

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

Minutes for October 21, 2021

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

WEB CONFERENCE

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities
Michelle Chambers, California League of Cities
Eddie De La Riva, California League of Cities
Jeff Farano, Institute of Scrap Recycling Industries
Bernadette Halverson, City of Los Angeles Bureau of Sanitation
Gideon Kracov, Los Angeles County Disposal Association
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Rafael Prieto, City of Los Angeles
Jim Smith, City of Los Angeles, Los Angeles City Council 6th District

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Robert Ferrante, rep by Sam Shammass, Los Angeles County Sanitation Districts
Barbara Ferrer, rep by Dorcas (Dee) Hanson-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 Management District
Mark Pestrella, rep by Coby Skye, Los Angeles County Public Works

OTHERS PRESENT:

Martins Aiyetiwa, Los Angeles County Public Works
Charles Darensbourg, Los Angeles County Public Works
Gabriel Esparza, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Dave Nguyen, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Reina Pereira, City of Los Angeles Bureau of Sanitation
Christopher Sheppard, Los Angeles County Public Works
Jennifer Wallin, California Department of Resources Recycling and Recovery
Kawsar Vazifdar, Los Angeles County Public Works
Julia Weissman, Los Angeles County Counsel
Jeffrey Zhu, Los Angeles County Public Works
Perla Gomez, Los Angeles County Public Works

I. CALL TO ORDER

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

II. APPROVAL OF THE SEPTEMBER 16, 2021 MINUTES

Mr. Mike Mohajer made a motion to approve the minutes, and Mr. Coby Skye seconded.

III. BROWN ACT REQUIREMENTS – AB 361

Ms. Julia Weissman gave an update on [AB 361](#), which was approved on an emergency basis due to the expiration of [Executive Order N-29-20](#) on September 30, 2021, and the public health order recommending social distancing. The new legislation continues to suspend some of the requirements under the Ralph M. Brown Act, including a legislative body participating in virtual meetings, not having to note address locations on agendas, and not having to teleconference from a location within the boundaries of the area that the legislative body covers. AB 361 is a bit broader than the Governor's order because it is not limited to COVID-19 and basically applies anytime there is an emergency proclamation due to the recommendation of social distancing or meeting in person causing a danger. The bill also requires the legislative body to make findings every 30 days regarding the continuing state of emergency and need to meet remotely. The findings are not required at the first meeting after the passage of the bill but is required every 30 days after. The next Task Force meeting is scheduled for November 18, 2021, which is within the 30 days, but in order to meet on the following third Thursday in December, there would need to be a special meeting to determine if it is still necessary for the Task Force to meet remotely.

Ms. Landis brought up the fact that she drives 40 miles to attend Task Force meetings at Public Works (PW) Headquarters, which should suffice the justification for continued virtual meetings; in addition to more people attending meetings due to accessibility. She also asked why the rush with every 30 days to make a resolution to continue. Ms. Weissman responded that these new rules are only meant to apply in very specific situations where there is an emergency.

Ms. Clark asked how the Task Force could comply to meeting in January if there is no meeting in December due to holidays and if there is no urgent matter to address. Ms. Weissman recommended scheduling a special meeting, which is not the normal third Thursday of the month and that is within the 30 days of the January meeting, to make the finding to meet virtually in January. The Task Force agenda would note the finding, which is an action, but the Task Force may also choose to add additional items.

Ms. Landis asked why Task Force members could not simply e-mail their preferred meeting times. Ms. Weissman responded that in order for a legislative body to act, they have to meet, in which there is an agenda posted and made available to the public within 72 hours of the meeting. Ms. Weissman added she did not know if the 30-day finding requirement by the legislator was intentional or just an oversight but is something that a legislative body must comply with.

Mr. Skye recalled that the Board of Supervisors essentially adopted a finding for their meetings, and he thought it covered county commissions and other related bodies and asked if there is a possibility that such a finding could be done at a higher level that would include the Task Force. Ms. Weissman responded that her understanding of the way her office is interpreting is strict and she does not want to speculate about what the Board did. They are also not the legislative body for the Task Force so could not make that finding for the Task Force. Ms. Weissman will work with PW to make sure they have the proper finding on the agenda.

Ms. Dee Hanson-Lugo asked if the special meeting needed to be in person or if it could be virtual. Ms. Weissman responded it could be virtual, provided it is within the 30 days of the last virtual meeting.

Mr. Wayne Hunter of the North Valley Coalition of Concerned Citizens commented he is in a city/county entity that meets every 2 months and is under the Brown Act, and how difficult it is to make quorum every 2 months, which will be even tougher to meet to comply with the 30-day finding requirement. Mr. Hunter asked how to address the issue. Ms. Weissman could not advise Mr. Hunter about his meeting body. She could only advise on how County Counsel interprets the statute for the Task Force as a legislative body.

Mr. Rafael Prieto asked if within existing State Law with this change the Task Force could have a meeting immediately after adjournment to make the finding. Mr. Weissman responded that a special meeting right after the November 18, 2021, Task Force meeting would not suffice because it would not be within the 30-day finding requirement for the following Task Force meeting.

IV. ELECTION OF VICE-CHAIR

Mr. Skye expressed his appreciation to Ms. Clark for her incredible leadership serving as Vice-Chair of the Task Force. In accordance with County Code, there is a provision that calls for routine elections for Vice-Chair and volunteers to serve yearly terms with no more than 2 concurrent terms. October of each year, there will be a scheduled election that is open to nominations from membership.

Mr. Skye nominated Mr. Sam Shammass of the Los Angeles County Sanitation Districts to serve as Vice-Chair, and Ms. Clark seconded. Ms. Landis asked if Ms. Clark may be nominated again. Mr. Skye responded she may, but after sitting out for one term. There were no other nominations and the vote for Mr. Shammass to serve as Vice-Chair passed with 1 abstention. Mr. Shammass accepted the nomination and resumed the meeting as Vice-Chair.

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

Mr. Charles Darensbourg, filling in for Mr. Chris Sheppard, reported the ATAS received a [presentation](#) by Kyklos Waste Management Solutions (Kyklos) on their gasification technology which processes organic waste feedstocks such as green waste and food waste to produce electricity, biochar, and thermal energy. Kyklos is considering building a demonstration facility in Los Angeles County, which would process 15,000 metric tons of waste per year and produce 1 megawatt of electricity.

Ms. Christine Arbogast reported that Tetra Tech is supporting Public Works in developing fact sheets on different types of anaerobic digestion technologies.

There was an update on upcoming conversion technology events and conferences that may be found in the [Conversion Technology Newsletter](#).

- A&WMA West Coast Section Annual Conference: October 28, 2021, Virtual
- WasteCon 2021: November 1 – 4, 2021, Kissimmee, FL
- 2021 National Recycling Congress: November 3 – 4, 2021, Virtual
- Southern California Waste Management Forum Annual Conference & Exhibit: November 10, 2021, Ontario, CA
- 2021 California Bioresources Alliance Symposium: November 18 – 19, 2021, Virtual
- CSAC 127th Annual Meeting/CEAC Fall Conference: November 30 – December 3, 2021, Monterey County, CA

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

Ms. Landis, FPRS Chair, reported on the following discussed items at the FPRS meeting:

- Update on public review period for the Los Angeles County Preliminary Draft Revised Countywide Siting Element and Draft Environmental Impact Report. Comments are due by November 15, 2021.
- Update on Chiquita Canyon Landfill (Landfill)

- Members requested hard copies of presentations due to difficulties in viewing maps.
- The Local Enforcement Agency is working on a 5-year review of the Landfill.
- 2 lawsuits are still in settlement discussions. The 2018 lawsuit is still in process.
- There were 56 odor complaints in July and 3 in September 2021.
- Sunshine Canyon Landfill (SCL)
 - There were 55 odor complaints for September 2021; of those, 23 were classified as Trash, and the rest were listed as No Field Response and None, which meant the inspector visited the site and did not detect any odor. The Air Quality Maintenance District (AQMD) issued 1 NOV. The number of complaints for 2021 is 230.
- Brief discussion on Dominguez Channel was brought up by Mr. Wayde Hunter of North Valley Coalition of Concerned Citizens regarding PW possibly providing funding for residents having to buy items to mitigate the odor of hydrogen sulfide, as well as comparing the odor to that of a landfill.

Mr. Skye commented that the Dominguez Channel is a major factor at PW and Mr. Sheppard is part of the Department's Operations Center team that has been mobilized to help. Mr. Skye does not believe that dumping is contributing to the issue, as they believe it is organic matter that is rotting and decomposing due to drought and buildup of material that is leading to hydrogen sulfide being produced.

Mr. Gideon Kracov addressed the Vice-Chair stating that Dominguez Channel is a serious situation with several agencies involved, including the AQMD, Public Works, and the City of Carson. He did not support the Task Force receiving a report on Dominguez Channel since it is not within the Task Force's jurisdiction. Mr. Hunter mentioned his intention was for PW to address the subject and perhaps offer assistance to landfills since there is continuous exposure to odor. Discussion ensued.

Mr. Hunter stated for the record that in Ms. Landis' SCL odor report that No Field Response meant inspectors did not smell anything, was incorrect. No field response means that no inspector was sent out. When the report says None, that means inspectors go out and do not smell anything.

VII. CONSIDERATION OF REVIEW COMMENTS ON THE LOS ANGELES COUNTY PRELIMINARY DRAFT COUNTYWIDE SITING ELEMENT AND DRAFT ENVIRONMENTAL IMPACT REPORT

Mr. Martins Aiyetiwa announced that the public review period to [submit comments](#) on the documents was extended to November 15, 2021 and reminded Task Force and FPRS members to submit their comments by that deadline. To date, staff has not received any additional comments from the Task Force and have only received comments from Ms. Landis and Mr. Mike Mohajer. At the FPRS meeting earlier today, the Subcommittee members expressed interest in continuing to work with staff on obtaining additional comments. A special FPRS meeting is being considered for the first week of November to collect comments and have a recommendation for the Task Force at the next Task Force meeting. Staff will check with each Subcommittee member for availability. Mr. Skye confirmed that the special meeting would be scheduled in the same manner as a regular Task Force meeting with notice requirements. Mr. Kracov commented that this document has been ongoing on agendas and he does not want it to be held up by the Task Force and suggested everyone had to make time to work on its review. Mr. Mohajer emphasized that the Countywide Siting Element is a document prepared by County staff in concert with the Task Force. Therefore, sufficient time is necessary for its review. He noted when preparing the original Countywide Siting Element that is currently being revised, collaboration included many full days of work to prepare the document. There are many critical issues that ultimately relate to waste and he wants members submitting comments on behalf of the Task Force. Mr. Aiyetiwa reiterated the deadline for comment was extended to November 15, 2021. Mr. Skye noted staff receiving final comments and will also include those comments from the special meeting. He does not anticipate extending the public review period. County staff is responsible for reviewing the comments and in developing the final documents. The Task Force will get another chance to review the final version of the document and at that time, will collectively decide whether it is suitable to move forward with it. Mr. Mohajer noted the importance of complying with the Public Resources Code requirements. Discussion ensued.

VIII. LEGISLATIVE UPDATE

Mr. Darensbourg provided the legislative update. There are 82 bills on the [Legislative Table](#) related to waste management. October 10, 2021 was the last day for the Governor to sign or veto bills. The following bills were signed and approved by the Governor, with 1 bill vetoed:

- AB 246 (Quirk and Mathis) – Contractors: Disciplinary Actions – Approved on July 9, 2021

- AB 322 (Salas) - Energy: Electric Program Investment Charge Program: Biomass – Approved on September 23, 2021
- AB 332 (ESTM) - Hazardous Waste: Treated Wood Waste; Management Standards – Approved on August 31, 2021
- AB 504 (McCarty) – Solid Waste: Commercial and Organic Waste: Recycling Bins – Approved on July 9, 2021
- AB 652 (Friedman) - Product Safety: Juvenile Products: Chemicals: Perfluoroalkyl and Polyfluoroalkyl Substances – Approved on October 5, 2021
- AB 698 - Hazardous Waste Small Quantity Generators – Approved on August 31, 2021
- AB 707 (Quirk) - Mercury Thermostat Collection Act of 2021 – Approved on October 8, 2021
- AB 818 (Bloom) - Solid Waste: Premoistened Nonwoven Disposable Wipes – Approved on October 6, 2021
- AB 843 (Aguiar-Curry) - California Renewables Portfolio Standard Program: Renewable Feed-In Tariff: Bioenergy Market Adjusting Tariff Program: Community Choice Aggregators – Approved on September 23, 2021
- AB 881 (Gonzalez) – Recycling: Plastic Waste Export – Approved on October 5, 2021
- AB 1200 (Ting) – Plant-Based Food Packaging: Cookware: Hazardous Chemicals – Approved on October 5, 2021
- AB 1276 (Carrillo and Gonzalez) – Single-use Foodware Accessories and Standard Condiments – Approved on October 5, 2021
- Assembly Joint Resolution (AJR 4) related to the ratification of the Basil Convention – Approved on July 15, 2021
- SB 343 (Allen) – Environmental Advertising: Recycling Symbol – Approved on October 5, 2021
- SB 619 (Laird) – Organic Waste: Reduction Regulations: Local Jurisdiction Compliance – Approved on October 5, 2021
- AB 1201 (Ting, Friedman, and Lorena Garcia) – Labeling for Compostability and Biodegradability – **Task Force was in support of June 23, 2021 amendment. However, did not take a position on the September 3, 2021 amendment and withdrew the Floor Action Support letter.**
- SB 244 (Archuleta) - Lithium-Ion Batteries: Illegal Disposal: Fire Prevention – **VETOED** by the Governor

Mr. Mohajer commented that he heard the issue with SB 244, lithium-ion batteries, had to do with expenditures for public education by the Fire Protection Agency and the Governor wants to develop a workable program to manage the lithium-ion battery. As a result, they are moving forward in sponsoring new legislations that will be in line with Extended Producer Responsibility regulations.

Mr. Skye noted that this legislative session has been one of the busiest and appreciates the efforts by staff in closely monitoring bills that the Task Force has taken positions on and in developing letters for those bills. Also mentioned was the relatively good year in that many bills on the table are good and have been signed by the Governor except for AB 361, regarding the 30-day finding, which will be pursued.

Ms. Clark referenced that entities such as Southern California Association of Governments, Councils of Governments, and the League of California Cities, which meet on the second Tuesday and third Thursday of the month, will be affected by AB 361, and that 7 months out of the year have 31 days so the 30-day requirement needs to be changed.

Ms. Landis was glad to hear that the Governor signed at least 2 bills that provide some funding for those building facilities for electrification of solid waste. Mr. Mohajer concurred and stated that adequate funding was not provided for the implementation of SB 1383 infrastructure that is desperately needed.

IX. ULTIMED STEWARDSHIP PLAN FOR HOME-GENERATED SHARPS WASTE

Mr. Darensbourg provided an [overview](#) of home-generated sharp waste stewardship program and gave a brief update on Home-Generated Sharps Waste Stewardship Plan (Plan) submitted by UltiMed to CalRecycle on October 11, 2021. Public Works staff is currently preparing a letter with comments on the Plan for the Task Force to review and approve to send to CalRecycle before next Monday, October 25, 2021.

Ms. Clark commented that they have no studies on how much home-generated sharp waste gets mailed back and unless free postage is provided, people will not do. She asked if there was any statistical information. Mr. Darensbourg responded the pharmaceutical companies must pay for everything if they choose to do solely mail back, which includes the final waste disposal and all the tracking information. Ms. Clark asked about other studies on which would be more effective. Mr. Darensbourg does not believe that the regulations have explored that side, but the regulations do require metrics. However, UltiMed's Plan states that metrics are not needed to measure delivery of sharp wastes to household hazardous waste facilities or consolidation points because they do not plan to implement these alternatives for the direct user. The proposed Task Force comment letter will request that they provide an alternative for the direct end user of the sharp products.

One of Mr. Mohajer's concerns regarding the proposed Plan was that boxes of syringes start at a quantity of 100 and should also consider including quantities of 25 and 50. Unless a person is a diabetic, a quantity of 100 is not needed.

Mr. Skye elaborated on Ms. Clark's question regarding what may be more effective. He did not have exact numbers available but mentioned that the Household Hazardous Waste Collection Program does collect sharps and when residents are offered the opportunity to have a mail back container where they can fill it up at their leisure and drop it off at any mailbox, they prefer it, which is more costly for PW because of shipping costs. PW also has a partnership with Public Health in which residents can drop off at those sites.

X. 2020 COUNTYWIDE ORGANIC WASTE MANAGEMENT PLAN ANNUAL REPORT (COWMP)

Mr. Aiyetiwa provided an [overview](#) of the County's third annual update to the Countywide Organic Waste Management Plan. This annual report was prepared to address the organic waste capacity planning requirements specified in Article 11 of the SB 1383 regulations. The report estimates the amount of organic waste disposal, identifies existing organic waste capacity, and estimates the amount of new or expanded organic waste capacity.

Ms. Landis asked if there was any analysis done on using organics as fuel for gasification because PW has not discussed alternative technology or transformation at all in any of the documents prepared, and a lot of the waste stream can be used as fuel to produce electricity locally which is what cities need right now. Ms. Landis asked why this has not been considered. Mr. Aiyetiwa responded that PW focus has always been to comply with state laws and regulations and plans are developed based on what is required of the County. Mr. Shammass commented that regulations do not allow waste-to-energy organics diversion. However, the Sanitation Districts at the joint plant and treatment facility take in food waste that goes into digesters and produces electricity and vehicle fuel, which there is allowance for. Ms. Landis commented that the Board of Supervisors encourages the development of alternative technologies and transformation technologies but has seen nothing from PW. Mr. Aiyetiwa responded that PW has a program that supports and promotes alternative technologies, as Mr. Darensbourg discussed, in respect to implementing the County's goal to promote alternative technologies and working with jurisdictions to establish the necessary infrastructure to support CT. Mr. Skye mentioned in terms of CT, it does include both AD and biomass conversion. Many people believe that organic waste is green waste, which is a small fraction of total waste stream. The 3 largest items are paper, wood, and food wastes. The 4th largest is landscape and pruning waste, which is not well suited for composting. It is better, particularly

wood waste, to be sent to biomass conversion and food waste to be sent to AD. The process currently is to identify facilities within Los Angeles County and adjoining counties that are currently available, which includes AD and biomass conversion that is available. However, biomass conversion does not exist in Southern California. Therefore, the purpose of the document is to illustrate the huge gap in infrastructure need and PW, along with the Task Force are pushing the development of infrastructure. Mr. Mohajer commented that the issue with CT is not that it is dead because it is being pursued, but decision makers do not want it.

Mr. Mohajer also mentioned in-County chipping and grinding noted in the document with the 352,000 tons that is spread all over the ground. The Los Angeles County Fire Department recommends using gravel for ground cover instead of chipping and grinding material due to fire protection. Therefore, it is critical for staff to collaborate with the Fire Department to develop capacity. Lastly, Mr. Mohajer mentioned the intent of the organic waste capacity to be in lieu of the organic waste capacity that SB 1383 requires. Mr. Aiyetiwa responded that this plan does not replace the specific requirements of SB 1383 and CalRecycle. CalRecycle is requiring that counties submit certain data by August 1, 2022. The data collected is to assist the County in meeting the requirement. Discussion ensued.

XI. CALRECYCLE UPDATE

Ms. Wallin reported the following from CalRecycle:

- Four new webpages were published: Waste Haulers, CAL Green and MWELo, Determination of Technologies that Constitute a Reduction in Landfill Disposal, and Department Issued Waivers and Exemptions.
- Farm and Ranch Solid Waste Cleanup Grant application due on November 18, 2021.
- Tire-Derived Aggregate Grant application due on December 8, 2021.
- Beverage Container Redemption Pilot Project Grant application due on January 1, 2022.
- Beverage Container Recycling City/County Payment Program application due on January 18, 2022.
- Two SB 1383 webinars:
 - October 26, 2021, related to facility requirements and how to measure and report organic materials under SB 1383.
 - October 27, 2021, related to recordkeeping resources.
- Rate Determinations Survey and Methodology Hearing on October 28, 2021, related to the beverage container program.

CalRecycle is currently working on SB 619 funding opportunities that were approved. \$60 million for grants was approved specifically for jurisdictions implementing their programs.

Mr. Mohajer asked when the approved SB 1383 regulations would be posted because he only found a version dated January 18, 2019. Ms. Wallin responded it was posted, but that she would provide him the link.

Mr. Mohajer asked if there were going to be emergency regulations for SB 619; and if so, when would they be released. Ms. Wallin responded she had not heard anything about that specifically, but that she would follow up.

XII. PUBLIC COMMENT

No public comment.

XIII. ADJOURNMENT

The meeting adjourned at 3:32 p.m. The next meeting is scheduled to be held on Thursday, November 18, 2021, at 1 p.m.