

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes of February 28, 2008

County of Los Angeles Department of Public Works
Conference Room C
900 South Fremont Avenue
Alhambra, California

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Carlos Ruiz, County of Los Angeles Department of Public Works
Christopher Salomon, County Sanitation Districts of Los Angeles County
Gerry Villalobos, County of Los Angeles Department of Public Health

SUBCOMMITTEE MEMBERS NOT PRESENT:

John McTaggart, General Public Representative
Mike Miller, League of California Cities
Charles Modica, City of Los Angeles

OTHERS PRESENT:

Chuk Agu, County of Los Angeles Department of Public Works
Martin Aiyetiwa, County of Los Angeles Department of Public Works
Joe Bartolata, County of Los Angeles Department of Public Works
Russell Bukoff, County of Los Angeles Department of Public Works
Carl Pederson, County of Los Angeles Department of Public Works

I. CALL TO ORDER

The meeting was called to order at 10:49 a.m.

II. APPROVAL OF MINUTES FOR MEETINGS OF DECEMBER 10, 2007, AND JANUARY 24, 2008

A motion to approve the minutes of the December 10, 2008, and January 24, 2008 meeting was made. The motion to approve the minutes of the December 10, 2008 meeting was unanimously approved. The motion to approve the minutes of January 24, 2008 meeting was unanimously approved with changes.

For the January 24, 2008 meeting, the Subcommittee further instructed (1) staff to clarify whether the project area for this FOC includes the air space above the horizontal phasing areas, and is consistent with Condition No. 18 of the Replacement Conditional Use Permit, and (2) BFI to provide quarterly status reports for the projects on both the County-side and City-side of the Landfill.

III. COUNTYWIDE SITING ELEMENT CHAPTER 10 REVISIONS

Mr. Chuk Agu gave a Power Point presentation on Chapter 10 (Finding of Conformance (FOC)) of the Countywide Siting Element (CSE), including the FOC process and the related documents provided to the Subcommittee. Mr. Agu noted that the purpose of the presentation is to provide the Subcommittee with background information for use in subsequent discussions on Chapter 10 revisions.

The purpose of Chapter 10 is to present the procedure for obtaining an FOC with the CSE through the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) for new solid waste disposal facilities, and expansion of, or "significant changes" to the existing facilities.

The purpose of the FOC process is to (1) provide a mechanism for inclusion of new or expansions of existing solid waste disposal facilities into the CSE, (2) ensure consistency and conformance with CSE and its Siting Criteria, and (3) provide forum for public participation in the siting process.

The background documents provided included, copy of Chapter 10 of existing CSE (dated June 1997); revised CSE goals and policies; revised Appendix 6-A (solid waste disposal facility siting criteria); revised solid waste disposal facility permitting process flowchart; FOC-related statutes and regulations; California Integrated Waste Management Board (Waste Board) FOC-related rules/policies; FOC-related correspondences between the County and Waste Board; the goals and policies of the Countrywide Summary Plan (CSP) dated June 1997; and CEQA Initial Study Checklist.

Mr. Agu presented an overview of the FOC purpose, history, process, major issues, regulatory/statutory framework, source of authority, requirements, related-permit requirements, role of Task Force, and Waste Board positions. Mr. Agu indicated that the next steps for Chapter 10 revisions would be to discuss possible FOC options at the March 2008 meeting, obtain further direction from the Subcommittee and discuss again in April 2008, if necessary.

The Subcommittee discussed the matter at length. The chairperson, Ms. Betsy Landis noted that “a dot-on-the-map” does not ensure that the term “location” is correctly defined, or that the public has a place for participation in the facility siting process. Mr. Mohajer emphasized that what is currently referred to as the “waste board position” has not been officially adopted by the waste board and therefore not yet settled. Mr. Mohajer also noted that Los Angeles County has a unique and complex solid waste management system, and therefore has different needs than other Counties in the State (e.g., the existing CSE FOC process). Mr. Chris Salomon remarked that the process should take into account review and approval deadlines where required by law in the facility permit process.

The Subcommittee stated that (1) the CSE FOC process is authorized and required by law, (2) the Waste Board’s “dot-on-the map” approach to conformance finding and its ruling to neither approve nor deny the CSE FOC process are inconsistent with the current regulatory/statutory framework, (3) a legal interpretation of the scope and requirement of the FOC process will be needed from the Waste Board, and (4) a modified/streamlined alternative process may be needed to ensure that the purpose of the FOC are met, and (5) the alternative process would be presented to the Waste Board for approval.

Mr. Agu indicated that staff is identifying options on modifying the FOC process, if necessary and will present them at the March 20, 2008, meeting for discussion and further direction on this issue.

Ms. Landis also suggested some corrections to revised CSE Goal No. 1, Policy Numbers 1.3, 1.4, 1.6, and 1.12, and the solid waste disposal facility permitting flowchart. In addition, the Subcommittee asked Mr. Villalobos to provide the Subcommittee with the statutory/regulatory definition of a closed landfill/disposal area.

IV. OPEN DISCUSSION/PUBLIC COMMENT

None

V. NEXT MEETING DATE

To be announced at a later date.

VI. ADJOURNMENT

The meeting adjourned at 12:10 p.m.