

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

July 15, 2021

WEB CONFERENCE

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

SUBCOMMITTEE MEMBERS PRESENT:

Mike Mohajer, General Public Representative
Dorcas (Dee) Hanson-Lugo, 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:

Betsey Landis, Chair, Environmental Organization Representative
Wayne Nastri, South Coast Air Quality Management District
Reina Pereira, City of Los Angeles

OTHERS PRESENT:

Martins Aiyetiwa, Los Angeles County Public Works
Joe Bartolata, Los Angeles County Public Works
Steve Cassulo, Waste Connections
Chris Coyle, Republic Services, Inc.
Gabriel Esparza, Los Angeles County Public Works
Ramon Herman, 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
Trishena Robinson, Los Angeles County Public Works
Coby Skye, Los Angeles County Public Works
Sarah Solomon, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Mr. Mohajer served as Chair and called the meeting to order at 11:08 a.m.

II. APPROVAL OF JUNE 17, 2021 MEETING MINUTES

Mr. Carlos Ruiz made a motion to approve the minutes, as corrected, and Mr. Sam Shammass seconded. Motion passed unanimously.

III. NOTICE OF AVAILABILITY FOR THE PRELIMINARY DRAFT REVISED COUNTYWIDE SITING ELEMENT

Mr. Joe Bartolata, staff to the Task Force, provided a [presentation](#) on the Notice of Availability (NOA) for the Preliminary Draft Revised Countywide Siting Element (Draft Revised CSE) and the Draft Environmental Impact Report (Draft EIR). The NOA was published on July 1, 2021 in several local newspapers. The documents that were sent out to local agencies and stakeholders can be found on the [Siting Element Website](#). The public review period is from July 1 through August 16, 2021. There are 6 virtual public information meetings for each Supervisorial District that will be recorded. Registration may be found on the website.

Mr. Bartolata explained that the CSE is a long term planning document that describes how the County and the Cities within the County plan to manage the disposal of solid waste for the next 15 years and includes goals and policies on a variety of solid waste management issues. Assembly Bill 939, as amended, requires each County to prepare a CSE. The original CSE was approved by the state in 1998. Over the past few years, the CSE was revised and updates were made under the auspices of the Task Force. In April 2016, the Task Force considered and approved the revised CSE.

Currently, there are no significant changes from the last version approved by the Task Force. The Draft EIR was also prepared to accompany the Draft Revised CSE as required by the California Environmental Quality Act. Comments may be submitted by mailing to PW Environmental Programs Division, CSE Revision, P.O. Box 1460, Alhambra, CA 91802; e-mailing to sitingelement@pw.lacounty.gov; submitting to [Siting Element Website](#); or by calling the Siting Element Hotline at (888) 777-4775. No later than 105 days after the close of the review period, the County will respond in writing to each comment received. Staff will present all comments received and the County's responses to the Task Force and will prepare the final Draft CSE. Staff will continue to provide updates to the Task Force on the revision process.

Mr. Mohajer asked if the Val Verde community is aware of the virtual meetings. Mr. Bartolata responded the Val Verde community was part of their distribution list

for the mass notification, but that staff would double check to ensure the community was notified.

Mr. Mohajer emphasized the importance of the documents that have been in process for a long time. Mr. Mohajer commented on the Task Force's approval of the revised CSE on April 21, 2016, which entailed major changes due to Senate Bill 1383 (SB 1383). This document not only addresses SB 1383, but also shows the analysis using 75 percent organic waste diversion. Mr. Mohajer also noted having a few comments and if possible, can present his comments at a Zoom meeting to staff or by telephone. Mr. Mohajer also commented for the record that there are environmental justice related developments and he did not see anything regarding the Val Verde community, which is one of his important comments.

IV. UPDATE ON CHIQUITA CANYON LANDFILL

Alternative Daily Cover

Mr. Ramon Herman, Staff to the Task Force, provided an update on the Alternative Daily Cover (ADC) work plan at Chiquita Canyon Landfill (CCL), as requested at last month's Subcommittee Meeting.

Staff found that the definition of biodegradable from CalRecycle is the ability of a substance to be broken down physically and/or chemically by microorganisms. Staff also checked with the California Legislative information website for any previous or current legislation that prohibits the use of plastic as ADC at landfills. Assembly Bill 1201 states that existing law prohibits the sale of a plastic product that is labeled as "biodegradable," "degradable," or "decomposable," and prohibits implying that a plastic product will break down, fragment, biodegrade, or decompose in a landfill or other environment, unless the plastic product meets one of several specified standards relating to environmental marketing claims.

To verify the product's claim versus the definition of biodegradable, staff reached out to the vendor, and the vendor confirmed that the Enviro-cover product is not biodegradable. The vendor indicated that the product promotes a continuous impermeable barrier between the waste and the surrounding environment until the landfill operation begins on the next day. The product also meets United States Environmental Protection Agency requirements to control disease vectors, fires, odors, blowing litter and scavenging without presenting a threat to human health or the environment. Geosynthetic fabric or panel products is also one of the CalRecycle approved products for ADC.

Sunshine Canyon Landfill (SCL) is also using the exact same product. Based on SCL's pilot program, the product is meeting performance requirements for controlling vectors, fires, litter odor, and scavenging. Since the ADC at SCL is successfully meeting performance requirements, PW approved the use of the same

ADC product at CCL. Because landfills operate differently, staff is requiring the Landfill Operator to submit quarterly reports detailing the performance of the product and how it is specifically performed at CCL. The next report is scheduled for submittal in September 2021 and staff will review and update the Subcommittee.

Mr. Mohajer commented that in looking at the ADC, the plastic liner that goes at the bottom of the landfill is not biodegradable and that there are thousands of different types of plastic. CalRecycle is the responsible agency that approved its use, which is similar to SCL's ADC. Mr. Mohajer noted for the record that the ADC was verified as biodegradable or compostable, according to CalRecycle. Mr. Ruiz reiterated that the vendor of the product is not claiming that it is biodegradable.

Methane Monitoring

Mr. Daniel Wibisono, staff to the Task Force, reported on subsurface landfill gas migration monitoring program as requested at last month's Subcommittee meeting.

To prevent methane gas from migrating offsite, CCL abides with the requirement of Title 27 to have an approved Landfill Gas monitoring plan including multi-level Landfill gas monitoring probes around the site boundary. CCL's gas monitoring plan was approved by the Local Enforcement Agency (LEA) and CalRecycle.

According to the EIR, CCL installed 14 perimeter landfill gas monitoring probes. The perimeter monitoring probes are monitored quarterly to determine any subsurface offsite migration and continuous monitoring within structures to evaluate the potential buildup of landfill gas. The quarterly monitoring report results are sent to the LEA.

Based on the latest landfill gas migration control program reports in the fourth quarter of 2020 and first quarter of 2021, there were no exceedances in methane readings. The data shows near zero value in methane readings of all monitoring probes.

PW is responsible, under the Building Code requirements, to establish standard for protection of properties near or adjacent to solid waste facilities. The standards are available on PW website. However, PW also has standards for ensuring that subsurface gas migrating from landfills do not significantly impact offsite properties. In the case of CCL, the Conditional Use Permit does not include landfill gas subsurface migration monitoring. Based on the information, PW does not see a need for further enforcement actions.

Mr. Mohajer asked that the copy of the report from Mr. Wibisono be sent to the Subcommittee. Mr. Ruiz commented that there are 2 authorities that PW has for monitoring and building protection of buildings, which includes structures that are located within 1,000 feet of a landfill. The County Code provides authority for the

construction or expansion of any new building or enclosed structure or substantial additions to existing structures. It gives PW authority to ensure protection against intrusion of migrating landfill gas.

The Land Use Permit process may also give PW authority to review the landfill gas control system and lateral migration of landfill gases. Mr. Mohajer shared his concerns because there is also the County Public Health Code to make certain the buildings are protected. He noted significant differences between what CalRecycle, LEA, and County Building Code requires. He requested a response from Public Works regarding these critical issues. Discussion ensued.

Status of Lawsuit and NOVs

Mr. Andrew Kim, staff to the Task Force, gave an update on CCL.

Odor Complaints

- South Coast Air Quality Management District (AQMD) agreed to provide odor complaint data on a quarterly basis.
- CCL received 28 odor complaints in April 2021, 18 odor complaints in May 2021, and 20 odor complaints in June 2021.
- CCL received 1 NOV on April 29, 2021, and 1 NOV on May 5, 2021, from AQMD.
- The next quarterly odor complaint update will be presented in October 2021.

Lawsuit Updates

CCL filed 2 separate lawsuits against the County:

- The first lawsuit was filed on October 20, 2017, challenging operational conditions and fee conditions of the CUP. In July 2020, the trial court issued a decision finding in the County's favor on some conditions and in CCL's favor on other conditions. The parties are currently engaged in settlement discussions.
- The second lawsuit was filed on April 13, 2018, challenging a decision by the hearing officer that upheld an NOV issued by Regional Planning on December 11, 2017, for failure to pay the Bridge and Thoroughfare Fee, accepting prohibited auto shredder waste, and failure to pay out-of-area fees. The trial is scheduled for January 18, 2022.

NOVs for Non-Compliance with CUP

- Regional Planning issued 4 NOVs for non-compliance with CCL CUP Conditions 68, 77, 79, and 113 to Waste Connections on June 11, 2020, at the request of PW.
- CCL filed its appeal on August 6, 2020. The hearing was postponed and rescheduled for July 27, 2021.

Task Force request to CCL regarding the June 11, 2020 NOV issued by Regional Planning

- On April 19, 2021, the Task Force sent a letter to CCL regarding the NOV issued by Regional Planning.
- CCL submitted its third monthly update on July 1, 2021, which was disseminated to the Task Force as part of the mailout. The update addressed the requirements of the April 19, 2021 Task Force letter as follows:
 - Work with regulatory agencies - CCL is working with regulatory agencies to comply with its permits and is currently in negotiations with the County for Conditions 68, 77, and 79. CCL has tried resolving the non-compliance with Condition 113 by submitting information requested by the County.
 - Compliance with Finding of Conformance Condition 22, which required the Landfill to provide any NOVs received by permitting agency to the Task Force. On July 8, 2021, CCL sent a copy of a NOV they received from the LEA for failure to cover geosynthetic plastic film ADC with soil on Saturday, June 12, 2021. A copy of the NOV was disseminated to the Task Force last week.
 - Staff will continue to provide updates on CCL's NOV status.

V. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Waste Load Checking

Ms. Sarah Solomon, staff to the Task Force, provided an update on the Waste Load Checking program activities at SCL.

At last month's Subcommittee meeting, Ms. Shikari Nakagawa-Ota provided an update regarding load checking at SCL. Ms. Nakagawa-Ota stated that due to concerns for employee safety because of the COVID-19 pandemic, the LEA allowed SCL operators to modify their load check procedures by not requiring the opening of trash bags.

Staff confirmed with Republic Services (Republic) that the load check modification was initiated in April 2020, around the start of the COVID-19 pandemic. Republic confirmed that the frequency of the waste load checking inspections is 12-to-15 inspections a day. Normal procedures in load checking resumed on May 25, 2021, according to Republic.

Republic's reports state the total gross tonnage received at the landfill during the modified load check was 3,000,000 tons, which was during the approximate 14-month period. During this period, Republic identified 14 gallons of paint, 1 quart of oil, 1 battery, 2 aerosols, and 1,251 electronics.

Mr. Mohajer commented he and Mr. Wayde Hunter were both in attendance at the SCL-Community Advisory Committee meeting when the issue was raised and Ms. Dee Hanson-Lugo was at the meeting. Ms. Nakagawa-Ota was unaware of what the Members were told at the Task Force meeting regarding the load check program during the pandemic. Mr. Hunter responded that the load checking changed, but the reports to the LEA did not indicate the change. The report noted zero on mostly everything for the last year. Mr. Hunter wanted to know when the load checking changed, who approved the change, and where it is in writing. Mr. Hunter understands why the change was done, but indicated there is no formal document of when and how the change was approved by the LEA and noted the difficulty to get someone to put it in writing, whether Republic or the LEA.

Mr. Chris Coyle of Republic wanted to clarify in the event he misspoke in a prior meeting that Republic's corporate office was not involved in the decision regarding the modification of the load checks, but rather it was a local process that went through discussions with the LEA. Mr. Hunter continued to share his concerns about not having the load check modification in writing. Mr. Hunter requested a copy of the data that Ms. Solomon presented. Mr. Ruiz stated that the staff report would be made available to everyone.

Odor Complaints

Mr. Vu Truong, staff to the Task Force, provided an update on the [odor complaints from the AQMD](#) for the month of June 2021.

- During the month of June 2021, 31 complaints were made to the AQMD hotline. Of those, 8 were classified as Trash, 1 was classified as Landfill Gas, the rest were listed as No Field Response and None, which meant the inspector visited the site and did not detect any odor.
- Compared to May 2021, the number of complaints received in June 2021 increased from 4 to 31 complaints.
- Compared to June 2020, the number of complaints for June 2021 increased from 20 to 31 complaints.
- As of July 6, 2021, AQMD issued zero NOVs related to odor for the month of June 2021.
- According to the AQMD report, the total number of complaints received during 2021 is 77.

Mr. Mohajer commented that at the Community Advisory Committee meeting he attended, the SCAQMD Inspector, Larry Israel, mentioned that there were a number of odor complaints that he was able to verify. However, no NOV was issued since he was short one verification. Mr. Coyle stated that Mr. Israel was able to identify 6 locations with odor. However, he was only able to speak with 5 of the residents. Therefore, there were only 5 verified odor complaints since he

could not speak to the 6th person and also tried talking to 3 or 4 more people to get to 6 odor complaints, but nobody was home.

Mr. Mohajer mentioned that he heard SCAQMD management has given the inspector authority to issue an NOV if they verify 5 out of 6 odor complaints. Mr. Mohajer suggested seeking clarification from Mr. Israel at the next Community Advisory Committee meeting.

V. DISCUSSION ON FINDING OF CONFORMANCE REPORTS

Staff did not receive any Finding of Conformance Reports for this reporting period, and an update will be provided at the next meeting. Mr. Mohajer requested, as a matter of policy, that a copy of staff reports continue to be provided to the Subcommittee.

VIII. PUBLIC COMMENTS

No comments.

IX. ADJOURNMENT

The meeting adjourned at 12:13 p.m. The next meeting is tentatively scheduled remotely for Thursday, August 19, 2021, at 11 a.m.