

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

**March 16, 2023**

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

SUBCOMMITTEE MEMBERS NOT PRESENT:

Betsey Landis, Chair, Environmental Organization Representative

OTHERS PRESENT:

Jonathan Brazile, County Counsel  
Steve Cassulo, Waste Connections  
Kate Downey, Republic Services (Republic)  
Wayde Hunter, North Valley Coalition of Concerned Citizens  
Alexander Castro, Los Angeles County Public Works  
Josephine Chen, Los Angeles County Public Works  
Anna Gov, 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  
Dennis Lee, Los Angeles County Public Works  
Karlo Manalo, Los Angeles County Public Works  
Carol Saucillo, Los Angeles County Public Works  
Christopher Sheppard, Los Angeles County Public Works

**I. CALL TO ORDER**

Mr. Mike Mohajer called the meeting to order at 11:05 a.m.

**II. APPROVAL OF MINUTES FROM THE FEBRUARY 16, 2023 MEETING**

Mr. Sam Shammass made a motion to approve the February 16, 2023, minutes as amended, and Mr. Mohajer seconded. Motion passed unanimously.

**III. COUNTY COUNSEL UPDATE**

Mr. Jonathan Brazile of County Counsel provided an update to the issue of the February 16, 2023, meeting where the Subcommittee made a motion with two members voting yes, no member opposing, and three members abstaining and the validity of the motion that ultimately went to the Task Force. In this case, the County Code reads that abstentions serve as a no vote. However, even if there are issues with the validity of the Subcommittee vote and because the Task Force separately reviewed the matter and approved the motion on their own, the motion the Task Force approved may be valid because they are the main commission. Mr. Brazile will confirm with the Brown Act expert, who is currently on vacation, to see if there is a law stating that Subcommittee approval for a motion is required by law before that motion is presented to the Task Force. The findings will be presented at the next Subcommittee meeting.

Mr. Mohajer commented there were three motions recommending that the Task Force send letters to various agencies regarding the Joint Technical Document (JTD), Health Risk Assessment, and Odor Complaints. Mr. Christopher Sheppard confirmed the letter in question with the voting was the JTD letter going to the California Department of Resources Recycling and Recovery (CalRecycle) and County of Los Angeles Department of Regional Planning (Regional Planning). The other two letters have a signatory issue that is being looked into. Discussion continued regarding the Robert Rule of Law and the two remaining letters. Mr. Shammass commented that the two remaining letters would go out.

Mr. Mohajer introduced the new General Manager for Sunshine Canyon Landfill (SCL), Mr. Michael Stewart.

**IV. UPDATE ON CHIQUITA CANYON LANDFILL**

Mr. Ramon Herman, 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 NOV's Received

- CCL submitted their [Twenty-Third Monthly Update](#) to the Task Force on February 28, 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 NOV's were received for the month of February 2023.

Mr. Mohajer commented that there were no NOV's issued to CCL from AQMD or Regional Planning and that the two lawsuits have been settled, subject to the modification of CCL's Conditional Use Permit (CUP). Mr. Wayde Hunter of the North Valley Coalition of Concerned Citizens asked if there would be a Public Hearing for the modification of the CUP. Mr. Mohajer believed that there will be a Public Hearing.

**V. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL**

Beneficial Reuse and Permitted Tonnage

Ms. Anna Gov, staff to the Task Force, provided an update on Sunshine Canyon Landfill Local Enforcement Agency's (SCL-LEA) [clarification](#) on beneficial use material that the Subcommittee requested at the January 19, 2023 FPRS meeting from the SCL-LEA regarding the permitted tonnages of allowable material under the Solid Waste Facility Permit.

Mr. Mohajer asked what the status was of the beneficial reuse and permitted tonnage. Ms. Gov responded that the SCL-LEA has a different interpretation than that of Public Works (PW) and the Landfill Operator. Mr. Mohajer asked if it was a different interpretation or different mandate. Ms. Dee Hanson-Lugo with the SCL-LEA responded that CalRecycle's regulation as written is that soil is considered earthen material. Therefore, it is not disposable and not beneficial. The beneficial use definition in the regulations is different than what is stated in the Los Angeles County (County) CUP. Ms. Hanson-Lugo emphasized that regardless of

what CalRecycle's definition is or what the Solid Waste Facility Permit (SWFP) states, if the County has more stringent requirements, those are the requirements the Landfill operator needs to follow. Furthermore, the CUP language cannot be incorporated into the SWFP due to conflict of interest. The Landfill Operator understands that there are certain requirements to follow in the CUP and if the CUP limits them to a certain amount of tonnage, they must follow that land use requirement, which is more stringent. Mr. Mohajer concurred and indicated that if CalRecycle has a mandate, State law also specifies that CalRecycle does not have the authority to overrule other agencies whose requirements are more restrictive, including the Land Use Permit. Mr. Mohajer requested having Condition 13f of the SWFP, Facility Number 19-AA-2000, be noted in the minutes as read by Mr. Hunter.

*"This permit does not supplant or modify local land use entitlements or local agencies' authority to enforce local entitlements. It is recognized by the EA that the operator must comply with the provisions of the Integrated Waste Management Act (IWMA), Board regulations and terms and conditions of this permit as well as other regulatory requirements and applicable local land use measures which govern the operator's activities at the site. If the requirements inadvertently overlap, it is expected that the operator will comply with the more stringent requirement in order to maintain compliance. Non-compliance with another agency requirement may not constitute a violation of this permit, the IWMA or Board regulations."*

Mr. Mohajer commented that the SCL-LEA is correct in their enforcing CalRecycle and State regulations that are under the jurisdiction of CalRecycle. Mr. Dave Nguyen commented that this matter was sent to Regional Planning for consideration as there is a difference of interpretation between CalRecycle and the County. Mr. Sheppard emphasized that if there is a difference of interpretation between the County and the Landfill Operator under the CUP, Regional Planning has the responsibility over the CUP and so they will make the final determination.

### Odor Complaints

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

- During the month of February 2023, 191 complaints were made to the AQMD hotline. Of those, 21 were classified as Trash, 37 were listed as No Field Response or resolved by telephone, 76 were listed as Landfill Gas Odors, and 57 were classified as None, which meant the inspector visited the site and did not detect any odor.
- Compared to January 2023, the number of complaints received in February 2023, decreased from 226 to 191 complaints.

- Compared to February 2022, the number of complaints for February 2023 increased from 84 to 191 complaints.
- AQMD issued 5 NOVs related to odor for the month of February 2023 and a total of 11 NOVs for the year 2023. There were 12 NOVs in 2022.
- The total number of odor complaints received during 2023 is 417.

Mr. Hunter commented that he received the odor complaints from AQMD that included Rule 403, which is dust that goes to the air quality, and felt this data should be included with the NOVs. Mr. Mohajer commented that there were NOVs that went beyond the odor complaints and if the AQMD is including NOVs initiated by other activities that perhaps staff should also include the dust and air quality as a separate item. Mr. Nguyen responded that this standing item was for odor complaints only. Mr. Mohajer requested that the dust and air quality be included if staff workload permits.

#### Fourth Quarter Vegetation Report

Mr. Castro provided the Fourth Quarter Vegetation [staff report](#) for the SCL/County Landfill.

Mr. Mohajer commented that the last bullet on the City Side South Sage Pilot Project Area – Deck C/Lower Deck recommends removal and asked why the removal. Mr. Castro responded that the exotic species are classified as non-native, so removal is recommended. Mr. Mohajer asked if it was a mandate that the exotic species must be removed. Mr. Castro responded it was the recommendation. Mr. Mohajer shared his concern that removal would make the situation from erosion worse and asked after the consultant's recommendation, who would ultimately make the final decision; PW, Regional Planning, or the Landfill Operator, and suggested that staff may want to look into it and to work with the Landfill Operator to see what works best for the community and soil erosion.

Mr. Mohajer also commented that in Deck B a year-round weed control program is recommended incorporating mechanical and chemical control practices and would like staff to follow up with the Landfill Operator to implement the recommendation, provided that staff concurs with the recommendation.

Mr. Mohajer commented about the next meeting planned for the First Quarter of 2023 for initial assessment and discussion for mitigation plans on Deck A and would like PW to follow up with the Landfill Operator on the consultant's recommendation and provide an update at next month's Subcommittee meeting.

Mr. Mohajer commented on the County Side Sage Mitigation Area for benching erosion control to improve soil conditions and requested that staff follow up with the Landfill Operator on the timeline.

Mr. Mohajer noted excessive rains in January and February. He would like staff to provide a detailed analysis of the facility's damages and implementation measures to mitigate damages caused by recent storms at the next month meeting. Discussion ensued about the two NOVs initiated by the SCL-LEA due to erosion, and the concern with trash leaving the Landfill premises and washing away towards the storm drains. Mr. Mohajer stated that the California Water Quality Control Board (Water Board) must be notified and that the Landfill Operator did not notify the Water Board, so he requested that staff work with the Water Board to make certain that the Landfill Operator complies with all requirements. Mr. Mohajer asked that this item be added to next month's Subcommittee agenda.

#### **VI. DISCUSSION ON FINDING OF CONFORMANCE REPORTS**

Due to time constraints, this item was postponed to next month's Subcommittee meeting.

#### **VI. PUBLIC COMMENTS**

No public comment.

#### **VII. ADJOURNMENT**

The meeting adjourned at 12:19 p.m. The next meeting is tentatively scheduled for April 20, 2023, at 11 a.m.