a five-day period, the week of September 20, 2021. For this period of study, the landfill sampled approximately 155 tons out of the total incoming waste. Following are the top three materials from the collected sample:

- Organic materials composed 24 percent of the total collected sample for this study period. Compared to previous study period of Spring 2021, the percentage of organics was reported at 37 percent.
- Other Waste including inert solids, household hazardous waste and tires and rubber products composed 22 percent of the total collected sample. Compared to Spring 2021, the percentage of waste was reported at 5 percent.
- Plastics composed 50 percent of the total collected sample. Compared to Spring 2021, the percentage of plastics was reported at 49 percent.

Third Quarter 2021 Monitoring Report for CCL dated October 15, 2021

- Based on the report, CCL disposed of 534,000 tons in the third quarter of 2021. Compared to the second quarter of 2021, the disposal tonnage increased by 7 percent.
- The beneficial reuse material total for the third quarter of 2021 was 156,000 tons. Compared to the second quarter of 2021, the beneficial reuse tonnage increased by 19 percent.

Third Quarter 2021 Monitoring Report for SCL dated October 15, 2021

- Based on the report, SCL disposed of 723,600 tons in the third quarter of 2021. Compared to the second quarter of 2021, the disposal tonnage increased by 7 percent.
- The beneficial reuse material total for the third quarter of 2021 was 12,900 tons. Compared to the second quarter of 2021, the beneficial reuse tonnage decreased by 68 percent.

Mr. Mohajer thanked staff for preparing what he thought was an excellent report because it really helped to better understand the capacity needed for organic waste and that it appeared on the report that 75 percent of the total waste being disposed is organic material.

Ms. Landis commented that she believed that there was more than 75 percent of organic waste being disposed than was indicated in the report and that she had difficulty accepting the definition of organic waste given by CalRecycle. Mr. Mohajer agreed with Ms. Landis.

Ms. Carol Oyola informed the Subcommittee that Mr. David Thompson, SCL Program Manager, had his hand raised. Mr. Thompson then clarifying that SCL does not receive any funds from the County or from the City for their work. However, if there are funds raised, SCL-LEA is not receiving for additional work. The funds they do raise are from fees regarding work as an SCL-LEA. Mr. Mohajer contested the sources of the funding and discussion ensued.

Mr. Thompson stated that the City Council and the County Board of Supervisors established the SCL Board of Directors. They are the governing body for the SCL-LEA and are the ones who approve the budget. Through them, there are a set of fees that they bill through the County Auditor Controller based on time and efforts at the landfill as an LEA.

Mr. Thompson reiterated that the SCL-LEA is restricted to enforcing State solid waste regulations, which is what they get paid for. They get reimbursed for their time through the SCL-LEA. Currently, the SCL-LEA is not enforcing the CUP conditions, zone change conditions, or acute conditions with the City. That is handled under County Regional Planning and City Planning. There is a Board of Directors meeting either in April or May where the budget is discussed and is voted on for approval. That is when the public can give a comment about the budget. Mr. Thompson stated that they do work with other agencies on CUP conditions. The SCL-LEA is currently working with PW on the ADC issue.

Mr. Thompson mentioned having almost weekly contact with Public Works and believed there is a good working partnership. He commended them on a great job and stated looking forward to working with staff. Lastly, he mentioned that

Ms. Hanson-Lugo was the program manager for this year and will also be working with PW staff.

IX. PUBLIC COMMENTS

No public comment.

IX. ADJOURNMENT

The meeting adjourned at 12:24 p.m. The next meeting is tentatively scheduled for February 17, 2022, at 11 a.m.