

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

October 15, 2020

WEB CONFERENCE

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Chair, Environmental Organization Representative
Mike Mohajer, General Public Representative
Shikari Nakagawa-Ota, County of Los Angeles Department of Public Health
Carlos Ruiz, Los Angeles County Public Works
Sam Shammass, County Sanitation Districts of Los Angeles County

SUBCOMMITTEE MEMBERS NOT PRESENT:

Wayne Nastri, South Coast Air Quality Management District
Reyna Pereira, City of Los Angeles

OTHERS PRESENT:

Martins Aiyetiwa, Los Angeles County Public Works
Gabriel Esparza, Los Angeles County Public Works
Tahirah Farris, Los Angeles County Department of Regional Planning
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Omid Mazdiasni, Los Angeles County Public Works
Dennis Montano, Republic Services
Dave Nguyen, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Kawsar, Vazifdar, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works
Tuong-Phu Ngo, Republic Services
Eugene Tseng, Sunshine Canyon Landfill Local Enforcement Agency (SCL-LEA)

I. CALL TO ORDER

Ms. Betsey Landis called the meeting to order at 11:16 a.m.

II. APPROVAL OF SEPTEMBER 17, 2020 MEETING MINUTES

A motion to approve the Minutes, as corrected, from the September 17, 2020, Subcommittee Meeting was made by Mr. Mike Mohajer, and seconded by Mr. Carlos Ruiz. Motion passed unanimously.

III. NASA AND SOLID WASTE MANAGEMENT

Mr. Eugene Tseng gave a presentation on [NASA and Solid Waste Management](#) detailing how NASA has been flying over California to gather methane emissions data on nearly 260,000 individual entities with an airborne imaging spectrometer.

Ms. Landis asked if pictures were taken of Granada Hills. She said that South Coast Air Quality Management District (AQMD) receives many odor complaints and that she was curious about the effect of topography and wind on the movement of methane away from SCL. Mr. Tseng responded that they have conducted wind pattern studies. He displayed a scatter plot showing the incidents of odor complaints correlated with wind direction and wind speed.

Mr. Mohajer asked if composting facilities could be included in the analysis because CalRecycle emphasizes the use of composting over other technologies to divert organic waste from landfills to comply with Senate Bill 1383 (SB 1383). Mr. Tseng responded that he and Mr. David Thompson, one of the program managers for SCL-LEA, met with CalRecycle to discuss the composting facilities emissions data, which was limited. He continued that NASA will begin efforts to gather additional data on composting facilities later this year or next year if funding can be secured. Ms. Landis stated that she believes that the development of new composting facilities may result in contaminated compost moving between quarantine areas in violation of the Department of Food and Agriculture's requirements, and that CalRecycle is encouraging the use of composting for SB 1383 compliance because they believe that it does not produce methane emissions. Mr. Tseng mentioned that he would send the paper that the SCL-LEA co-published with NASA to the Subcommittee. He added that a detailed study on the SCL Odor Mitigation Program will be available online in the November and December issues of MSW Management Magazine and that the publication will also be sent to 25,000 municipal solid waste managers worldwide. He continued that the study discusses composting emissions.

Mr. Wayde Hunter mentioned that he believes that the construction, excavation, and trenching activities in July and August 2020 at SCL did not include methane capture. He mentioned that previous trenching near the original weigh-in scale by

the entrance caused odor problems and that SCL planned to take action to prevent methane leakage for future excavations. He also noted that the number of odor complaints increased in July and August. He asked why odor complaints have increased significantly in September 2020, including three notices of violation (NOVs). Mr. Tseng responded that the construction of new cells requires digging and creates a much thinner layer of protective soil or cover, resulting in emissions, and that the amount of food waste disposed at SCL may have increased due to COVID-19. He continued that SCL is developing a mitigation berm with landscaping and misters at the entrance of SCL to reduce odors, but that the construction of the berm will require the importation of significant amounts of soil.

IV. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Vu Truong, staff to the Task Force, provided an update on the Sunshine Canyon Landfill (SCL) odor complaints from the AQMD for the month of September 2020 ([Link](#)).

- During the month of September 2020, 105 complaints were made to the AQMD hotline. Of those, 49 were classified as trash, 5 were classified as landfill gas, 4 were classified as trash/landfill gas, 15 were listed as No Field Response, and the rest were listed as odor from other source and none, which meant no odors were detected from site visit.
- Compared to August 2020, the number of complaints received in September 2020 increased from 82 to 105 complaints.
- Compared to September 2019, the number of complaints for September 2020 increased from 95 to 105 complaints.
- As of October 6, 2020, AQMD issued 3 NOVs related to odor for the month of September 2020.
- According to the AQMD report, the total number of complaints received during 2020 is 419.

As requested by the Subcommittee at last month's meeting, staff reached out to Republic Services (Republic) for clarification about the Landfill receiving waste in the early morning hours. According to Republic, they have not modified their hours for accepting waste in the morning. On an as-needed basis, Republic may postpone some internal loads from their transfer stations to be delivered to the Landfill later in the morning.

Soil Importation

Ms. Gladys Rietze, staff to the Task Force, provided an update on the soil importation activities at SCL.

As previously reported to the Subcommittee, Republic submitted a soil importation request to Public Works and began importing soil at a rate of approximately 1,500 tons per day to the Landfill, beginning April 2020.

Subsequently, the Task Force sent a letter on August 13, 2020, requesting information about the soil importation activities at SCL. Republic provided a response to the Task Force in a letter dated September 17, 2020. A copy of the letter was sent to the Task Force members via e-mail. In the response letter to the Task Force, Republic included reference to their revised submittal to Public Works. Based on Staff's review, Republic's response for the most part focused on the justification on why Republic needs to import soil to the landfill. However, it appears Republic's letter did not fully address the Task Force's concerns such as:

- Confirming the receipt of prior approval from regulatory agencies for importation of 1,500 tons per day of soil to the Landfill.
- Confirming whether soil importation is currently ongoing or has ceased while Republic secures approval from regulatory agencies.
- Providing information on all potential impacts relating to the soil importation request.

Republic has submitted a revised request to Public Works dated September 21, 2020. Their latest submittal included the following:

- Request to import approximately 14 million cubic yards of clean soil over the next 18 years to the Landfill at a typical rate of 5,000 tons per day to be used as daily cover, stability berm features, final closure cap construction and capital project improvements.
- Republic confirmed the site has currently suspended all clean soil importation at the Landfill.

Presently, Public Works is reviewing Republic's latest submittal and is preparing a response. Public Works will continue to work with Republic to address these issues. Staff will continue to provide updates to the Subcommittee as the issues are resolved.

Mr. Mohajer commented that he understood that Public Works is reviewing the proposal they received from Republic; however, from the Task Force's standpoint, a Finding of Conformance (FOC) was issued at the facility and the importation of soil from 5,000 to 10,000 tons per day has not been a part of the FOC. He wanted

to know if the California Environmental Quality Act (CEQA) document and the supplemental Environmental Impact Reports (EIRs) discuss receiving more than 12,100 tons per day. If CEQA did confirm the amount, he wanted to know how much higher the increase was. Mr. Mohajer also wanted to know what the traffic study recommended at that time. He requested staff to review and provide a written response to the Subcommittee at least one week before the next meeting so the Subcommittee may review the items and can be ready to discuss accordingly at the next meeting.

Vegetation Report

Mr. Michael Harmon, staff to the Task Force, provided an update on the Second Quarter 2020 SCL Vegetation Report.

At last month's Subcommittee meeting, the Subcommittee requested staff to transmit comments regarding the Vegetation Report from Ms. Landis to Republic. Staff received comments regarding the frequency of weeding and encouragement of seed germination on September 30, 2020. Staff contacted Republic and transmitted the comments via email. Staff also invited Republic and their consultant to today's Subcommittee meeting.

Republic responded to the comments stating that Republic continues to conduct weed abatement year-round and have not stopped. They stated that a weeding control program is already in place on Decks C and B as part of the pilot project and will continue. A weed control program on Deck A will be implemented along with the mitigation plans for those areas.

Mr. Tuong-Phu Ngo, Republic Services representative, agreed with Mr. Harmon in that Republic has not reduced any of their weeding efforts. Ms. Landis' concern was Republic's responses included in the Vegetation Report prepared by their consultant. They included a chart with what Republic was going to do in the future and every line noted not at this time, including weeding and new planting. She hopes the weeding program continues.

V. UPDATE ON CHIQUITA CANYON LANDFILL

Mr. Omid Mazdiasni, staff to the Task Force, gave an update on Chiquita Canyon Landfill (CCL).

Odor Complaints

AQMD agreed to provide odor complaint data on a quarterly basis.

- CCL received a total of 100 odor complaints in July 2020, 119 odor complaints in August 2020, and 155 odor complaints in September 2020.

- CCL received a total of eight NOVs from AQMD in July 2020, six NOVs from AQMD in August 2020, and four NOVs from AQMD in September 2020.

Lawsuits Updates

CCL filed two separate lawsuits against the County.

- The first lawsuit was filed on October 20, 2017, challenging operational conditions, and fee conditions of the Conditional Use Permit (CUP). On June 22, 2020, the Court issued a ruling in favor of the County on most operating conditions. Regarding the 12 challenged fee conditions, the court upheld 2, remanded 4 back to the Board of Supervisors (Board) for further consideration, and overturned 6. In its ruling, the Court also upheld Condition 9, which authorizes the Board to void the permit if any material provisions are found to be invalid. The parties will be scheduling a meeting for the purpose of discussing a potential settlement. If no settlement is reached, the litigation will proceed to Phase 2 for the determination of additional claims pertaining to the challenged conditions.
- The second lawsuit challenged a decision by the hearing officer that upheld an NOV issued by Regional Planning on December 11, 2017. The trial in the second lawsuit was previously set for June 25, 2020. Due to COVID-19, the parties agreed to continue the trial to October 22, 2020.

CCL and County notified the court that they will participate in settlement negotiations for both lawsuits and requested a continuance of the October 20, 2020 trial date in the second lawsuit. The court tentatively continued the trial date to January 14, 2021.

- A third lawsuit was filed by Environmental and Community Groups on August 24, 2017, alleging that the project EIR was inadequate and not in compliance with CEQA. The court issued a decision on October 10, 2019, in favor of the County and CCL. The Community has filed an appeal and the case is pending.

NOVs for Non-Compliance with the CUP

- Regional Planning issued four NOVs for CUP Conditions 68, 77, 79, and 113 to Waste Connections on June 11, 2020, at the request of Public Works.
- CCL filed its appeal on August 6, 2020. Regional Planning has scheduled a virtual hearing for November 24, 2020.

Mr. Mohajer asked if any of the lawsuits referenced the FOC that was issued by the Task Force. Mr. Ruiz responded that as far as he knows the FOC is not referenced in the lawsuits. Mr. Mohajer commented the reason he brings up the issue is that the CUP specifically requires an FOC, which was granted. With regards to the increased odor complaints, Mr. Mohajer asked for a map showing where the odor complaints are coming from, how close to the Landfill the odor complaints are, and the communities impacted as a result.

VI. LOS ANGELES COUNTY GREEN ZONE ORDINANCE

Ms. Kawsar Vazifdar provided an update on the [Los Angeles County Green Zones Ordinance](#) that is under development by Regional Planning. Ms. Tahirah Farris from Regional Planning attended the meeting to address any questions and also attended the Task Force meeting later that day.

Mr. Mohajer asked that the date and location of the Draft EIR Hearing be provided to the Subcommittee. Ms. Vazifdar responded that staff would disseminate the hearing dates once they are published. Mr. Mohajer added that the Task Force would also like to review the Draft EIR and consider submitting comments.

Ms. Landis asked if the community of Val Verde was one of the Green Zones Districts. Ms. Vazifdar noted that it was not. Mr. Mohajer asked if there was a reason why Val Verde was not included. Ms. Farris responded that the Green Zones Districts were created using an environmental justice screening method, similar to CalEnviroScreen, that considered various indicators, such as socioeconomic demographics and sensitive land uses located near industrial uses, to identify areas in the County that are disproportionately impacted by pollution sources and have historically been environmental justice communities. She continued that the environmental justice screening method, unlike CalEnviroScreen, is specific to Los Angeles County. Mr. Mohajer commented that he would like to see if Val Verde meets the criteria. Ms. Farris stated that she would share more information on the environmental justice screening method so that the Subcommittee could see how the Green Zones Districts were identified. She also noted that more communities may be added in the future. Ms. Landis asked if there was any consideration given to major rivers, hillside areas, sensitive vegetation, and/or wildlife. Ms. Farris responded that the Green Zones Program focuses on environmental justice communities overburdened by polluting sources. She continued that Regional Planning has other efforts, such as the Significant Ecological Areas Ordinance, and that the Green Zones Ordinance does prohibit the development of certain industrial uses in environmentally-sensitive areas.

Ms. Landis stated that requiring CUPs for specific uses, such as food processing, composting, and wood yards, may not be sufficient to prevent contaminated materials from being transferred outside of quarantine zones.

Mr. Mohajer requested that staff monitor the development of the Green Zones Ordinance and keep both the Task Force and FPRS informed.

Ms. Landis commented that the Subcommittee should also be apprised of the information that NASA is collecting regarding emissions of methane from composting facilities and landfills, and that the potential impacts of the emissions should be incorporated into the Green Zones Program.

VII. DISCUSSION ON FOC REPORTS

Due to time constraint, Mr. Mohajer commented the meeting should be concluded, but had a question to be addressed at next month's Subcommittee meeting involving the waste characterization study that was received from SCL and the tables staff put together comparing waste received the spring of 2020 and the fall of 2019 and comparing to SB 1383 with the new definition of organic waste. He is concerned with the way the information is provided. Mr. Ruiz commented that FOC discussion would be moved up on the Agenda for next month's Subcommittee meeting.

VIII. PUBLIC COMMENTS

Mr. Hunter commented that methane emissions can be minimized when trenching at SCL. He suggested the County investigate the operations at SCL. He also noted that the berm that SCL is building is substantially higher than necessary. Mr. Ruiz commented that Public Works would be approving the quantity of soil that SCL proposes to import to ensure that it does not exceed the tonnage limit in the CUP, and is preparing a letter to Republic to provide additional information to process the request. Mr. Mohajer suggested that Public Works copy the Task Force in the letter. He also requested that a representative from Republic attend the Task Force meeting to discuss concerns regarding soil importation.

IX. ADJOURNMENT

The meeting adjourned at 12:48 p.m. The next meeting is tentatively scheduled remotely for Thursday, November 19, 2020, at 11 a.m.