

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

Minutes of April 19, 2007

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

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities-Los Angeles Division
Betsey Landis, Environmental Organization Representative
Mary Ann Lutz, League of California Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Ron Saldana, Los Angeles County Disposal Association
Greig Smith, City of Los Angeles

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Dr. Jonathan Fielding, rep. by Ken Murray, County of Los Angeles Dept. of Public Health
Stephen Maguin, rep. by Chris Salomon, County Sanitation Districts of L.A. County
Gerry Miller, rep. by Charles Modica, City of Los Angeles
Rita Robinson, rep. by Karen Coca, City of Los Angeles Bureau of Sanitation
Don Wolfe, rep. by Carlos Ruiz, County of Los Angeles Dept. of Public Works
Dr. Barry Wallerstein, rep. by Jay Chen, South Coast Air Quality Management District
Mark Waronek, rep. by Michael Miller, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS NOT PRESENT:

Christine F. Andersen, City of Long Beach
Carl Clark, Institute of Scrap Recycling Industries, Inc.
David Kim, City of Los Angeles
David Ross, Business/Commerce Representative

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Martins Aiyetiwa, County of Los Angeles Department of Public Works
Paul Alva, County of Los Angeles Department of Public Works
Kelly Astor, Los Angeles County Waste Management Association
Tiffany Atter, Emmy Waste Consulting
David Edwards, Browning-Ferris Industries, Inc.
Martin Kay, South Coast Air Quality Management District
Coby Skye, County of Los Angeles Department of Public Works
Ken Stuart, California Integrated Waste Management Board
Steve Uselton, California Integrated Waste Management Board
Sophia Vallozzi, Emmy Waste Consulting
Jason Varner, City of Monrovia

I. CALL TO ORDER

The meeting was called to order at 1:06 p.m.

II. APPROVAL OF MINUTES OF MARCH 15, 2007

A motion was made to approve the minutes of March 15, 2007. The motion was passed unanimously. (Ms. Mary Ann Lutz and Mr. Ken Murray were absent at the time the vote was taken.)

III. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that the Subcommittee met on April 19, 2007, to review a rough draft of Chapter 9 of the Countywide Siting Element. This is a long chapter on out-of-County landfills. The Subcommittee went through about half of the text and provided a number of recommended changes. Staff will revise the text and bring it back at a later date for review.

Mr. Dave Edwards, of Browning-Ferris Industries, Inc. (BFI) provided an update on the application for Finding of Conformance Sunshine Canyon Landfill (County Extension). He stated that BFI met twice with the Subcommittee and has submitted some of the needed documents. Also, forthcoming from BFI is a map identifying oak trees and other types of trees regarding tree loss mitigation efforts on the County and City side of the landfill. One remaining item for the Finding of Conformance is the acceptance of the replacement Conditional Use Permit, which has been more difficult to finalize than anticipated. Mr. Mike Mohajer added that another item missing before the final acceptance of Conditional Use Permit is the submittal of insurance and financial assurance documents.

IV. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

Mr. Coby Skye indicated the Subcommittee will be very busy through July. The Subcommittee will be finishing the conversion technology facility tours, moving forward on the public outreach contract, completing the Phase II Final Report, and beginning negotiations with material recovery facilities and technology suppliers that were identified in Phase II of the process. The Subcommittee met and discussed the project team's recent trip to the United Kingdom, Israel, Poland, Japan, and Riverside County. The Subcommittee also reviewed some of the outreach materials that Cerrell Associates, Inc., the public outreach contractor, has developed. Besides the e-newsletter, two website URLs have

been registered: SoCalConversion.org and SoCalConversion.com. The new website will be launched in about a month.

Mr. Skye distributed a flyer announcing the upcoming Southern California Waste Management Forum Annual Business Meeting to be held on May 10, 2007. There, he plans to report on the status of Los Angeles County's conversion technology demonstration project and provide a more detailed presentation regarding the reference facility tours.

V. LEGISLATIVE UPDATE

Mr. Skye stated staff is closely monitoring three Bills related to conversion technology: AB 1075, AB 1150, and SB 842. Mr. Skye also provided a status on four additional Legislative Bills which could have a major impact. Additionally, Mr. Mohajer commented on AB 712, AB 800, AB 1207 and Mr. Kelly Astor, representing the Los Angeles County Waste Management Association, discussed SB 826 ([see attachment](#)).

- AB 1150-Introduced by Lieu

This Bill would revise the definition of "transformation" to include or mean incineration of solid waste, or the processing of solid waste through a non-combustion thermal, chemical, or biological process. The Task Force previously voted to oppose. Staff recommended to postpone sending the opposition letter, and watch the Bill since the author is currently working on rewording it.

A motion to watch AB 1150 was made. The motion passed unanimously.

- SB 1016-Introduced by Wiggins

This Bill would, among other things, require the Waste Board to consider jurisdictions' programs in determining compliance with AB 939 and it would establish the 2006 countywide disposal tonnage as the "base tonnage year." However, the Bill was gutted on April 10, 2007. The only substantial provision left in the Bill is that it would allow jurisdictions with over 50 percent diversion, to report every two years. Mr. Greig Smith mentioned that when an author guts a Bill, a rewrite is highly likely.

A motion was made to watch SB 1016. The motion passed unanimously.

- AB 820-Introduced by Karnette

This Bill would prohibit a State facility from selling, processing, or distributing expanded polystyrene food containers on and after January 1, 2009.

A motion to send a letter of support was made. The motion passed with Mr. Chris Salomon abstaining.

- AB 712-Introduced by De Leon

Mr. Mohajer stated that this Bill was gutted on April 10, 2007, and completely rewritten to impose a fee of 50 cents per ton of solid waste disposed at landfills. Landfill operators would collect the fees and submit to the State Board of Equalization. These funds would then go to owners of off-road diesel vehicles used at landfills and transfer stations to pay costs for complying with State Air Resources Board regulations applicable to these vehicles.

Since this Bill is not included in the legislative table, the Task Force requested staff to provide copies of AB 712 at the next Task Force meeting. A motion to watch AB 712 was made. The motion passed unanimously.

- AB 1207-Introduced by Smyth

Mr. Mohajer stated that this Bill takes away the land use authority of local government and gives it to the Waste Board. Furthermore, it prevents local government from enacting laws inconsistent with the Waste Board. Mr. Skye also added that the County is concerned about any Bill that would take control away from local government.

A motion to send a letter of opposition was made. The motion passed with three members abstaining (Ms. Margaret Clark, Mr. Jay Chen, and Mr. Salomon). Moreover, the Task Force suggested staff to work with Mr. Michael Miller and Mr. Smith regarding the specific text to be included in the letter.

- AB 1237-Introduced by Hancock

This Bill would require the Local Enforcement Agency and the Waste Board inspections to be unannounced. The Bill also extends the Waste Board's 60-day review period to 90 days, and unlike the current law, it would construe non-action by the Board as a tacit objection.

A motion was made to oppose unless amended to indicate that if no action is taken by the Waste Board within 90 days, it should continue to be construed as an approval. The motion passed with Mr. Chen abstaining.

- SB 826-Introduced by Padilla

Mr. Astor brought SB 826 to the attention of the Task Force. SB 826 requires the State to set a new minimum standard on environmental justice. It would allow the State to impose mitigation measures, including taking control of solid waste facilities if needed. Mr. Astor stated that Senator Padilla was also the author of SB 1020, which would increase the waste diversion requirement to 75 percent beginning in the year 2012.

The Task Force requested staff to prepare a letter of concern regarding SB 826 and to invite Senator Padilla to come to a Task Force meeting to discuss his Bill.

- AB 800-Introduced by Lieu and Krekorian

Mr. Mohajer stated AB 800 is sponsored by the County of Los Angeles. It addresses sewage spills discharged into the waters of the State. The Bill would impose notification standards and increase civil penalties in cases of a spill. Ms. Lutz mentioned she would provide more information on this Bill from her Water Quality Control Board at the next Task Force meeting.

A motion to watch AB 800 was made. The motion passed unanimously.

VI. REPORT ON CIWMB PROPOSED REGULATIONS ON POSTCLOSURE MAINTENANCE AND FINANCIAL ASSURANCE DEMONSTRATION FOR LANDFILLS

Mr. Martins Aiyetiwa provided an update on the Proposed Regulations on Postclosure Maintenance and Financial Assurance Demonstrations for Landfills. He stated that a letter of support prepared by staff on behalf of the Task Force would be sent out today to the Waste Board in support of Option 1 of the Waste Board staff report submitted for Agenda Item 8, Section III – Options for the Board, during its March 13, 2007, meeting. A copy of that letter would be provided at the end of the meeting. In reply to County Public Work's request that Waste Board staff make a presentation to the Task Force in the future, the Waste Board replied that their staff would not be able to personally come to the April Task Force meeting and make such a presentation on the proposed regulations, including the operator's and government's financial responsibility, current State requirements, and taxpayer's liability. Instead, a telephone conference is being arranged for the Facility and Plan Review Subcommittee meeting in May.

In addition, Mr. Aiyetiwa mentioned that Proposed Regulations on Postclosure Maintenance and Financial Assurance Demonstration for Landfills have not yet been released for public review and comment. However, staff is expecting that the proposed regulations be released sometime this week or next week. Staff will provide a copy of the proposed regulations to the Task Force members to comment on and will conduct a presentation in the May Task Force meeting.

VII. REPORT FROM THE WASTE BOARD

Mr. Steve Uselton reported that all of the Los Angeles County jurisdictions have submitted their 2005 Annual Reports. The Waste Board is reviewing the Annual Reports and will provide them with responses by the end of April. Mr. Uselton stated that the Waste Board visited 60 disposal facilities statewide in March to assess how well each was doing in asking for waste origin information. Of the 60 facilities visited, results showed that 78 percent asked about the origin correctly; 13 percent asked incorrectly; and 8 percent did not ask at all.

Mr. Uselton stated that the winter/spring edition of "InfoCycling" newsletter had been e-mailed to all interested parties such as local jurisdictions and State facilities. Highlights of the issue were waste characterization findings for various industry groups, a University of California Davis power plant that utilizes organic fuel waste, and an article on agricultural plastic films. Mr. Uselton mentioned the

newsletter can be accessed from the Waste Board website (at <http://www.ciwmb.ca.gov/Publications/default.asp?>).

Mr. Uselton also stated that the Executive Director, in consultation with the Waste Board, has recently reorganized staff structure along two primary programs: the Sustainability Program and the Waste Compliance Mitigation Program. The purpose of the Sustainability Program is to help local jurisdictions reach the desired diversion rate. Directors are selected for each program. Both programs will create a single point of contact to provide easy access and better service to local jurisdictions. Local jurisdictions will receive information on their contact person next month.

Locally, the Waste Board is recruiting for two new positions that will work with jurisdictions in Los Angeles County. Mr. Uselton also announced that the California Resource Recovery Association is sponsoring a series of workshops. One will be held on May 2, 2007, at California State University of Long Beach, from 8 a.m. to 2:30 p.m. The title of the first workshop is "Special Events and Venue Recycling." The other will be held on May 15, 2007 from 10 a.m. to 3 p.m., at the South Coast Air Quality Management District in Diamond Bar. It is titled "Whither AB 939: A Local Government Workshop".

VIII. PRESENTATION ON THE STATEWIDE ILLEGAL DUMPING ENFORCEMENT TASK FORCE

Mr. Ken Stuart, Illegal Dumping Coordinator with the Waste Board, provided a presentation on the State/Local Illegal Dumping Enforcement Task Force Report ([see attachment](#)). The purpose of the report was to evaluate the extent of illegal dumping issues statewide and to develop recommendations to enhance the effectiveness of local and State responses.

Mr. Stuart provided a brief background on the Illegal Dumping Enforcement Task Force (IDETF). He stated that the IDETF was formed in 2006 and currently have 22 members comprised of representatives from local governments, State and Federal agencies, non-profit organizations, and the waste management industry. Three meetings have been held to discuss local and State issues involving illegal dumping, cleanup, and enforcement and to identify 26 issues on illegal dumping. Additionally, in conjunction with the California State Association of Counties and the League of California Cities, the IDETF has surveyed local governments to gather information on their cost of abating illegal dumping. The results revealed an astonishingly high figure in the total annual cost on abatement efforts from local governments. Moreover, survey also showed that

major household appliances and large furniture items are the most commonly illegally dumped items. Overall, the IDETF found that there is a critical need for statewide coordination and technical assistance; legislation can be a tool to assist local programs; additional funding is needed to support abating the increasing costs of illegal dumping; and local agencies can and should take the lead in implementing existing authorities.

IDETF made 24 recommendations and categorized them before presenting to the Waste Board. Among the top six priorities are public education, large product advance disposal fees, State funding for enforcement staff, waste tire redemption programs, refuse hauler service permits, and enforcement training. Currently, IDETF efforts include ongoing local outreach programs, a planned expansion of its website to include local codes, and drafting of Strategic Plans.

Mr. Stuart encouraged the Task Force to cooperate with him on implementation plans and making suggestions. He emphasized that illegal dumping is an immense problem, and that it is not going to be solved on the State level alone and it would take the conscientious efforts of the Counties and many individual government agencies. Discussion ensued.

IX. PRESENTATION ON SCAQMD'S STATIONARY ENGINE RULE 1110.2 AMENDMENTS

Mr. Martin Kay from the South Coast Air Quality Management District (AQMD) discussed AQMD's recently proposed amendments to Rule 1110.2 ([see attachment](#)).

Rule 1110.2 is the Rule that regulates emissions of stationary and portable engines. It requires these engines to achieve lower emissions of three pollutants – nitrogen oxides, carbon monoxide, and volatile organic compounds. Using charts, graphs, and statistical data, Mr. Kay explained why these amendments are necessary and why there are so many engine emission non-compliance problems. There are two main reasons for amending the Rule. First, the AQMD enforcement staff has found, through unannounced emission tests, that stationary engines are out of compliance with their emissions limits about half the time. This is due to poor operating and maintenance procedures and inadequate monitoring. Second, the 2007 Air Quality Management Plan has found that additional emission reductions are needed to meet the more stringent federal ozone and particulate matter standards.

Mr. Kay stated the proposed amendments could result in continuous emissions monitoring for certain engines, more frequent source testing and sampling,

clarifying the inspection and monitoring requirements of the Rule, requiring the use of air-to-fuel ratio controllers, and requiring new electrical generating engines to meet the same requirements as large central power plants. A public hearing and later public Board hearing are to be scheduled as part of the amendment process.

X. Discussion on the April 11, 2007, San Gabriel Valley Tribune Editorial—*Ethanol Efforts Worth the Pitfalls*

Mr. Mohajer provided a copy of an editorial titled “Ethanol Efforts Worth the Pitfalls” from the San Gabriel Valley Tribune ([see attachment](#)). The focus of the article was that while there are negative effects like the diversion of food supplies and rising food prices from using corn to produce ethanol, the amount of ethanol produced in the future could increase significantly. One factor that would be helpful is the introduction of Federal government incentives for research into new technologies that would allow ethanol to be made from green waste like grass clippings and wood chips. Mr. Mohajer requested that staff prepare a response to this editorial stating that the County and the Task Force have for the past decade been proposing development of an appropriate conversion technology, but have encountered difficulties. The problem is that currently one cannot get anything through the legislation that allows for the development of the facilities.

Discussion ensued. A motion to send a letter to San Gabriel Valley Tribune in response to the editorial was made. The motion carried with Mr. Salomon abstaining.

XI. NEXT MEETING DATE

The next meeting is scheduled for Thursday, May 17, 2007, at 1 p.m.

XII. OPEN DISCUSSION/PUBLIC COMMENT

There was no public comment.

The meeting adjourned at 3:30 p.m.