

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

Minutes for June 18, 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, rep by Martins Aiyetiwa, 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:

Chris Coyle, Republic Services
Dave Nguyen, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Omid Mazdidasni, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
David Thompson, private citizen with Chiquita Canyon Landfill – Community
Advisory Committee
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 11:25 a.m.

II. APPROVAL OF MAY 21, 2020 MEETING MINUTES

A motion to approve the Minutes from the May 21, 2020, Subcommittee Meeting was made by Mr. Mohajer and seconded by Ms. Landis. Motion passed unanimously. Mr. Mohajer requested Web Conference be noted on the approved May 21, 2020 Subcommittee Minutes since it was a virtual meeting.

III. 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 South Coast Air Quality Management District (AQMD) for the month of May 2020 ([Link](#)).

- During the month of May 2020, 98 complaints were made to the AQMD hotline. Of those, 31 were classified as trash, 17 were classified as landfill gas, 7 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.
- Compared to April 2020, the number of complaints received in May 2020 increased from 33 to 98 complaints.
- Compared to May of 2019, the number of complaints for May 2020 increased from 2 to 98 complaints.
- As of June 5, 2020, AQMD issued 2 Notices of Violation (NOVs) related to odor for the month of May 2020.
- According to the AQMD report, the total number of complaints received during 2020 is 189.

Mr. Wayde Hunter of the North Valley Coalition of Concerned Citizens reminded the Subcommittee of a letter forwarded to AQMD stating that there are associated problems with the increased tonnage and operating hours from the Emergency Waiver and that SCL needs to address the issue. Mr. Hunter also expressed his concern that AQMD went back to receiving three calls per hour (vs. one per hour) before odors are investigated which they had been doing for a while. Ms. Landis indicated that she understood the concerns and suggested the Subcommittee consider making a motion for the Task Force to send a letter to AQMD on this issue.

Mr. Mohajer asked if the community had sent a letter to AQMD regarding the change. Mr. Hunter responded it was not a letter but an email that was sent to

AQMD regarding their concerns under the auspices of the Sunshine Canyon Landfill – Community Advisory Committee (SCL-CAC), stating they just learned about the frequency change of inspectors going out after receiving three complaints within an hour instead of one complaint. Mr. Mohajer suggested if the Task Force does send a letter to the AQMD, the letter would note that the community has already expressed their concerns and that the Task Force agrees with the concerns about the change from one call to three calls per hour before an inspector investigates, and requests justification for the change.

Ms. Landis asked if the SCL-CAC had received a response from the AQMD. Mr. Hunter responded they had not. Discussion ensued. Mr. Mohajer then made a motion to send a letter, which served as a follow up letter to the email sent by the SCL-CAC, requesting a formal written response from the AQMD, with copies to each member of the AQMD Hearing Board. Mr. Aiyetiwa seconded the motion. Motion passed unanimously.

David Thompson, a private citizen and a member of the Chiquita Canyon Landfill – Community Advisory Committee, commented requesting instead of making the letter only about SCL, to also include all landfills. Ms. Landis agreed.

Emergency Waiver due to COVID-19

Mr. Michael Harmon, staff to the Task Force, provided an update on the SCL emergency waiver and the request made by the Subcommittee regarding the COVID-19 concern letters.

On April 27, 2020, the Local Enforcement Agency (LEA) approved Republic Services' (Republic) request for an Emergency Waiver of Standards. The waiver allowed an increase in daily and weekly tonnage limits and operational hours. According to Republic, since the issuance of the waiver, the landfill has disposed over the permitted 12,100 tons per day on one day and the landfill has not yet operated outside the extended hours of operation. As of June 11, 2020, the LEA has not modified, canceled or revoked the use of the waiver.

Additionally, at the last meeting the Subcommittee requested staff to review the facility's conditional use permit (CUP) regarding the LEA's issuance of the Emergency Waiver of Standards, and any other actions that may be needed. According to the CUP, Condition 21 C. states: "The Board may increase the maximum amounts of daily and weekly tonnage allowed by Condition No. 21 if, upon the joint recommendation by the County LEA and Public Works, the Board of Supervisors (Board) determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of public health and safety, or if there has been a declared disaster or national emergency." As requested by the Subcommittee, staff followed-up with Public Works on their position regarding the temporary emergency waiver issued by the LEA. According

to Public Works staff, the Emergency Waiver of Standards issued by the LEA does not conflict with the existing CUP.

Mr. Mohajer asked about his previous question on whether the Finding of Conformance (FOC) that was granted to the SCL would be impacted. He mentioned that the emergency waiver for SCL was issued by the SCL-LEA and not the County LEA. He stated that the FOC specifies certain amounts for disposal on a daily basis and a certain amount for recycling, but the waiver has combined everything for disposal, which is not consistent with the FOC specified numbers. He requested Staff to inquire with County Counsel as to the status of what the FOC requires and what is needed from the Board, SCL-LEA, County LEA. Mr. Mohajer's opinion is that County Counsel is going to say that it is okay. Mr. Aiyatiwa responded that Staff will investigate and report on its findings at the next Subcommittee meeting.

Ms. Landis commented that based on the odor report, she noticed a series of complaints around 7:30 p.m. Mr. Coyle, General Manager for SCL, commented that SCL does not accept waste past 6 p.m.

Ms. Landis asked Mr. Coyle if any of his staff has been tested for COVID-19 since the landfill is taking in material and it is not known if it is contaminated with the virus. Mr. Coyle responded that they do not test their staff and that staff would get tested themselves with their personal doctors. Ms. Landis asked if SCL is keeping a record of who has been tested. Mr. Coyle said there are current laws about private health information and added that they have to be very careful about sharing medical information. However, he stated that if employees let SCL know they have been tested, then the Landfill will keep records of it. Mr. Coyle further stated that SCL is following all rules provided by the County and City Health Departments and the State.

COVID-19 Concern Letters to Public Health and Other Agencies

Mr. Michael Harmon provided an update regarding concern letters. The Task Force motion was passed during last month's meetings to send a letter to the County Department of Public Health (County Public Health), including CalRecycle, Food and Agriculture, and the California Department of Public Health, to state concerns about meeting, and potentially delaying, the Organics Recycling and composting goals set forth by Senate Bill 1383 (SB 1383), and about investigating potential health risks and impacts due to the presence of COVID-19 in solid waste. The Task Force letter was sent to the County Public Health, who serves as the health officer of Los Angeles County, on June 17, 2020, with correspondence to all respective agencies and departments. An electronic copy of the Task Force letter was also sent via email to the Subcommittee and Task Force members on June 17, 2020.

Ms. Landis commented that it was an excellent letter. Ms. Shikari Nakagawa-Ota also complimented the letter composition. However, based on last month's discussion, she was under the impression that there would be multiple letters. One letter regarding the virus and the impact to the community and the workers at the landfills and addressed to the Department of Public Health; and another letter regarding the organic material to be addressed to Food and Agriculture. She continued that County Public Health is more specialized in clinical aspects of the virus, they do not have the expertise on green waste or composting. Therefore, the letter should have been addressed to Food and Agriculture. Ms. Landis responded that it was addressed to both because the Task Force is covering all basis and that there is a lot of information being gathered and the burden is not solely on County Public Health. Mr. Harmon commented that Staff drafted letters tailored to both CalRecycle and Food and Agriculture and those letters are being prepared to state the concerns of SB 1383 compliance and compost.

Mr. Mohajer commented that the purpose of the letter was to signify that the issues are complicated and that is why the Task Force is so concerned. The purpose of the letter was not directed to County Public Health to do something about composting. Ms. Landis stated that everybody that would have valuable knowledge should get a copy of the letter.

Update on Chiquita Canyon Landfill

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

Odor Complaints

The South Coast Air Quality Management District reported 12 odor complaints in January, 0 odor complaints in February, 3 odor complaints in March, and no NOVs were reported between January through March 2020.

Lawsuit Updates

Waste Connections, the operator of the CCL, filed two separate lawsuits against the County.

- The first lawsuit was filed on October 20, 2017, challenging 17 operational conditions, and 11 fee conditions of the CUP. The trial on the challenged conditions was previously set to take place on April 23, 2020. Due to COVID-19, the court continued the trial to June 22, 2020. At the previous Subcommittee meeting, the list of challenged conditions was provided to the Subcommittee Members at their request.

Note: the lawsuits are pending litigation and until they are settled or resolved, the Landfill Operator is under strict requirement to comply with all conditions as listed under the CUP and the Implementation and Monitoring Program.

- The second lawsuit challenged a decision by the hearing office upholding NOV issued by Regional Planning on December 11, 2017. The NOV was issued for the following:
 - A failure to heed a prohibition of treated auto shredder waste
 - A failure to post bilingual signs regarding unacceptable wastes
 - The landfill's non-payment of bridge and thoroughfare fees
 - A failure to pay fees for waste originating out of the area
- The trial in the second lawsuit was previously set for June 25, 2020. Due to COVID-19, the parties agreed to continue the trial on October 22, 2020.
- Environmental and Community Groups filed a California Environmental Quality Act (CEQA) lawsuit on August 24, 2017, alleging that the project Environmental Impact Report was inadequate and not in compliance with the 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

- The Department of Regional Planning issued four NOVs to Waste Connections on June 11, 2020, at the request of Public Works for the following items:
 - Condition 68: Community Air Monitoring Program
 - Condition 77: Relocation of the existing site entrance
 - Condition 79: Roadway improvement on Wolcott Avenue and State Route 126
 - Condition 113: Failure to provide information with respect to the gas to energy
- The operator has been given an opportunity to clear the violation within 30 days.

SCL First Quarter Vegetation Report

Before Mr. Harmon's report, Ms. Landis stated she reviewed the First Quarter Vegetation Report and expressed displeasure with the planned weeding schedule Republic developed. Ms. Landis commented that the frequency of weeding should be increased from once every four weeks to once a week. Ms. Landis further commented that this was the growing season for weeds and that grass is highly flammable. Mr. Harmon responded that the weeding schedule is based on the recommendation of the consultant, John Minch and Associates (JMA), and typically Republic is recommended to increase weeding frequency. Discussion ensued.

Ms. Landis noted that she has brought this up at several Vegetation Meetings. Mr. Harmon stated that Staff can respond directly to the upcoming report by Republic to be submitted in July.

Mr. Coyle commented that Republic has taken the recommendation of JMA and are weeding in accordance with their recommendation. Republic has also conducted Fire Department required weeding since the beginning of May and continue to do so even with an extension to July 1, 2020. Ms. Landis stated that she read the Vegetation Report and that Republic's manager stated being required to weed every four weeks. Ms. Landis reiterated that she believes it should be weeded every week. Mr. Coyle commented that they will continue to weed and maintain the areas according to permit conditions and thanked Ms. Landis for her inquiries.

FOC Reports

Due to time constraints, Ms. Landis mentioned receiving FOC reports and asked if anybody had a very urgent comment pertaining to the FOC reports that could be said in about five minutes. Mr. Mohajer stated he wanted to look at the waste characterization that SCL was unable to provide and would like the items at the next Subcommittee Meeting.

IV. PUBLIC COMMENTS

Ms. Landis noted that there were public comments earlier by Mr. Hunter.

V. ADJOURNMENT

The meeting adjourned at 12:42 p.m. The next meeting is tentatively scheduled remotely on Thursday, July 16, 2020, at 11 a.m.