

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

Minutes of December 17, 2009

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
Sam Perdomo, Business/Commerce Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)
Greig Smith, City of Los Angeles
Eugene Sun, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, represented by Carlos Ruiz, County of Los Angeles Department of Public Works
Dr. Jonathan Fielding, rep. by Cindy Chen, County of Los Angeles Department of Public Health
Stephen Maguin, rep. by Chris Salomon, County Sanitation Districts of Los Angeles County

COMMITTEE MEMBERS NOT PRESENT:

Carl Clark, Institute of Scrap Recycling Industries, Inc.
Michael Conway, City of Long Beach
David Kim, City of Los Angeles
Gerry Miller, City of Los Angeles
Steve Tye, League of California Cities-Los Angeles Division
Dr. Barry Wallerstein, South Coast Air Quality Management District
Enrique Zaldivar, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Martins Aiyetiwa, County of Los Angeles Department of Public Works
Paul Alva, County of Los Angeles Department of Public Works
Nicole Bernson, City of Los Angeles
John Bodenchak, County of Los Angeles Department of Public Works
Chip Clements, Clements Environmental
Janet Coke, County Sanitation Districts of Los Angeles County
Oliver Cramer, City of Santa Clarita
Rogelio Gamiño, County of Los Angeles Department of Public Works
Nilda Gemeniano, County of Los Angeles Department of Public Works
Hillary Gordon, Sierra Club Zero Waste Committee
Bernadette Halverson, City of Los Angeles
Mike Hughes, Hacienda Heights Improvement Association
Wayde Hunter, NVC/GHNNC
Linda Lee, County of Los Angeles Department of Public Works
Rene Salas, City of La Puente
Dick Simmons, Los Angeles County, Fourth District
Coby Skye, County of Los Angeles Department of Public Works
Bill Welch, UC Riverside

I. CALL TO ORDER

Meeting was called to order at 1:15 p.m.

II. APPROVAL OF MINUTES OF NOVEMBER 19, 2009

A motion to approve the corrected minutes of November 19, 2009, passed with Mr. Chris Salomon abstaining. Ms. Margaret Clark and Mr. Eugene Sun were absent at the time the vote was taken.

III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

Mr. Coby Skye reported that the Subcommittee met earlier in the day, and discussed progress on the conversion technology demonstration facilities. County staff will submit recommendations to the Board of Supervisors for approval of a consultant contract and agreements with each technology development team for phases III and IV of the demonstration project by early spring. He also reported that the Subcommittee discussed the California Energy Commission's *2009 Integrated Energy Policy Report* (Report) and members expressed concerns over the definition of certain terms in the Report, including the lack of discussion regarding efforts throughout the State to develop conversion technologies.

A motion to send a letter to the California Energy Commission requesting that their Report include a discussion of conversion technologies and provide clear definitions for the terms "biomass facility" and "MSW conversion facility" passed unanimously.

IV. PRESENTATION ON UCR REPORT, "EVALUATION OF EMISSIONS FROM THERMAL CONVERSION TECHNOLOGIES PROCESSING MSW AND BIOMASS"

Mr. Bill Welch of the University of California Riverside's College of Engineering Center for Environmental Research and Technology (CERT) provided a presentation ([see attachment](#)) on emissions from thermal conversion technologies processing municipal solid waste (MSW). He stated that the California Integrated Waste Management Board (CIWMB) commissioned CERT to conduct a technical evaluation of the application of conversion technologies to processes MSW in 2001, and to conduct case studies on emissions from three thermal conversion processes using waste feedstock in 2006. In 2009, the Bioenergy Producers Association commissioned the CERT to conduct another emissions study in light of the large amount of emissions data that became available since the 2006 study.

In the 2009 study, all units were converted to get a direct comparison to other emission limits, including the U.S. Environmental Protection Agency (EPA) limits for starved air combustors; South Coast Air Quality Management District (SCAQMD) permit limits for MSW incinerators; European Union (EU) limits for thermal conversion processes; and Japanese air standards. The 2009 study evaluated 16 different gasification processes that had independent verifiable data using some type of waste stream as feedstock. These 16 thermal conversion processes complied with the emissions standards when compared with the following pollutant emissions: particulate matter (PM), hydrogen chloride (HCl), nitrogen oxides (NOx), sulfur dioxide emissions (SOx), and mercury (Hg).

Mr. Welch stated that the results of the 2009 study show that many thermal conversion technology facilities are operating around the world in full compliance with the most stringent air emissions standards, and that in general these technologies would be capable of developing successfully in Southern California if they employed best available pollution control technologies. Coupled with improvement in processes conditions and the advances in air pollution control technology, Mr. Welch concluded that thermal conversion technology facilities processing MSW pose no greater risk than any commercial or industrial facility operating today.

V. PRESENTATION ON THE PROGRESS REPORT ON THE DEVELOPMENT OF A WASTE-BY-RAIL SYSTEM

Ms. Janet Coke provided an update ([see attachment](#)) on the County Sanitation Districts of Los Angeles County's (Sanitation Districts) waste-by-rail system, which consists of several components.

For the Mesquite Regional Landfill, in Imperial County, she stated that the Sanitation Districts completed a number of construction projects between July 2007 and December 2008 at a cost of \$60 million. The project included utilities, roads, drainage systems, operations and administration facilities, water distribution systems, groundwater monitoring systems, and composite liners. In December 2008, the landfill was ready for operation.

Ms. Coke stated that the design process for the Puente Hills Intermodal Facility (PHIMF) began in July 2007. In July 2008, the City of Industry issued a conditional use permit (CUP). The facility was permitted to operate two trains per day each with a capacity of 4,000 tons per day (tpd). In July 2009, the Sanitation Districts executed a 15-year service agreement with Union Pacific Railroad (UPRR) for the operation of the two trains. UPRR agreed to use a clean technology locomotive engine to provide services for this project. The progress on the PHIMF also includes relocation of utilities and demolition of a warehouse to allow for construction of a direct access road to connect the materials recovery facility to the PHIMF.

As a contingency, the Sanitation Districts applied for an amendment of the Mesquite Regional Landfill CUP to allow transportation of up to 4,000 tpd of waste by truck. The Sanitation Districts is working with Imperial County to address environmental impact concerns. A draft EIR is expected to be released in the first quarter of 2010.

Ms. Coke stated that the Sanitation Districts expects construction of the Mesquite Regional Landfill rail yard and the PHIMF rail improvements to begin by mid-2010. She noted that while the Sanitation Districts is not meeting the 2009 target date specified in the Puente Hills Landfill CUP, significant progress towards the development of the waste-by-rail system has been made, and the Sanitation Districts remains confident that it will be ready to operate the system in 2012.

A discussion ensued and a motion was made to send a letter to the Sanitation Districts and Public Works recommending Public Works to grant the Sanitation Districts a waiver from the disposal reduction, subject to the following conditions: the Sanitation Districts will support conversion technologies through proactive lobbying efforts; collaborate with Cities and the Department of Public Works in developing additional solid waste management alternatives to manage beneficial use materials; and expand outreach efforts including facilitating presentations by Public Works staff to update the Districts' Board of Directors on the County's efforts on conversion technologies. The motion passed with Ms. Cindy Chen, Mr. Chris Salomon, and Mr. Carlos Ruiz abstaining, and Mr. Ron Saldana opposing.

VI. REPORT ON AGENDA ITEM 3 OF THE DECEMBER 15, 2009, CIWMB MEETING, PROPOSED (PHASE II) REGULATIONS ON LONG-TERM POSTCLOSURE MAINTENANCE, CORRECTIVE ACTION AND FINANCIAL ASSURANCES

Mr. Mike Mohajer reported that the Task Force's recommendation for the proposed regulations to include proactive monitoring of landscaping and vegetation as criteria for landfill operators to step down their financial assurance demonstrations was interpreted by CIWMB staff as being over and above the minimum regulatory requirements. He stated that the CIWMB approved the proposed regulations at its December 15, 2009, meeting without incorporating the Task Force's recommendation. The proposed regulations will be submitted to the Office of Administrative Law for legal review.

VII. REPORT ON AGENDA ITEM 4 OF THE DECEMBER 15, 2009, CIWMB MEETING, ORGANICS POLICY ROADMAP II AND ORGANICS POLICY ROADMAP III

Mr. Skye stated that the organics policy roadmap II and III are part of the CIWMB Strategic Directive 6.1, which aims to reduce the amount of organics deposited into landfills by 50 percent. CIWMB staff provided a report to board members to

update them on activities staff has completed in order to move the issue forward. Although the report included a discussion on the barriers to developing traditional and emerging organics management facilities, it was limited to a discussion of emissions control and difficulties in obtaining permits for biomass (combustion) facilities. Also, the conversion technology mentioned in the report was anaerobic digestion. As such, Task Force staff continues to have concerns regarding the organics policy roadmap.

Mr. Mohajer noted that the Task Force correspondence asking that the CIWMB clearly define the terms “organics” and “compostable organics” has not been addressed. He stated that the CIWMB has proposed to manage organics using biomass facilities, but cautioned that in California there is a significant difference between a conversion technology facility and a biomass facility, the latter considered the same as a waste-to-energy facility but using only source separated green waste as a feedstock. He attended the CIWMB’s December 15 meeting, and at his request, the Chair agreed to receive further comments from the Task Force on this item. A motion was made to send a letter to the CIWMB reaffirming previously made comments on the organics policy roadmap, including clarification of the definitions for “organics” and “compostable organics,” and noting that the CIWMB Chair agreed to receive the comments at the request of Mr. Mohajer. The motion passed unanimously.

VIII. REPORT ON AGENDA ITEM 6 OF THE DECEMBER 15, 2009, CIWMB MEETING, AB 32 MANDATORY COMMERCIAL RECYCLING MEASURE

Mr. Skye reported that CIWMB staff has developed draft proposed regulatory text for the mandatory commercial recycling measure which includes definitions for the terms “diversion,” “recycling,” and “business.” He stated that Task Force staff has concerns over the exclusion of transformation from the definition of diversion or recycling contained in the proposed text, since as drafted it would undermine the ability of businesses to receive the 10 percent diversion credit available to those using the two transformation facilities in Los Angeles County. He also reported that CIWMB staff have no mechanism to measure green house gas (GHG) emissions directly; instead, they would rely on a summary of the amount of materials processed through the mandatory commercial recycling to determine GHG emission reductions, despite the fact that most recyclables collected would likely be shipped overseas, or if no markets existed, may end up ultimately being disposed. Also, CIWMB staff did not address whether GHG reduction credits would be granted as a result of any commercial recycling activity in California, since AB 32 stipulates that no diversion credit can be received for completing a mandated task.

Mr. Skye noted that, prior to the release of the draft proposed regulatory text, the Task Force sent comments to the CIWMB expressing concerns over the process leading up to the inclusion of the mandatory commercial recycling measure in the

AB 32 Scoping Plan; the data used to substantiate GHG emissions reduction effected by recycling; the unfunded mandate the measure would create; the need to develop markets, reduce regulatory barriers and create incentives; and whether the proposed regulation would be subject to CEQA review. He stated that the CIWMB has not yet directly addressed the Task Force's concerns.

A motion was made to send a letter to the CIWMB expressing all of the Task Forces' concerns regarding the mandatory commercial recycling measure, and noting that the CIWMB Chair agreed to receive the comments at the request of Mr. Mohajer. The motion passed unanimously.

IX. REPORT ON AGENDA ITEM 8 OF THE DECEMBER 15, 2009, CIWMB MEETING, MODEL COMMERCIAL RECYCLING ORDINANCE

Mr. Skye reported that the CIWMB commissioned the Institute for Local Government (ILG) to develop a sample commercial recycling ordinance for the mandatory commercial recycling measure. He stated that one of the Task Force's main concerns is ensuring that the document is drafted in a way that allows as much flexibility as possible for local governments. He stated that the sample ordinance drafted by the ILG does allow for diversion credits from transformation to meet the requirements of the mandatory commercial recycling measure. However, the sample ordinance limits the discussion on conversion technologies to a passing reference under the definition of composting.

X. REPORT FROM THE CIWMB

No action. Item postponed until the next meeting.

XI. EIR FOR ORDINANCES TO BAN PLASTIC CARRYOUT BAGS IN L. A. COUNTY

No action. Item postponed until the next meeting.

XII. UPDATE ON COURT DECISION REGARDING LAWSUIT BROUGHT AGAINST REGIONAL WATER BOARD

No action. Item postponed until the next meeting.

XIII. NEXT MEETING DATE

The next meeting was scheduled for Thursday, January 21, 2010, at 1 p.m.

XIV. OPEN DISCUSSION/PUBLIC COMMENT

Mr. Mohajer stated that the Task Force has been working to address the issue of vegetation and landscaping of closed landfills and requested that Task Force staff, and the LEA staff for Sunshine Canyon Landfill (SCL) provide a presentation on SCL's vegetation and landscaping at the next Task Force meeting. The meeting adjourned at 3:20 p.m.