

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

Minutes for April 15, 2021

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

WEB CONFERENCE

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities
Gideon Kracov, Los Angeles County Disposal Association
Eddie De La Riva, League of California Cities
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Rafael Prieto, City of Los Angeles

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Robert Ferrante, rep by Sam Shammass, Sanitation Districts of Los Angeles County
Barbara Ferrer, rep by Dorcas (Dee) Lugo, Los Angeles County Public Health
Eric Lopez, rep by Erin Rowland, Long Beach Public Works
Wayne Nastri, rep by Jack Cheng, South Coast Air Quality Maintenance District
Mark Pestrella, rep by Coby Skye, Los Angeles County Public Works
Enrique Zaldivar, rep by Bernadette Halverson, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Michelle Chambers, California League of Cities
Jeff Farano, Institute of Scrap Recycling Industries
Jim Smith, City of Los Angeles, Los Angeles City Council 6th District

OTHERS PRESENT:

David Fahrion, Los Angeles County Disposal Association
Wayde Hunter, North Valley Coalition of Concerned Citizens
Darren Kwan, Los Angeles County Public Works
Gerald Ley, Los Angeles County Public Works
Keith Lilley, Los Angeles County Public Works
Diko Melkonian, Long Beach Public Works
Dave Nguyen, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Reina Pereira, City of Los Angeles Bureau of Sanitation
Carlos Ruiz, Los Angeles County Public Works
Chris Sheppard, Los Angeles County Public Works
Kawsar Vazifdar, Los Angeles County Public Works
Jennifer Wallin, California Department of Resources Recycling and Recovery
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Meeting called to order at 1:01 p.m. by Ms. Clark.

II. LEGISLATIVE UPDATE

Mr. Sheppard provided a Legislative update, which was moved up on the Agenda due to Vice-Chair being unavailable after 1:30 p.m. Mr. Sheppard spotlighted the following 7 bills:

- SB 619 (Laird) – Organic Waste: Reduction Regulations – The bill was amended after the Legislative Table mailout. The recent amendments indicate a delay in enforcement of compliance with SB 1383. Additional amendments are anticipated. Ms. Clark asked what caused the amendment to SB 619. Mr. Skye responded that a few coalitions have been commenting on the proposed bill, including one group of local governments led by the League of Cities and CSAC, that are pushing for regulatory relief either by delay of the implementation or delay of enforcement. Another group, spearheaded by environmental organizations and local governments, are concerned that delaying the implementation date might create uncertainty for the investments that companies have been making and delay the effectiveness of SB 1383. Therefore, Mr. Skye noted that the language is very tentative, and more amendments will be made. Support in concept may be more appropriate or holding off until the final language is available. Mr. Mohajer noted that this is the first step toward establishing additional amendments and concurred with Mr. Skye in supporting in concept. Discussion ensued. Mr. Mohajer made a motion to support in concept as amended on April 13, 2021, and Ms. Landis seconded. Motion passed with 8 voting yes and 3 abstentions.
- AB 1 (Christina Garcia and Santiago) – Hazardous Waste. This bill would create the Board of Environmental Safety within CalEPA and create structural changes for the Department of Toxic Substances Control (DTSC) requiring them to prepare a State Hazardous Waste Management Plan. The bill partially aligns with the Task Force policy in reforming DTSC and providing additional oversight for hazardous waste. The bill would be better aligned if it were amended to address the issues with removing the exemption and charging fees on local hazardous waste programs. Mr. Gideon Kracov made a substitute motion to watch and to discuss specifics with staff, and Mr. Eddie De La Riva seconded. Motion did not pass with 2 voting yes, 5 voting no, and 4 abstentions. Mr. Mike Mohajer made a motion to oppose unless amended to reinstate fee exemptions, and Ms. Betsey Landis seconded. Motion passed with 8 voting yes, 1 voting no, and 2 abstentions.

- AB 661 (Bennet) – Recycling: Materials. This bill would require a state agency to purchase recycled products, instead of non-recycled plastic products without regards to cost. The bill would be better aligned with Task Force policy if it were amended to include a cap on the cost preference such as 15 percent versus unlimited cost preference similar to what is allowed for contracting in Los Angeles County. Mr. Mohajer made a motion to support if amended and Ms. Landis seconded. Motion passed with 1 abstention.
- AB 734 (Eduardo Garcia) – Organic Waste: Reduction Goals: Edible Food. The bill would authorize recovery for animal or livestock consumption in meeting the SB 1383 mandate to recover no less than 20 percent edible food for human consumption by 2025. Mr. Mohajer made a motion to support and Mr. Coby Skye seconded. Motion passed with 1 abstention.
- AB 842 (Cristina Garcia and Gray) – California Circular Economy and Plastic Pollution Reduction Act. This bill contains Extended Producer Responsibility for recovery of single-use plastic packaging and single-use products discarded within the state; would require a stewardship plan and funding to support mechanisms to achieve the 75 percent recycling goal by 2032. The bill would be better aligned with Task Force policy if amended to prohibit packaging made from multiple types of plastic or plastic mixed with other material such as metal and cardboard. Mr. Skye made a motion to support and amend and Mr. Mohajer seconded. Motion passed with 2 abstentions.
- AB 881 (Lorena Gonzalez) – Plastic Waste: Diversion: Recycling: Export – The bill would make the export of plastic waste not be considered as diversion through recycling unless the mixture included certain plastics such as those consisting of polyethylene, polypropaline; the export must be destined for recycling and satisfy other requirements in order to be considered as diversion. The bill would be better aligned with Task Force policy if amended to provide a mechanism for holding exporters responsible if failure to comply results in loss of diversion credits to a jurisdiction. Mr. Kracov made a motion to support if amended and Mr. Mohajer seconded. Motion passed with 1 abstention.
- AB 1371 (Friedman, Lorena Gonzalez, and Ting) – Recycling: Plastic: Packaging and carry out bags. The bill would prohibit manufacturers, producers, retailers, and other distributors from using expanded polystyrene packaging to package or transport products. It also requires online retailers that have at least one physical store in the state to provide a take back option for film plastic and to recycle or reuse the material. Mr. Skye made a motion to support, subject to staff verifying there are clear alternatives for packaging to be used for perishable products being shipped or exemptions in the bill. Mr. Mohajer seconded. Motion passed with 1 abstention.

Mr. Sheppard noted that AB 318 was amended on April 13, 2021. He commented that both Mr. Mohajer and Ms. Landis worked with the author's office on the bill

and was not certain if there were any changes to the Task Force's previous position that needed to be considered. Ms. Landis responded there were no changes.

III. BASEL CONVENTION

The presentation by Mr. Sheppard was also moved up on the Agenda. This presentation is intended for the Task Force to better understand the complexity of the Basel Convention (Basel), and enable the Task Force to make an informed decision on AB 881. Mr. Sheppard provided a more detailed [presentation](#) than the one given to the Task Force in January 2021, which included an overview of how the Basel Convention is structured and what it means in terms of transboundary movements of hazardous waste and how it relates to the parties involved.

Basel was adopted in 1989 and enforced in 1992 due to public outcry with the revelation of deposits of toxic wastes imported from abroad into Africa and other developing countries. Basel was subsequently expanded to include e-waste and certain plastic waste, and most recently included mixed plastics. Marine pollution was a key trigger in the plastic amendments, but the main objective is to protect human health and the environment against the adverse impacts of hazardous waste. As of January 2021, there are 188 parties to Basel and the United States (US) is not one of them.

Mr. Sheppard discussed the soft law, which includes national self-sufficiency in waste management, minimizing all forms of transboundary movement of hazardous waste, minimizing the generation of hazardous waste, and ensuring hazardous waste that is transported is environmentally sound in its management. Mr. Sheppard also discussed the hard law, which includes what the Basel defines as "hazardous waste" and "other wastes". The structure of Basel includes:

- 29 Articles detailing Basel's scope, definitions, obligations, transboundary movement, agreements, illegal trafficking, and other administrative aspects.
- 9 Annexes relating to categories of waste to be controlled, waste for consideration, hazardous characteristics, disposal operations, and other required information.
- A Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Waste and their Disposal with 33 articles including scope, different types of liability, and implementation.

Mr. Sheppard briefly noted a few Articles:

- Article 1 – Scope of the Convention: lays out the different materials and how they will be described in the Annexes.

- Article 4 – General Obligations: Basel parties have the right to prohibit hazardous waste and need prior consent to send or receive waste. Other obligatory guidelines were listed. Ms. Landis felt Basel was not addressing the transporting from land to ocean. Mr. Sheppard responded they do, and he would speak more about it later in the presentation. There are 3 parts: the exporter, the transit country, and the importer. If waste is moved across the ocean, then the transit is international waters and would need potential paperwork. If there is transport across waters straight from one country to another country, then it is exporter to importer. Basel is working on strictly controlling transboundary movement that occurs, creating a prior informed consent mechanism.
- Article 6 – Prior Informed Consent (PIC) Procedure: Is a main component of Basel and provides that any waste movement between countries needs to be documented with a prior informed consent form and must be made with the State of Import, which is the state receiving the waste, as well as the State of Export that shall require the generator or exporter to be notified in writing. Parties will implement the PIC procedure through an information exchange for all transboundary movement of hazardous and other wastes.

Mr. Sheppard briefly noted 7 of the 9 Annexes:

- Annex I - Categories of Wastes to be Controlled: This is a broad category of wastes that is not all inclusive and includes such items as clinical wastes, waste from wood preserving chemicals, polychlorinated biphenyl contaminants, glue and adhesive wastes, lead and copper compounds to name a few. Annex 1 is creating categories for the different types of hazardous waste.
- Annex II – Categories of Wastes Requiring Special Consideration: This is waste that is not considered hazardous, but still requires following the transboundary notification protocols. Plastic waste is included in this Annex, unless it is hazardous. Mr. Mohajer asked if this was applicable to both residential and commercial sectors since the listed items can have household as well as commercial origin. Mr. Sheppard responded that plastics are not distinguished between household versus commercial. Mr. Mohajer mentioned that they will allow waste-to-energy facilities to manage their waste since they would be using incineration for household waste. Mr. Sheppard responded that this Annex is not actually distinguishing whether they are using that type of facility to manage that waste, but if the residues from incinerated ash are being shipped across boundaries, then the PIC procedure must be followed. This is a structured understanding on how waste is to be managed around the world.
- Annex III – List of Hazardous Characteristics: This works in conjunction with Annex I in that it lists the hazardous characteristics of waste, which can be explosive, flammable, corrosive, toxic, subject to spontaneous combustion,

- oxidizing, and poisonous. Mr. Mohajer asked if cannabis waste would fall under one of these characteristics. Ms. Landis answered that it is toxic. She also commented that household waste can be toxic, especially if someone in the household has a disease and is tossing Kleenex into the garbage. Mr. Sheppard responded that it might depend on how the waste is categorized by the country of export and import. He also did not recall cannabis as being specifically identified as a green waste of a toxic nature. Mr. Sheppard agreed that household waste can be both toxic and non-toxic depending on what it is.
- Annex IV A – Disposal Operations: Disposal operations that do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses. The focus is the disposal of the material in an environmentally sound manner.
 - Annex IV B – Disposal Operations: Operations that may lead to resource recovery, recycling reclamation, direct re-use or alternative uses. For example, recycling of metals, used oil refining, and other uses of previously used oil.
 - Annex V A and B – Procedures for Transboundary Movements: Including Stage 1 Notification, Stage 2 Consent and Issuance of Movement Document, Stage 3: Transboundary Movement, and Stage 4: Confirmation of Disposal.
 - Annex VIII – List of Wastes Characterized as Hazardous: Including metal waste, arsenic, mercury, incinerator ash that includes metal residues, lead acid batteries, glass from cathode-ray tubes, waste gypsum and asbestos, plastic waste including mixtures containing or contaminated with Annex I constituents to the extent that it exhibits an Annex III characteristic. It also includes waste packages and containers containing Annex I substances in concentrations sufficient to exhibit an Annex III characteristic.
 - Annex IX – List of Wastes not Characterized as Hazardous: Wastes that are not covered by Article 1, paragraph 1 (a), of the Basel unless it contains Annex I material to an extent causing them to exhibit an Annex III characteristic. For example, such items as metal alloy wastes, clean uncontaminated metal scraps, waste batteries conforming to specifications (excluding those made with lead, cadmium or mercury), and electronic assemblies consisting only of metals or alloys, and solid plastic waste.

Ms. Landis commented that what is listed sounded antique because the list is missing a lot of rather explosive things that we now use in our everyday lives and in our cars.

Mr. Sheppard then spoke of enforcement and that international law is usually enforced by the countries involved. Basel parties are charged with enforcing the rules based on their own national legislation. Since the US is not a member, it does not have ways to enforce the requirements. Mr. Sheppard noted that effective January 1, 2021, Basel parties may not accept mixed and dirty plastics

from the US unless a bilateral agreement exists such as between the US, Canada and Mexico. The US can legally export to other non-Basel parties including East Timor, Grenada, Haiti, San Marino, and South Sudan. If the US is party to the Basel, then it could trade with all the 188 countries.

Mr. Mohajer thanked Mr. Sheppard for all his effort in putting the presentation together because Basel is complicated and involves much more than what is in the news. Mr. Kracov commented that pertaining to Assembly Bill 881, if the US is not a party to Basel, for California diversion purposes, we must comply with Basel. Mr. Sheppard responded the bill is related to plastics destined for separate processing and separate recycling with little contamination and therefore would be consistent with Basel.

IV. APPROVAL OF THE APRIL 15, 2021 MINUTES

Mr. Coby Skye made a motion to approve the minutes, and Mr. Sam Shammas seconded. Motion passed unanimously.

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

Mr. Christopher Sheppard, ATAS Chair, provided an update on the ATAS meeting. The ATAS received a presentation by Bernard Fenner and Frank Lauro of True North Renewable Energy, LLC (TNRE). The presentation provided information on TNRE's high solids anaerobic digestion (AD) process which also incorporates in-vessel composting and odor control technologies to process food waste and green waste. Although food waste and green waste are their preferred feedstocks, they can also potentially accept residuals from municipal solid waste or organic waste processed at materials recovery facilities. TNRE has 3 projects in San Bernardino County, Imperial County, and the Antelope Valley in Los Angeles County. The prospective project in Antelope Valley expects to break ground in 2022 or 2023. TNRE plans to use the digester gas to create pipeline quality renewable natural gas or vehicle fuel.

There was an update on upcoming conversion technology events and conversion technology projects:

- CalRecycle SB 1383 Webinar for Non-Local Entities and Local Education Agencies: April 28, 2021, virtual
- Biogas Americas Live: May 4 - 27, 2021, Tuesday and Thursday afternoons, virtual
- RNG Summit: May 11, 2021, Fort Worth, TX

- SoCal SWANA Chapter Workshop: Safety Summit: May 13, 2021, virtual
- SoCal SWANA Chapter Workshop: Disaster Recovery: June 10, 2021, virtual
- Waste EXPO: June 28 - 30, 2021, Las Vegas, NV
- Resource Recycling Conference & Trade Show: August 4 - 6, 2021, Austin, TX

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

Ms. Landis, FPRS Chair, provided a report on the FPRS meeting:

- Sunshine Canyon Landfill (SCL) odor complaints – There were 3 odor complaints for March 2021 to the AQMD hotline, 1 was classified as "none" and the other 2 were "no field response." Compared to February 2021, the number of complaints received in March 2021 decreased from 10 to 3. Compared to March 2020, the number of complaints for March 2021 decreased from 12 to 3. No Notices of Violations (NOVs) related to odor were issued by AQMD for the month of March 2021. The total number of odor complaints for 2021, is 20.
- Vegetation Meeting with SCL - SCL was asked about the status report on tree removal and schedule for activity to work with the trees and replacing them. An e-mail was sent to SCL, providing the Subcommittee's comments on the 4th Quarter Vegetation Report.
- Discussion on Finding of Conformance reports for landfills - Antelope Valley Landfill (AVL) had 73 percent organic waste; 24 percent was plastic and 11 percent were things like glass, metal, and hazardous waste. Lancaster Landfill (LL) had 37 percent organic waste; 49 percent was plastic and 6 percent was metal. LL recently added to their report that they are sending their organic waste to AVL for processing.
- Chiquita Canyon Landfill (CCL) – CCL continues to be involved in litigation related to an NOV fine and a community lawsuit against them was denied by a judge. Staff will be sending a letter that was requested at last month's Subcommittee meeting regarding an NOV issued by Regional Planning.

VII. CALRECYCLE UPDATE

Mr. Jennifer Wallin reported the following from CalRecycle:

- SB 1383 Frequently Asked Questions have been reposted.
- A new tool has been posted that does a comparison between the standard collection service and the performance space collection service systems.
- The Local Enforcement Agency Grant is due on May 4, 2021.

- There are 2 Household Hazardous Waste (HHW) Grants available: one for construction projects for HHW collection and one for smaller HHW projects.
- SB 1383 workshop related to non-local entities and encompasses special districts that provide solid waste service, federal facilities, prisons, facilities by state parks, public universities, including community colleges, county fairgrounds and state agencies, is scheduled for Wednesday, April 28, 2021, at 9 a.m. On April 28, 2021, at 10:30 a.m., there will be another workshop specific to local education agencies that encompasses the K through 12 public schools, school districts, charter schools, and county offices of education.
- Overview of the 2020 Waste Tire Market Report is scheduled for June 9, 2021, at 9:30 a.m.

VIII. PUBLIC COMMENT

Ms. Landis thanked Mr. Sheppard for all his work. Mr. Skye thanked Mr. Kracov for asking staff for a detailed presentation.

IX. ADJOURNMENT

The meeting adjourned at 2:51 p.m. The next meeting is scheduled remotely on Thursday, May 20, 2021, at 1 p.m.