

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

Minutes for May 21, 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
Dave Nguyen, Los Angeles County Public Works
Nilda Gemeniano, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Gerald Ley, Los Angeles County Public Works
Omid Mazdidasni, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Chris Sheppard, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Elizabeth Zaragoza, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Ms. Betsey Landis called the meeting to order at 11:20 a.m.

II. APPROVAL OF FEBRUARY 20, 2020 MEETING MINUTES

A motion to approve the Minutes from the February 20, 2020, Subcommittee Meeting, as corrected, was made by Ms. Landis and seconded by Mr. Carlos Ruiz. Motion passed unanimously.

Ms. Landis stated Item No. IV, Countywide Integrated Waste Management Plan 5-Year Review Report, would move up on the Agenda due to staff having a tight schedule.

III. COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN 5-YEAR REVIEW REPORT (CIWMP)

Ms. Nilda Gemeniano, staff to the Task Force, provided an update on the CIWMP.

Staff received comments earlier this year and the comments were incorporated into the CIWMP. Staff is now requesting approval from FPRS to submit the CIWMP to the Task Force for their approval to forward to California Department of Resources Recycling and Recovery (CalRecycle).

Ms. Landis asked when the five-year timeframe began and when it ended. Ms. Gemeniano answered it began in 2014. Ms. Landis stated the CIWMP was not affected by the pandemic. Mr. Mohajer made a motion to recommend to the Task Force to approve the CIWMP. Mr. Ruiz seconded the motion. Motion passed unanimously.

IV. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Dave Nguyen, staff to the Task Force, provided an update on the Sunshine Canyon Landfill (SCL) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of April 2020 ([Link](#)).

- During the month of April 2020, 33 complaints were made to the AQMD hotline. Of those, 7 were classified as trash, 12 were classified as landfill gas, 2 were listed as No Field Response, and the rest were listed as none or odor from other source, which meant the inspector visited the site and did not detect any odor.
- As of May 5, 2020, AQMD did not issue any Notices of Violation (NOVs) related to odor for the month of April 2020.

- Compared to March 2020, the number of complaints received in April 2020 increased from 12 to 33 complaints.
- Compared to April 2019, the number of complaints for April 2020 increased from 12 to 33 complaints.
- According to the AQMD report, the total number of complaints received during 2020 is 91.

Emergency Waiver due to COVID-19

Mr. Michael Harmon, staff to the Task Force, provided an overview of the emergency waiver requested by Republic Services (Republic).

California Governor Gavin Newsom, in Executive Order N-25-20, proclaimed a State of Emergency on March 12, 2020, as a result of the COVID-19 emergency. On April 20, 2020, Republic submitted a request to the Sunshine Canyon Landfill Local Enforcement Agency (SCL-LEA) for a temporary Emergency Waiver of Standards in order to properly manage the waste stream generated during the State of Emergency.

The Landfill requested a waiver to allow an increase in daily and weekly tonnages as well as an increase in hours of operation in order to ease the burden of maintaining physical distancing while using less personnel per area to manage more waste. Republic also noted in their request that their existing Solid Waste Facility Permit, about not accepting medical waste, is still in effect.

On April 27, 2020, the SCL-LEA approved Republic's request for an Emergency Waiver of Standards. The SCL-LEA's approval provided the following findings:

- The waiver is in effect from April 20 to August 18, 2020.
- The daily tonnage limit is increased from 12,100 tons per day to 14,100 tons per day.
- The weekly tonnage limit is increased from 72,600 tons per week to 84,600 tons per week.
- The Landfill operating hours are increased from 6 a.m. to 9 p.m., Monday – Friday, to 6 a.m. to 11 p.m., Monday - Saturday. Hours for receipt of waste has not increased and remain the same.
- Within 90 days of the issuance of the waiver, the Landfill is to submit a report to the SCL-LEA in accordance with the California Code of Regulations Reporting Requirements.

The SCL-LEA may modify, cancel or revoke the use of the waiver without advanced notice if:

- The operator's use of the waiver will cause or contribute to a public health hazard or threaten the public health and safety or environment.
- The terms of the waiver are not being used expressly for COVID-19 pandemic.
- The emergency waiver is no longer necessary.

Mr. Harmon noted that, according to Republic, since the issuance of the waiver the Landfill there is only one instance where the landfill disposed over 12,100 tons of refuse on a single day. Also, the Landfill has not yet operated during the requested extended hours of operation.

Ms. Landis questioned why SCL would need special permissions when all the restaurants and workplaces were closed and what the increase in waste would consist of. She indicated that SCL may be taking in medical waste.

Ms. Shikari Nakagawa-Ota with Public Health indicated that she has spoken with the Program Manager of the SCL-LEA, Ms. Dee Hanson-Lugo, and reported the following:

- Solid waste facilities can request an emergency waiver from the LEA. The LEA will review and approve as needed and in concurrence with CalRecycle. SCL is not the only landfill requesting and being granted an emergency waiver from the LEA. The emergency waiver was given to SCL upon request as SCL-LEA found appropriate.
- The emergency waiver mechanism is very critical to California (e.g., Woolsey Fire), allowing solid waste facilities to be better equipped if there is additional waste due to an emergency.
- There is reported increases of residential waste. The County LEA does not oversee facilities that might take in medical waste. Thus, all Los Angeles County (County) landfills under the County LEA jurisdiction do not take in medical waste. However, some of the residential and commercial wastes can be deemed as affected by COVID-19. Health Officials have explained that asymptomatic persons can be carriers of the virus. Therefore, they must treat any waste that is generated from residential communities as such.
- Based on the guidelines provided by all the governmental agencies including California Occupational Safety and Health Administration (CALOSHA), Centers for Disease Control and Prevention, and state and local offices, as long as preventive measures are adhered to, landfills can carry on with their business as usual with social distancing, facial coverings, and everyone engaging in proper handwashing. If someone detects symptoms of COVID-19, there is a procedure to follow.

- With the increase of residential waste and result of the social distancing precautions, some transfer stations self-closed and therefore, a lot of waste went to landfills. Many transfer stations also reduced staffing and operating hours so they could continue waste processing while adhering to the COVID-19 measures. Similarly, landfills must also implement COVID-19 measures.

Mr. Mohajer commented that he asked Mr. Martins Aiyetiwa specifically about the daily disposal tonnages from January to May 13, 2020, but only received the total and not daily tonnages for January, February, and March. Mr. Mohajer is trying to understand what has happened since the waiver was issued by the LEA. He wants to know the daily intake disposal and daily intake recycling amounts prior to and after the variance was received by SCL.

Ms. Landis asked if Public Health has been to SCL to test everyone there for COVID-19 or have they gone to Granada Hills where residents complain often about the wind blowing odors. Mr. Mohajer further commented that the LEA and Public Health should have taken into consideration the impact on neighboring communities before making decisions on emergency waivers for public safety. He added that in looking at the list of other solid waste facilities that CalRecycle and individual LEAs have issued throughout California, SCL and Burbank Landfill extended their operating tonnage. As Bel-Art Transfer Station operated by Republic sends its material to SCL, Mr. Mohajer indicated that Public Health, as the Local Health Officer, should look into COVID-19 safety of transfer station workers and to make certain that contaminants are not going to SCL. Ms. Landis suggested that the FPRS should ask the Task Force to send a request to Public Health asking that they test for COVID-19 at SCL and Granada Hills and to take appropriate measures so people are not exposed to it.

Mr. Hunter of North Valley Coalition of Concerned Citizens (NVC) indicated that the emergency waivers are fine, but each individual landfill must be looked at as well as their respective communities and how they are affected. He referenced information submitted to the AQMD about the winds surrounding SCL and how the winds blow the odor into the neighborhood. Mr. Hunter stated that the LEA cannot simply approve a request for an emergency waiver without consideration of the community adjacent to the Landfills. He pointed out when somebody testing positive for COVID-19 is sequestered at home and disposing materials into an unidentified bag which will be torn up during the landfilling process at the landfill. He stated medical waste is going into the Landfill, but as regular waste. Mr. Hunter mentioned there is hardly any information mentioning on how to treat COVID-19 containing wastes properly, which is why the community brought up the issue about SCL accepting all the waste and now they want to extend the hours and tonnage in its [letter](#) dated May 4, 2020, from the NVC to the SCL-LEA.

Ms. Landis commented that she wrote a letter and disseminated it to the Task Force about a teleconference she attended and expressed her concern that OSHA says that the very highest exposure risk level comes from tasks that place workers in a risk category such as, shredding waste and organic treatments that would re-aerosolize a potentially infectious SARS and COVID to and from environmental services. She indicated that this virus is potentially very lethal and very active. As such, Public Health should set up a regimen of testing workers and nearby homeowners on a regular basis. Ms. Landis stated that Public Health should find out if COVID-19 can be spread through waste in landfills. Mr. Landis also expressed her concern over virus transmission and CalRecycle's pushing composting of food waste.

Ms. Landis requested that the Subcommittee support a motion to request the Task Force to send a letter to Public Health requesting a testing schedule for COVID-19 at SCL and at Granada Hills where there have been many complaints.

Ms. Nakagawa-Ota responded that very good points were made but requested modification to the motion to request Public Health to look into and identify what is necessary. She commented that she does not believe testing is necessary at this point because there are already safety and preventive guidelines that solid waste facilities must adhere to during the COVID-19 pandemic. She is not certain that testing is the appropriate action needed for SCL and the community. Currently, all health professionals and staff who are engaging in clinical testing are overloaded. The objective of the Governor's Order and the Health Officer's Order is to slow down the spread of the virus. Therefore, there are certain protocols that Public Health must adhere to. She commented that there are 10 other landfills in the County that are all in the same situation and each carries a risk of exposure to some level.

Ms. Landis said she is only talking about SCL and thinks data would be very useful to Public Health to find out the connection at SCL on the loads they are taking in and get regular checks on their staff to see if there is a continuing level of infection and to check the complainants.

Ms. Nakagawa-Ota stated that in a clinical setting, the method of testing will not determine the source of infection; if an individual contracted the virus with that waste or because of the wind carrying the virus. She continued by stating it is not a controlled setting because everyone goes home and family members may be exposed to other settings such as grocery shopping, making it very difficult to pinpoint where and how individuals contracted a virus.

Mr. Mohajer raised a question whether the increase in the daily tonnages require any action by Regional Planning, Board of Supervisors, and Los Angeles City Council. Mr. Aiyetiwa responded that staff looked at the CUP to see if the LEA's order conflicts with the County CUP and it does not which is why when SCL

submitted their application to the LEA, the County did not have any comment on it. Mr. Mohajer stated he disagreed with that interpretation.

Mr. Carlos Ruiz addressed Mr. Mohajer's concerns about the tonnages and CUP for SCL and indicated that staff would research and provide information by the next Subcommittee meeting. He commented that there are two issues raised which he believes are valid.

- The potential effects of COVID-19 on landfill operations, especially with the way disposal is conducted with the waste placed at the face of the Landfill and the potential of bags being crushed, and whether the virus may become airborne, impacting surrounding communities which may also be a concern at other landfills.
- Whether COVID-19 can survive in the food waste that would eventually be composted and if the composted material would be safe.

Mr. Ruiz also noted before the State engages in programs to implement Senate Bill 1383 (SB 1383), the state should be looking into the impact of COVID-19. Perhaps SB 1383 Regulations should be delayed until it is known how to handle COVID-19. Mr. Ruiz suggested that the Task Force express its concerns to Public Health and to CalRecycle, and letting Public Health experts to determine the best way to approach. Ms. Landis suggest including the California Department of Food and Agriculture because this agency put the limits on composting and whether it can be marketed and moved. She also suggested that there is a State Department of Public Health that should also be aware of the issues.

Ms. Landis made a motion to request the Task Force to send letters to CalRecycle, including the California Department of Food and Agriculture, California Department of Public Health, and County Public Health requesting information and stating the problems and inability to meet deadlines on organic recycling and the presence of COVID-19 virus at landfills. Mr. Ruiz seconded the motion. Motion passed unanimously.

Due to time constraint, there would be no update on SCL First Quarter Vegetation, Chiquita Canyon Landfill, and no discussion on FOC reports.

V. PUBLIC COMMENTS

No public comments.

VI. ADJOURNMENT

The meeting adjourned at 12:39 p.m. The next meeting is tentatively scheduled remotely on Thursday, June 18, 2020, at 11 a.m.