

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

February 16, 2023

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
Sam Shammass, Los Angeles County Sanitation Districts
Christopher Sheppard, Los Angeles County Public Works
Betsey Landis, Chair, Environmental Organization Representative

OTHERS PRESENT:

Steve Cassulo, Waste Connections
Kate Downey, Republic Services (Republic)
Tim Fargo, City of Los Angeles
Edgar De La Torre, County of Los Angeles Department of Regional Planning
Wayde Hunter, North Valley Coalition of Concerned Citizens
Joe Bartolata, Los Angeles County Public Works
Alexander Castro, Los Angeles County Public Works
Josephine Chen, Los Angeles County Public Works
Dustin Dvorak, Los Angeles County Public Works
Anna Gov, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Ramon Herman, Los Angeles County Public Works
Tran Kiem, Los Angeles County Public Works
Henry Kong, Los Angeles County Public Works
Darren Kwan, Los Angeles County Public Works
Dennis Lee, Los Angeles County Public Works
Karlo Manalo, Los Angeles County Public Works
Omid Mazdiasni, Los Angeles County Public Works
Dave Nguyen, Los Angeles County Public Works
Gladys Rietze, Los Angeles County Public Works
Aric Rodriguez, Los Angeles County Public Works
Carol Saucillo, Los Angeles County Public Works

I. CALL TO ORDER

Mr. Mike Mohajer called the meeting to order at 11:08 a.m.

II. APPROVAL OF MINUTES FROM THE NOVEMBER 17, 2022 AND JANUARY 19, 2023 MEETINGS

Mr. Mohajer made a motion to approve the November 17, 2022, minutes as revised, and Mr. Christopher Sheppard seconded. Motion passed unanimously. Mr. Mohajer made a motion to approve the January 19, 2023, minutes as revised, and Mr. Sheppard seconded. Motion passed unanimously.

III. UPDATE ON CHIQUITA CANYON LANDFILL

Mr. Omid Mazdiyasni, staff to the Task Force, provided the following update:

Odor Complaints and Notice of Violations (NOV)

The next quarterly update from the South Coast Air Quality Management District (AQMD) will be provided in April 2023.

Task Force Request for Chiquita Canyon Landfill (CCL) to Submit a Report regarding NOVs Received

- CCL submitted their Twenty-Second Monthly Update to the Task Force on January 31, 2023. The update addressed the April 19, 2021, letter's requirements and 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), as well as the Stipulated Order for Abatement from AQMD.
- No NOVs were received for the month of January 2023.

Mr. Mohajer asked what was meant to pay out-of-area fees, which is noted in the staff report. He also asked for fee amounts. Mr. Karlo Manalo responded that the out-of-area fee is detailed in Condition 117 of the Conditional Use Permit (CUP), and there is a tiered rate for the out-of-area fees.

Mr. Mohajer informed staff that the Task Force is a separate legal entity, which was formed by Los Angeles County Chapters and State Law. Mr. Mohajer added that the Task Force requires, under State Law, that the disposal facility be consistent with the Countywide Siting Element, in conjunction with conditions approved by the

County of Los Angeles Department of Regional Planning's (Regional Planning) adoption of the CUP and the Finding of Conformance (FOC). Mr. Mohajer also explained that there had been times where the Task Force position was not in conjunction with that of Regional Planning, and the issue had to be reviewed by County Counsel for decision making.

Settlement Agreement and CUP Modification Status

- On October 11, 2022, County and CCL entered into a [Settlement Agreement](#) on both lawsuits, which included modifications to the existing CUP.
- On November 10, 2022, CCL submitted a CUP modification request to Regional Planning for consideration. Mr. Mazdiyani provided a [Staff Report on Settlement Agreement and CUP Modification Update](#).
- Regional Planning received the CUP modification documents and are reviewing before moving forward with the CUP modification process. Modifications include:
 - Revising the maximum annual tonnage capacity for various tiered periods and exempting 250,000 tons of soil per year from certain capacity limits.
 - Shortening the maximum term of the CUP, from 30 to 25 years, with a CUP termination date of July 28, 2042, while keeping the maximum elevation and tonnage capacity limits unchanged.
 - Setting the deadline for completion of street improvements and opening of a new site entrance to two years after the date CCL receives all requisite approvals.

Changes to several Operational and Fee Conditions are detailed in the staff report.

Mr. Mohajer stated that based on the staff report, there is a need for a revised FOC. However, the FOC cannot be processed until the revised CUP is approved by the Los Angeles County Board of Supervisors.

IV. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Alexander Castro, staff to the Task Force, provided an update on the [odor complaints from the AQMD](#) for the month of January 2023 at SCL.

- During the month of January 2023, 226 complaints were made to the AQMD hotline. Of those, 50 were classified as Trash, 30 were listed as No Field Response, and 43 were listed as landfill gas odors, 5 were listed as odors from

other sources, and 98 were classified as None, which meant the inspector visited the site and did not detect any odor.

- Compared to December 2022, the number of complaints received in January 2023, increased from 32 to 226 complaints.
- Compared to January 2022, the number of complaints for January 2023 increased from 158 to 226 complaints.
- AQMD issued 6 NOVs related to odor for the month of January 2023.
- The number of NOVs received in 2022 was 12.

Mr. Wayne Hunter of the North Valley Coalition of Concerned Citizens shared his concerns about the increase of odors.

Mr. Mohajer asked PW staff if Republic was still accepting waste between the hours of 6 a.m. and 9 a.m. Mr. Michael Harmon responded on behalf of PW that it was the current practice at SCL. Ms. Kate Downey of Republic confirmed Republic was operating between 6 a.m. and 9 a.m.

Mr. Mohajer noted page 5 of the January 19, 2023, minutes where he asked Ms. Dee Hanson-Lugo if the SCL Local Enforcement Agency (SCL-LEA) issued any violations to the Landfill for violating daily tonnages under the Solid Waste Facility Permit (SWFP) and indicated that he wanted a written letter from SCL-LEA confirming the SCL-LEA's response that the SWFP specifies a daily tonnage limit, but the SCL-LEA did not consider the soil for construction activities under the provision.

Ms. Hanson-Lugo responded that she submitted an e-mail to PW staff after 11 a.m. the day of this meeting. Mr. Mohajer appreciated her response but noted the e-mail was submitted late as the Subcommittee meeting was already in progress. He also indicated depending on what information was provided in the e-mail, he may want to inquire with County Counsel questions he asked pertaining to the California Environmental Quality Act (CEQA) and traffic studies. Mr. Mohajer requested the item be placed on next month's meeting agenda.

Health Risk Assessment

Mr. Castro provided a [staff report](#) on Data Review Report and Health Risk Assessment prepared for the SCL Community Advisory Committee (CAC) published by ECorp Consulting, Inc., in September 2022. PW staff recommended the report be reviewed by Los Angeles County Department of Public Health (Public Health) and AQMD.

Ms. Landis commented that the information in the consultant's report had a lot of data, but the maps were insufficient with no markings or captions to identify locations and asked if someone would be reviewing and revising the report to address the insufficiencies. Mr. Mohajer agreed with the staff report and recommended the following items to be added in the staff report: 1) the report should include Ventura County since some of their monitoring stations were used in the analysis; and 2) PW staff recommends the report be reviewed and analyzed by Public Health and AQMD for distribution to the Public and Task Force.

Mr. Mohajer made a motion to send the Health Risk Assessment, as provided, to Public Health and AQMD for their review, analysis, comments, with a request for a response to the Task Force. Ms. Landis seconded. Motion passed unanimously.

Odor Control Measures

Ms. Gladys Rietze, staff to the Task Force, provided the [Odor Mitigation Measure update](#).

Mr. Mohajer made a motion for the Task Force to send a letter to AQMD, encouraging them to consider implementing the mitigation measures provided by PW staff in an effort to address the rise in odors at SCL. Ms. Landis seconded. Motion passed with one abstention.

Tonnage Exceedance

Ms. Rietze provided the following update:

- On November 15, 2022, PW sent a letter to Republic notifying them that SCL had exceeded the daily tonnage capacity of 12,100 tons per day in accordance with Condition 21A of the Condition Use Permit (CUP). PW requested SCL to comply with the tonnage capacity or the matter would be referred to Regional Planning.
- Consequently, on January 26, 2023, PW referred the matter to Regional Planning for further enforcement action.

Ms. Landis asked if there had been any reporting this year of exceedances. Mr. Harmon responded that PW receives monthly tonnage reports from Republic and the most recent was received yesterday, February 15, 2023, and is currently under review.

Mr. Mohajer requested a copy of the letter PW sent to Republic regarding tonnage exceedance and a copy of the responsive letter that Republic's counsel sent to PW. Mr. Nguyen responded that copies of the letters will be mailed to Mr. Mohajer.

Mr. Hunter requested a copy of the tonnage exceedance staff report. Mr. Nguyen responded there was no staff report, only a verbal staff update, and that PW referred the matter to Regional Planning.

Toe Berm Project

Ms. Rietze provided the [Toe Berm Project update](#) at SCL.

Mr. Mohajer inquired about the project and if it is different than what was approved by the City and County in 2007. If it is, it would have to come to the Task Force for approval as well, which is part of the FOC.

Mr. Sheppard responded that PW preliminary review of grading documents that were submitted indicated the grading proposed was within the boundaries of the existing Exhibit A for the landfill. Mr. Mohajer added the project must be consistency with the agency that has control over the land use, including the Regional Planning and City Planning Department, as well as with the CEQA document.

Mr. Sheppard responded that PW informed the Landfill Operator that they are required to get PW approval on such items, and that PW has been in direct communication with the City on all of the subject matter pertaining to the Toe Berm project.

Mr. Tim Fargo with the City Planning Department stated that some of what is being said at this Subcommittee meeting is not an accurate representation of the past six months. He indicated that when he informed the SCL-CAC of the Toe Berm Project approval status from the City, it was intentionally. He also indicated since he had been on this project, he had been in continuous communication with the County on everything involving the project.

Mr. Mohajer thanked Mr. Fargo and commented that Mr. Fargo was very clear at last month's Subcommittee meeting, as noted on the [January 19, 2023 FPRS Minutes](#), about SCL submitting a permit application to the City Planning Department, which had not yet approved, and that the City Building and Safety had approved.

Proposed Joint Technical Document Amendment Application submitted to LEA –
Final Grading Map submitted to LEA – (Final Grading Map submitted to LEA)

Mr. Harmon provided an [update](#) on SCL's proposed Joint Technical Document Application submitted to the SCL-LEA and Final Grading Map submitted to SCL-LEA.

Mr. Mohajer agreed with PW staff's recommendation to bring the matter to Regional Planning attention. He added expanding the Staff recommendation to address CalRecycle in reference to documents that involve Solid Waste Facilities Permit. Since PW staff notified Regional Planning of the matter, Mr. Mohajer made a motion to send a formal letter based on Staff's recommendation and to include copies of the letter to City Planning Department and CalRecycle. Ms. Landis seconded. Motion passed with 2 voting yes and 3 abstaining.

In reference to tonnage exceedance, Ms. Downey confirmed being in communication with PW regarding the issue and Republic understands that the matter was referred to Regional Planning.

M. Downey mentioned that Republic also disputes the Joint Technical Document Amendment Application not conforming to the CUP conditions or Exhibit A-2. She indicated that Republic was preparing a response letter to Public Works on the topic. She indicated there is a contour to 1904 on the County side that is further supported by the SWFP and that the first page of the SWFP, which lists the maximum elevation of 1,904 feet on the County side and the maximum elevation of 2,004 on the City side. Lastly, Ms. Downey also explained that the estimated closure year of 2038, was a typo and the document is 2037, which will also be clarified.

Mr. Mohajer requested something in writing from Ms. Downey stating everything she mentioned, which Ms. Downey agreed to provide.

Mr. Mohajer also informed Ms. Downey that SCL operated under the FOC that was issued by the Task Force and that the FOC is subject to review in five years at the same time the Solid Waste Plan Review comes into play.

V. DISCUSSION ON FINDING OF CONFORMANCE REPORTS

Mr. Ramon Herman, staff to the Task Force, provided a [staff report](#) regarding FOC Fourth Quarter 2022 Monitoring Reports for Various Landfills.

Ms. Landis asked what happened to all the debris that was generated from the last storm that hit. She asked if it all went to the landfill. Mr. Herman responded that he did not know, and that PW staff would look into it.

Mr. Hunter asked if the soil being brought in during the fourth quarter included any of the material that was imported for the berm. He mentioned receiving complaints from people adjacent to the landfill in Sylmar, which he forwarded to Mr. Nguyen, asking why there were so many trucks going in and out without being weighed. Mr. Herman responded that the Quarterly Monitoring Report does not specifically indicate the specific waste type included in the tonnages.

VI. PUBLIC COMMENTS

No public comment.

VII. ADJOURNMENT

The meeting adjourned at 12:49 p.m. The next meeting is tentatively scheduled for March 16, 2023, at 11 a.m.