

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

Minutes of April 17, 2008

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
Michael Miller, League of California Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Sam Perdomo, Business/Commerce Representative
Ron Saldana, Private Sector Representative

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Dean Efstathiou, rep. by Carlos Ruiz, County of Los Angeles Department of Public Works
Dr. Jonathan Fielding, rep. by Gerry Villalobos, County of Los Angeles Dept. of Public Health
Stephen Maguin, represented by Charles Boehmke, County Sanitation Districts of L.A. County
Gerry Miller, represented by Charles Modica, City of Los Angeles
Greig Smith, represented by Nicole Bernson, City of Los Angeles

COMMITTEE MEMBERS NOT PRESENT:

Christine Andersen, City of Long Beach
Carl Clark, Institute of Scrap Recycling Industries, Inc.
David Kim, City of Los Angeles
Mary Ann Lutz, League of California Cities-Los Angeles Division
Dr. Barry Wallerstein, South Coast Air Quality Management District
Mark Waronek, League of California Cities-Los Angeles Division
Enrique Zaldivar, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Russell Bukoff, County of Los Angeles Department of Public Works
James Carlson, City of Sierra Madre
Wayde Hunter, County/City Community Advisory Committee and North Valley Coalition
Ben Lucha, City of Palmdale
John McTaggart, General Public Representative
Mark Patti, City of Santa Clarita
Martin Rosen, City of Los Angeles Local Enforcement Agency
Steven Samaniego, City of West Covina
Coby Skye, County of Los Angeles Department of Public Works
Bereket Tadele, County of Los Angeles Department of Public Works
Hossein Torabzadeh, County of Los Angeles Department of Public Works
Steve Uselton, California Integrated Waste Management Board
Allen Wang, City of Los Angeles Bureau of Sanitation

I. CALL TO ORDER

Meeting was called to order at 1:10 p.m.

II. APPROVAL OF MINUTES OF MARCH 20, 2008

A motion was made to approve the corrected minutes of March 20, 2008. The motion passed unanimously with Mr. Mike Miller abstaining.

III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

Mr. Coby Skye reported that the Subcommittee met earlier in the day and discussed developments regarding the participants in the conversion technology project. He said that, based on ongoing developments among conversion technology suppliers and material recovery sites, the subcommittee recommended providing at least an additional 60 days to the participants to submit offers.

Mr. Skye stated the Subcommittee will continue with their public education efforts. He added that, at the next meeting, the subcommittee will be discussing the scope of work for the next phase of the project.

IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that the Subcommittee discussed the Finding of Conformance (FOC) for Sunshine Canyon Landfill earlier in the day. She reported that a few corrections were necessary to the documents submitted by BFI to reflect consistency of definitions used in the staff report.

Ms. Landis stated the Subcommittee approved forwarding the FOC package to the Task Force for consideration of approval. Ms. Landis made a motion to approve the FOC as recommended by staff along with the additional corrections.

Ms. Nicole Bernson moved to hear from Mr. Wayde Hunter of the North Valley Coalition and the County/City Community Advisory Committee before a vote was taken on the approval of the FOC.

Mr. Hunter stated that, in his opinion, BFI violated the conditions of their Conditional Use Permit (CUP) by starting grading operations in the bridge areas of the City-side and County-side landfills without the necessary approvals. He said this violation rendered BFI not in conformance.

Mr. Hunter also noted that no notification had been given to the County/City Community Advisory Committee or the North Valley Coalition on the Subcommittee meeting where the approval of the FOC would be considered.

Ms. Bernson added that she found it troubling that no notification was given to the North Valley Coalition or the County/City Community Advisory Committee. She introduced a substitute motion to hold off consideration of the FOC for one month; narrowly define the areas that are within the purview of the Task Force with regards to the FOC; and to have no prejudice against the applicant for holding off for one month. The substitute motion failed.

Mr. Martins Aiyetiwa of Public Works clarified that the FOC requirement for projects to be developed in Los Angeles County is consistency with the Countywide Siting Element. He also said that verifying the landfill's compliance with grading permits is Public Works' responsibility and is beyond the authority of the Task Force.

Mr. Mike Mohajer and Mr. Miller concurred with Mr. Aiyetiwa in that the issue raised by Mr. Hunter relates to enforcement and thus is outside the scope of the Task Force.

Ms. Landis restated her motion to approve the modified FOC for Sunshine Canyon Landfill. The motion passed with Ms. Bernson, Ms. Clark, and Mr. Charles Modica opposing.

Subsequently, Mr. Mohajer suggested that staff meet with Mr. Hunter to discuss the issues raised regarding Sunshine Canyon Landfill and report back to the Task Force next month.

Mr. Miller requested that staff review Task Force notification procedures so that all parties interested on specific agenda items be given appropriate notification.

V. CONSIDERATION OF SUNSHINE CANYON LANDFILL (COUNTY PROJECT) FINDING OF CONFORMANCE

See IV.

VI. UPDATE ON AB 2296 FINANCIAL ASSURANCE FOR SOLID WASTE LANDFILL'S POSTCLOSURE AND CORRECTIVE ACTION

Mr. Mohajer reported that the Waste Board met on April 14, 2008, to discuss financial assurance for landfills. He informed us that the issue discussed was how to pay for corrective action if the landfill is in operation, or the operator is not financially able to pay for closure and maintenance.

Mr. Mohajer stated the discussion focused primarily on the cost of paying for corrective action only. This scenario would require a disposal fee of \$0.50 per ton during the operating life of the landfill and assumes a disposal rate of 42 million tons per year for the next 50 years.

Mr. Mohajer added that Waste Board staff will present recommendations on the matter for Waste Board approval and subsequent legislative action. The next meetings on the subject will be held on April 28, 2008, and May 12, 2008, in Sacramento.

VII. UPDATE ON AB 2640 (GREENWASTE ADC), SB 1016 (DIVERSION MEASUREMENT) AND SB 1020 (75 PERCENT DIVERSION RATE)

Mr. Mohajer reported that Senator Wiggins' staff will revise the language on SB 1016 which is expected to include recommendations made by the Task Force. The revised Bill is expected to come out in May and then move to the Assembly Appropriations Committee.

Mr. Mohajer reported that SB 1020 (Padilla) will purportedly be reintroduced in May. He anticipates that the new language will change the required diversion rate for cities and counties from 75 percent to 60 percent after 2012 or 2015, while the diversion rate required for the State will remain at 75 percent. Mr. Mohajer contends that this change in language will ultimately result in the State requiring cities and counties that they too comply with the State's 75 percent diversion rate, effectively imposing the requirements of the original Bill on cities and counties.

Mr. Mohajer reported that AB 2640 (Huffman) was amended on April 7, 2008, but the Bill still imposes a fee of \$1.40 per ton of green-waste for beneficial uses. The fees collected will be used by the Waste Board to promote composting.

On April 15, 2008, the Bill passed in the Natural Resources Committee and will now move to the Assembly Appropriations Committee for consideration in late May.

Mr. Mohajer stated that the office of Assembly Member Huffman attempted to compromise in order to have the Task Force change their opposing position. He said that while no agreement was reached, the Task Force will continue to work with the Bill author to address specific issues raised by the Task Force.

In the meantime, the Task Force will continue to oppose AB 2640 unless amended.

VIII. LEGISLATIVE UPDATE

Mr. Skye provided updates on the following Legislative Bills ([see attachment](#)):

1. AB 904—introduced by Feuer

This Bill prohibits a take-out food provider, on and after July 1, 2012, from distributing single-use food service packaging to a consumer, unless the packaging is recyclable or compostable. Members of the Task Force reiterated their support for the Bill upon inquiry from Mr. Skye.

2. AB 1391—introduced by Brownley

Beginning July 1, 2009, this Bill would require a retailer that sells covered electronic devices to provide customers with information of where and how to return, recycle and dispose of such devices. A motion was made to send a letter to Assembly Member Brownley in support of the Bill. The motion passed unanimously.

3. AB 2058—introduced by Levine

This Bill would require stores that distribute free plastic bags to meet phased plastic bag diversion and reduction benchmarks, demonstrating a 35 percent diversion by July 2011, and 70 percent by 2012. If either goal is not met, retailers will be prohibited from distributing bags free of charge and retailers will charge no less than \$0.15 per bag. Task Force Members asked that staff monitors developments on this Bill.

4. AB 2695—introduced by Nielo

This bill would provide solid waste local enforcement agencies (LEAs) with the authority to inspect illegal dumping activities and establishes an illegal dumping grant and loan program within the Waste Board. A motion to send a letter to Assembly Member Nielo in support of the Bill was made. The motion passed unanimously.

5. AB 2866—introduced by De Leon

This Bill would, effective July 1, 2009, increase the current solid waste disposal fee from \$1.40 to \$2.00 per ton. The fee increase would be used to finance the commercialization of hybrid refuse trucks, to fund projects that divert compostable organics from “land disposal,” and to pay for any future liability of the state resulting from the failure of a landfill operator to meet its responsibilities for landfill closure and postclosure care. A motion was made to change the Task Force position from

“oppose unless amended” to “oppose.” The motion passed with Members Boehmke and Perdomo abstaining.

6. SB 1357—introduced by Padilla

This Bill would allow up to \$20 million to be expended between January 1, 2009, and January 1, 2012, for grants for beverage container recycling and litter reduction programs.

7. SB 1625—introduced by Corbett

This Bill would update California’s Bottle and Can Recycling Law to expand the program to include all plastic bottles and end other exemptions from the State’s CRV fees.

Task Force Members requested that staff make a comparison of SB 1357 and SB 1625 and report back at the next meeting.

Mr. Mohajer brought up AB 1860 (Huffman) for discussion. This Bill would make manufacturers and retailers responsible for the proper management of recalled hazardous items. It would also authorize a representative of the Department of Toxic Substances Control to inspect, for the purpose of enforcement, manufacturers and retailers’ property without a court order.

A motion was made to support and amend the Bill to include due process to conduct inspections. The motion passed unanimously.

IX. REPORT FROM THE CIWMB

Mr. Steve Uselton, of the Waste Board, reported on the following items:

1. Alternative daily cover (ADC) Policy Working Group: the ADC Working Group met on April 1, 2008, and April 9, 2008, and discussed the following options regarding ADC:
 - local purchasing to buy back green material after it has been composted to use in local communities
 - help local jurisdictions develop contracting with service providers to utilize their facilities for composting of shredded materials
 - requirements for jurisdictions to include organics diversion in their local planning

- increasing tipping fees to \$1.40 or more for green-waste material
- consideration of timing for a ban on ADC

The Working Group will have a presentation on the options for the Waste Board this coming June.

2. Waste Board Strategic Directives: Mr. Uselton provided an update on Strategic Directive SD-3 which requires local governments to meet diversion goals established by AB 939. In support of such directive, Waste Board staff is reviewing recently submitted diversion reports as well as visiting local jurisdictions to help them with reporting and evaluating their diversion activities and identify any areas where Waste Board staff might be of assistance.

Mr. Uselton said that during the fourth quarter of 2008, Waste Board staff plans to bring forward a delegated action for Waste Board Executive Directors' approval for jurisdictions that have met the 50 percent diversion requirement and are implementing all programs listed on their Source Reduction and Recycling Element.

For jurisdictions that do not meet the 50 percent diversion rate, Waste Board staff will schedule visits to understand why diversion goals are not being met. Staff will recommend consideration for good-faith efforts in cases with merit.

Mr. Uselton also provided an update on Strategic Directive SD 8.6, whose goal is to introduce legislation by September of 2008, to develop a timely and accurate compliance system. He added that Waste Board staff has been working with Senator Wiggins' office on SB 1016 in order to involve all stakeholders.

3. San Joaquin Air Pollution Control District's new rule to reduce emissions from green waste: Mr. Uselton reported that the San Joaquin Air Pollution Control District issued a new rule to reduce emissions from Volatile Organic Compounds from green waste composting.

He stated that the proposed rule will require all composters processing more than fifty thousand wet tons per year to control emissions with an Aerated Static Pile (ASP) fitted to a biofilter, or a similar system. He added that hearings on the subject were conducted in Fresno on April 10, 2008, and April 17, 2008.

4. Siting and capacity survey and workshop: Mr. Uselton reported that the Waste Board estimates that 96 new composting facilities processing 500 tons per day are necessary to reduce organics in the waste stream by 50 percent by 2020.

He stated that through surveys and workshops the Waste Board is actively looking for input from stakeholders. All input received will be used to develop a draft work plan which will be presented at the Waste Board meetings for comment. The goal of the work plan is to identify and eliminate barriers to siting organic diversion facilities.

5. 2008 Waste Reduction Awards Program (WRAP): Mr. Uselton announced that applications for the WRAP are now available. The program acknowledges businesses and non-profit organizations' proactive environmental efforts. The deadline to apply is May 31, 2008.
6. Extended Producer Responsibility (EPR) workshops: Mr. Uselton announced a workshop series on April 28, 29, and 30, 2008, on EPR. The workshop on the 28th will be an introduction to the EPR concept while workshops on the 29th and 30th will focus on household batteries and fluorescent light bulbs, respectively.

Mr. Mike Mohajer acknowledged the important contribution of Mr. Uselton at the Task Force meetings and made a motion to send a letter to the Waste Board commending them for sending Mr. Uselton to participate in Task Force meetings. The motion passed unanimously.

X. PRESENTATION ON CITY OF LOS ANGELES' SOLID WASTE INTEGRATED RESOURCES PLAN

Mr. Allen Wang of the City of Los Angeles conducted a presentation ([see attachment](#)) on the City's Solid Waste Integrated Resources Plan. He stated the Plan will be developed in two phases.

Phase I consist of developing guiding principles through an innovative stakeholder-driven process that will outline the City's objectives.

Phase II will develop a stakeholder-driven Integrated Facilities Plan; an Environmental Documentation Plan; a Financial and Policy/Capital Improvement Plan; and an Implementation Strategy Plan.

Mr. Wang expressed that the top Citywide goals are geared toward achieving zero waste. The top Citywide goals include education focusing on the "3 Rs" and behavior changes; holding businesses/industry accountable for their products and packaging; creating political will to implement the zero waste plan; and promoting zero waste as part of the family, community, and education system culture.

XI. PRESENTATION ON COUNTY LEA IMPLEMENTATION OF AB 1473

No Action. Item postponed until next meeting.

XII. PRESENTATION ON COUNTY OF LOS ANGELES SINGLE-USE BAG REDUCTION AND RECYCLING PROGRAM

No Action. Item postponed until next meeting.

XIII. PRESENTATION ON SOLID WASTE CHAPTER OF THE DRAFT 2008 REGIONAL COMPREHENSIVE PLAN OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

No Action. Item postponed until next meeting.

XIV. NEXT MEETING DATE—TENTATIVELY SCHEDULED FOR THURSDAY, MAY 15, 2008

The next meeting was scheduled for Thursday, May 15, 2008, at 1 p.m.

XV. OPEN DISCUSSION/PUBLIC COMMENT

There was no public comment. The meeting adjourned at 3:46 p.m.