

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

Minutes for March 21, 2019

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

COMMITTEE MEMBERS PRESENT:

Margaret Clark, California League of Cities-Los Angeles Division
Robb Cohn, Institute of Scrap Recycling Industries
Jack Hadjinian, California League of Cities-Los Angeles Division
Gideon Kracov, Los Angeles County Disposal Association
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Rafael Prieto, City of Los Angeles
Liz Reilly, California League of Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Craig Beck, rep by Charles Tripp, Long Beach Public Works Department
Grace Hyde, rep by Sam Shammas, Sanitation Districts of Los Angeles County
Dr. Barbara Ferrer, rep by Shikari Nakagaw-Ota, County of Los Angeles Department of Public Health
Mark Pestrella, rep by Carlos Ruiz, Los Angeles County Public Works
Enrique Zaldivar, rep by Reina Pereira, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Mitchell Englander, City of Los Angeles
David Kim, City of Los Angeles
Wayne Nastri, South Coast Air Quality Management District

OTHERS PRESENT:

Clark Ajwani, Los Angeles County Public Works
Elijah Carder, Los Angeles County Public Works
Bernadette Halverson, City of Los Angeles Bureau of Sanitation
Bella Hernandez, Los Angeles County Public Works
Patrick Holland, Los Angeles County Public Works
Bonitto Housen, Los Angeles County Public Works
Natalie Lessa, R3 Consulting Group
Gerald Ley, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition
Jennifer Wallin, CalRecycle
Carol Oyola, Los Angeles County Public Works
Margarita Quiroz, Los Angeles County Public Works
Kawsar Vazifdar, Los Angeles County Public Works
Curtis William, City of Santa Clarita

I. CALL TO ORDER

Meeting called to order at 1:05 p.m. by Ms. Clark. Ms. Clark welcomed new Task Force (TF) member, Ms. Liz Reilly, representing the League of Cities replacing Mr. Sam Pedroza.

II. APPROVAL OF MINUTES FOR FEBRUARY 21, 2019

A motion was made by Ms. Landis and seconded by Mr. Mohajer to approve the February 21, 2019, minutes as corrected. The motion passed with one abstention.

III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)

Mr. Ajwani reported that there was a presentation by Brandon Moffat from StormFisher on public-private partnership models for organics processing infrastructure in California. Mr. Ajwani mentioned that StormFisher implemented an anaerobic digestion facility to process up to 100,000 tons per year of food waste received from local grocers and markets and convert it into renewable energy and fertilizer. Mr. Ajwani added that StormFisher is in discussion with haulers in the region to explore other potential projects.

Mr. Ajwani also reported that Public Works' consultants are conducting analyses for potential projects at County facilities and working on outreach materials for conversion technology facilities.

IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE (FPRS)

Ms. Landis reported the subcommittee received an update on Sunshine Canyon Landfill (SCL) odor complaints. During the month of February, a total of 17 complaints were made by the South Coast Air Quality Management District (AQMD) hotline and 4 were listed as no field response. Compared to January 2019, complaints have remained at 17 complaints for the month of February 2019. Compared to February 2018, the number of complaints for this year have decreased from 18 to 17 complaints. There is a total of 34 complaints reported so far this year. As of March 5, 2019, AQMD has issued 1 order complaint Notice of Violation (NOV) for SCL for the month of February.

Ms. Landis mentioned that a vegetation report was given by Ms. Maria Carlson. Ms. Landis said the report looks good, but there is still not enough weed control and there is still an issue regarding dust control. She mentioned that Republic Services (Republic) operators from SCL asked the Local Enforcement Agency (LEA) if they were conducting the right procedures in reference to dust

control and the LEA said they were right, but nothing effective was done to control the dust. The FPRS subcommittee is requesting to send a letter explaining how Republic is not following the Finding of Conformance (FOC) and Conditional Use Permit (CUP) requirements.

Ms. Landis made a motion to send a second letter to Republic asking them to control the dust more effectively and explain that they are not in compliance with FOC and CUP requirements. Mr. Mohajer seconded the motion and it passed unanimously.

Mr. Ruiz mentioned that the letter will also talk about the responsibilities of the LEA and regulations.

Ms. Landis also expressed her concern regarding public comments at the end of the TF agenda and instead suggested public comments be included after each agenda item.

Ms. Landis also spoke about her concern regarding the two wells at SCL that have been capped. After a lengthy discussion, the committee asked to discuss this topic during the next TF meeting and wait for documentation on the subject matter.

V. REPORT ON THE DRAFT SB 1383 REGULATIONS AND MARCH 12, 2019 FORMAL HEARING

Ms. Vazifdar gave a [presentation](#) on Senate Bill 1383 (SB 1383). The presentation focused on two updates: 1) Infrastructure and Market Analysis Draft Report and 2) Formal Public Hearing.

Infrastructure and Market Analysis Draft Report

Ms. Vazifdar reported that CalRecycle released the infrastructure and market analysis draft report on March 1, 2019 for a 15-day comment period and that the TF submitted their comments to CalRecycle on March 14, 2019. She stated that the report represented the results of a statewide survey of California's compost and anaerobic digestion infrastructure and analyzed whether the state has sufficient organic waste processing capacity to meet the SB 1383 organic waste landfill diversion targets. Ms. Vazifdar summarized the key findings of the report.

Mr. Cohn asked what the targets are and if there is enough capacity to reach those targets. Ms. Vazifdar responded that SB 1383 established statewide targets to reduce the landfill disposal of organic waste 50 percent by the year 2020 and 75 percent by the year 2025 and that, according to the report, the state does not have sufficient capacity to reach these targets.

Mr. Ruiz asked if the 3 million tons of available capacity in the Southern California region included chipping and grinding facilities. Mr. Mohajer responded that chipping and grinding facilities were not included in the 3 million tons of available capacity.

Formal Public Hearing

Ms. Vazifdar reported that on January 18, 2019, CalRecycle released the first formal draft of SB 1383 regulations for a 45-day comment period. She stated that the TF submitted comments to CalRecycle on February 25, 2019. She also stated that on March 12, 2019, CalRecycle hosted a formal public hearing to receive comments on the regulations. Ms. Vazifdar reported that CalRecycle anticipates releasing a second formal draft of the regulations for a 15-day comment period in June 2019 and anticipates finalizing the regulations by November 2019.

Mr. Ruiz asked if there is a threshold for contamination in residential collection containers. Mr. Mohajer responded that the presence of any incompatible material in a residential waste collection container would be considered “contamination.”

VI. UPDATE ON SENATE BILL 212 WORKSHOP & PRELIMINARY DRAFT RULEMAKING DOCUMENTS

Mr. Carder gave a [presentation](#) on Senate Bill 212 (SB 212): Informal Rulemaking. Mr. Carder mentioned that this presentation is an update from the last TF meeting on February 21, 2019. He gave a brief refresher on SB 212. Mr. Carder explained that SB 212 has a minimum requirement for pharmaceuticals to provide one drug collection site for every 50,000 residents and for sharps, the requirement is to provide a safe return mail-back kit to be provided at the time of sale.

Mr. Carder reported that CalRecycle’s second informal rulemaking workshop was held on February 27, 2019 and focused on Articles 4 through 7.

- Article 4 – Reports, Budgets, and Records – The Stewardship organization must by the law submit an initial 5-year annual budget, and report on their progress towards the convenience standard and explain in writing as to the cause when they are not complying with the standard. Stakeholders recommended that having budget categories will allow better cost control and easier regulatory review and that a reserve level ought to be set that allows for no disruption of service, whether that be 6 months or 1 year. Stakeholders recommended that the Regulations ought to require a stewardship organization to provide CalRecycle with education and outreach materials for

recruitment of bin hosts to show they are reaching out to all pharmacies and how they are portraying the program. The Stewardship Organizations are non-profits and required to keep records to public transparency standards, and when applicable to Medical Waste Management Act and Chain of Custody requirements.

- Article 5 – Financial Provision – Covered entities/stewardships pay all cost including collecting, transportation, and disposing of covered products.
- Article 6 – Enforcement – By the law, covered entities/stewardships pay all program cost including collecting, transportation, and disposing of covered products, and a program operator will pay CalRecycle a set administrative fee which may be used for all costs for regulating this bill. Stewardship Organizations can conduct an audit by an independent third-party auditor to verify that both the fees being paid by member covered entities and charges by authorized collectors are appropriate.
- Article 6 – Enforcement – It is recommended that the Regulations ought to include that Distributors/wholesalers/retailers are to monitor CalRecycle’s website at least twice per year to verify compliance. All covered entities shall provide CalRecycle with access to its facilities, operations, and relevant records necessary to determine compliance for a minimum of three years with stakeholder recommendations for specifics on this to be included in the Regulations. By the law CalRecycle may impose penalties on any covered entity, program operator, stewardship organization, retailer, or authorized collector, this shall not exceed ten thousand dollars (\$10,000) per day unless the violation is intentional in which case the administrative penalty shall not exceed fifty thousand dollars (\$50,000) per day. It is recommended that CalRecycle ought to work with applicable Federal and State agencies.
- Article 7 – Miscellaneous Provisions – This article was included for information purposes only.

Lastly, Mr. Carder reported that the third informal rulemaking workshop on the draft regulatory text will be held in April or May and the fourth workshop will be held in May or June in Southern California.

VII. ASSEMBLY BILL 901 - OFFICE OF ADMINISTRATIVE LAW APPROVED REGULATIONS & IMPLEMENTATION SCHEDULE

Mr. Ley gave an update on Assembly Bill 901 (AB 901) Regulations and the implementation schedule. Mr. Ley provided a brief summary on the history of AB 901. He mentioned that AB 901 changes how organics, recyclable materials, and solid waste are reported to CalRecycle. Effective March 5, 2019, AB 901 regulations were formally approved by the Office of Administrative Law and the

text can be found on CalRecycle's Recycling and Disposal Reporting System (RDRS) web page under the documents section.

Mr. Ley also mentioned that CalRecycle has begun conducting workshops for reporting entities and other stakeholders. The workshops have the option of participating in person or through webcast. Mr. Ley stated that the workshop held on March 20, 2019, discussed topics such as: who must register, how to register, scenarios and explanations of the registration process, and opportunities for questions and answers.

Lastly, Mr. Ley mentioned the latest implementation schedule from CalRecycle:

- June 30, 2019 – Last day of the current Disposal Reporting System (DRS)
- July 1, 2019 – RDRS begins for all entities
- January 2020 – Data will be populated in the RDRS

Mr. Ruiz asked if CalRecycle has clarified the type of information that will be made available either for jurisdictions to monitor the progress in compliance with the law or for counties in terms of the planning they need to do. Mr. Ley responded that CalRecycle mentioned that the public and the jurisdictions will have access to the same information, however jurisdictions will have access to a different type of online portal. He added that the County already has access to that portal.

Mr. Cohn asked what the ultimate goal of AB 901 is. Mr. Ley responded that the old reporting system was focused more on a disposal dominated reporting and the new system is more robust and includes reporting of recycling.

Mr. Kracov asked when there would to be enough data in the new system to be able to have helpful conclusions on how we are doing. Mr. Ley mentioned that the system will have data populated by January 2020.

VIII. REPORT ON CARPET STEWARDSHIP PLAN APPROVED BY CALRECYCLE

Mr. Housen gave a report on the California Carpet Stewardship Plan 2018-2022. On March 16, 2018, Carpet America Recovery Effort (CARE) submitted their 5-year plan, which was rejected by CalRecycle for not meeting the requirements as follow:

- Did not include economic models that demonstrate the achievement of the 24 and 26 percent recycling rate by 2020 and 2022.
- The plan did not explain how the proposed subsidy of 0.40 cents will be used to increase diversion for the recycling of carpets.

- In the plan, CARE did not make any commitment to modify the convenience to make it easier for people to recycle their carpets by providing more facilities or collection facilities.
- The plan did not establish a minimum weight for the use of consumer carpet in products and there was no subsidy for grants that would provide or create a fair market for used carpet.
- CARE did not provide incentives and grants that were required by the state to approve apprentice programs.

Mr. Housen also reported that as a response of the disapproval, CARE added Chapter 0 to their stewardship plan and addressed CalRecycles concerns. He added that CalRecycle required that CARE accomplish all tasks by September 1, 2019.

Lastly, Mr. Housen mentioned that in the comment section an environment group by the name of Change of Market Foundation, believed that it was not necessary to require CARE to make a commitment and that the plan did not properly address the use of requirements for using recyclable content and for reducing the nontoxic materials.

Mr. Ruiz asked if there is a goal established for the plan and by what date. Mr. Housen responded that yes, a goal has been established, but no date confirmed.

IX. LEGISLATIVE TABLE

Mr. Carder gave an update on the [legislative table](#). He reported that the last day to introduce bills was on February 22, 2019, and that there was a total of 2,500 bills introduced, with an estimated 300-350 that may impact solid waste. Mr. Carder also mentioned that they added 38 bills to the legislative table since the last TF meeting.

AB 144 (Aguiar-Curry) – Public Resources Management. Requires the strategic growth council to prepare and submit a report to the legislature that provides a scoping plan for the state to meet its organic waste management mandates, goals, and targets including recommendations on policy and funding support for closing the loop on carbon-neutral or carbon negative organic waste management practices. Staff recommended to watch the bill at this time.

AB 1509 (Mullin and Berman) – Solid Waste: Rechargeable Batteries: Rechargeable Consumer. This bill would require for a product with a nonremovable rechargeable battery, that the manufacturer of the product provide disassembly information to recyclers of rechargeable consumer products for the

purpose of ensuring the safe removal of the battery and would prohibit the sale or offer of sale of that product if the manufacturer does not provide that information. Mr. Mohajer made a motion to send a letter of support, seconded by Ms. Landis. The motion passed with one abstention and one opposition.

AB 257 (Mathis) – Solid Waste: Woody Biomass: Disposal. Mr. Carder provided an update on this bill as requested in the previous TF meeting by the members in regards to quarantine zone requirements. Mr. Carder reported that he requested an update to Assembly Member Mathis' staffer and they explained that quarantine zone requirements are a valid concern and it will likely be added after the hearing. Staff recommended to watch this bill.

AB 1080/SB 54 (Gonzalez, Calderon, Friedman, and Ting) – California Circular Economy and Plastic Pollution Reduction Act. Requires CalRecycle to adopt regulations and establish a scoping plan to set a baseline for single-use packaging and products. A motion was made by Ms. Clark to discuss this bill during the next TF meeting with concrete amendments, seconded by Mr. Kracov. The motion passed unanimously.

SB 667 (Hueso) – Greenhouse Gases: Recycling Infrastructure and Facilities. 1) This bill would require CalRecycle to amend, a 5-year investment strategy to drive innovation and support technological development and infrastructure, in order to meet specified organic waste reduction and recycling targets by January 1, 2021. 2) This bill would additionally provide that it is the purpose of the California Alternative Energy and Advanced Transportation Financing Authority Act to provide an alternative method of financing in providing and promoting the establishment of facilities needed to develop local and regional recycling markets. A motion was made by Mr. Kracov to watch the bill, seconded by Mr. Mohajer. The motion passed unanimously.

SB 724 (Stern and Glazer) – The California Beverage Container Recycling and Litter Reduction. This bill's intent is to stabilize the recycling marketplace and infrastructure by providing relief to California's retailers and grocers affected by the recycling center closures, and ensure consumers have local redemption opportunities for CRV beverage containers. Mr. Kracov made a motion to watch bill, seconded by Ms. Landis. The motion passed unanimously.

After some discussion, TF members asked for staff to provide a report about two days before each TF meeting with a list of bills and position to be discussed during each meeting, so that members can be more prepared to decide which position they would like to take. Ms. Clark made a motion to bring the legislative table back next month with concrete amendments to support or oppose so that TF members can be prepared to take a stand, seconded by Mr. Kracov. Motion passed unanimously.

X. CALRECYCLE UPDATE

Ms. Jennifer Wallin, of CalRecycle, gave a brief update on upcoming applications and events:

- Second Household Hazardous Waste Gram Program (FY 2019-2020) application is due on April 3, 2019
- Public Meeting Notice is being held on April 3, 2019, in San Francisco, CA.
- Public Meeting Notice: Food Service Packaging at State Facilities (SB 1335: Sustainable Packaging for the State of California Act of 2018) Informal Rulemaking Workshop is being held on April 10, 2019 in Sacramento, CA.

XI. REFRESHER ON THE TASK FORCE

- **GOVERNING CODE, AUTHORITY & JURISDICTION**
- **GOALS & PRIORITIES**
- **MEMBERSHIP ROSTER, EXPECTATIONS AND ATTENDANCE/PARTICIPATION**

Mr. Ruiz gave a [presentation](#) on the TF roles and responsibilities related to solid waste management. TF roles have a lot to do with advising the cities within the county and the county on various waste management issues. Given all the challenges jurisdictions are facing, it is crucial for the TF to focus its efforts to communicate with cities and work together to help each other.

Mr. Ruiz gave a timeline on the history of the TF:

- The TF was established in 1982 and the chairman was Public Works County Engineer.
- In 1989, AB 939 mandated each county to convene a local task force to assist in coordinating the development of the County Integrated Waste Management Plan including SRREs, HHWEs, NDFEs, and CSE.
- 1990 – the committee was designated as the County Integrated Waste Management Task Force (TF) and the County Director of Public Works was designated as the chairman.

Mr. Ruiz also explained that the TF is composed of 17 voting members, which include:

- 6 Ex Officio and 11 appointed
- County Department Directors
- Local government officials
- Solid Waste Management and Recycling Industries
- Environmental representative
- General Public

Mr. Kracov informed the TF members that multiple paperwork was issued as reference, which include Brown Act requirements, Roles and Responsibilities, Facts Sheets, County Counsel Guide, and more.

Mr. Ruiz also spoke about the roles and responsibilities, which include the Los Angeles County Code, State Law, State Regulation, Countywide Integrated Waste Management Plan. Mr. Ruiz informed the members that documents were distributed with details on this matter. Mr. Ruiz also mentioned the three subcommittees: 1) Public Education and Information 2) ATAS, and 3) FPRS.

Mr. Kracov added that he will continue to work with Mr. Ruiz in updating the members with more information regarding the committee. Mr. Kracov wanted to discuss the third goal which involves members attendance and participation. He added that quorum has been an issue and reminded members about the option of appointing alternates and referred them to County Code Section 367.030 that talks about membership and appointing alternates.

Mr. Kracov proposed creating a subcommittee to address issues as quorum, attendance, key priorities that the TF needs. Mr. Kracov suggest that four people should be included in the new subcommittee to meet Brown Act requirements and then bring back ideas to the rest of the TF members so that everything can function more effectively. A motion was made by Mr. Kracov to adopt a new subcommittee and will include: Mr. Ruiz, Mr. Kracov, Ms. Clark, Mr. Hadjinian, and Ms. Pereira, seconded by Mr. Cohn. Motion passed unanimously.

XII. PUBLIC COMMENT

No public comment.

XIII. ADJOURNMENT

The meeting adjourned at 4:24 p.m. The next meeting date is scheduled for Thursday, April 18, 2019, in the Alhambra Room.