

Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes for January 21, 2021

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, California

WEB CONFERENCE

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities
Jeff Farano, Institute of Scrap Recycling Industries
Gideon Kracov, Los Angeles County Disposal Association
Eddie De La Riva, League of California Cities-Los Angeles Division
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Jim Smith, City of Los Angeles, Los Angeles City Council 6th District

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Wayne Nastri, rep by Jack Cheng, South Coast Air Quality Management District
Robert Ferrante, rep by Sam Shammass, Sanitation Districts of Los Angeles County
Barbara Ferrer, rep by Shikari Nakagawa-Ota, Los Angeles County Public Health
Mark Pestrella, rep by Coby Skye, Los Angeles County Public Works
Enrique Zaldivar, rep by Reina Pereira, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Craig Beck, Long Beach Department of Energy
Michelle Chambers, California League of Cities-Los Angeles Division
Rafael Prieto, City of Los Angeles

OTHERS PRESENT:

Shari Afshari, Los Angeles County Public Works
Cheryl Auger
Elijah, Carder, Los Angeles County Public Works
Perla Gomez, Los Angeles County Public Works
Patrick Holland, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Gerald Ley, Los Angeles County Public Works
Primitivo Nunez, California Department of Resources Recycling and Recovery
Carol Oyola, Los Angeles County Public Works
Carlos Ruiz, Los Angeles County Public Works
Chris Sheppard, Los Angeles County Public Works
Kawsar Vazifdar, Los Angeles County Public Works
Jennifer Wallin, California Department of Resources Recycling and Recovery
Curtis Williams
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Meeting called to order at 1:01 p.m. by Ms. Clark. Ms. Margaret Clark welcomed newly appointed Task Force Member, Mr. Eddie De La Riva.

II. APPROVAL OF THE NOVEMBER 19, 2020 MINUTES

Ms. Betsey Landis made a motion to approve the minutes, as corrected, and Mr. Mike Mohajer seconded. Motion passed unanimously.

III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)

Mr. Christopher Sheppard, ATAS Chair, reported on a presentation at the December ATAS meeting by Anaergia and Waste Management (WM), which provided an overview of Anaergia's OREX technology at the WM transfer station in Sun Valley that processes municipal solid waste and source separated organics. Once processed, the wet fraction is sent to a bioenergy facility in Rialto, which digests the material into renewable natural gas (RNG) and fertilizer. At today's ATAS meeting, Ways2H gave a presentation on their gasification process that produces renewable hydrogen for fuel cells to generate electricity or for transportation fuel. They can process medical waste, plastics, and other solid waste into renewable hydrogen with net zero carbon footprint.

Tetra Technologies provided an update on the status of Conversion Technology (CT) processes and completed a fact sheet on Anaerobic Digestion (AD) that was distributed to the Task Force the day before.

An update on upcoming events was provided at the ATAS meeting:

- Verde Xchange 2021 – to be held virtually January 25 – 26, 2021.
- COMPOST 2021 – to be held virtually January 26 – 27, 2021.
- Virtual WASTECON – to be held virtually January 26 – 28, 2021.
- Zero Waste Symposium – to be held virtually February 9, 2021.
- CalRecycle Webinar on the Procurement Tool – to be held virtually February 9, 2021.
- CalRecycle Webinar on SB 1383 Q&A Regional and Statewide for the Los Angeles and Orange County Region – to be held virtually February 10, 2021.
- CalRecycle Webinar on Private Funding Resources – to be held virtually February 11, 2021.

- International Biomass Conference & Expo – to be held virtually March 15 - 17, 2021.
- SoCal Waste Management Forum Spring Conference – to be held virtually March 24, 2021.

Save the Date messages were sent to Task Force Members for the three CalRecycle events. Links for all events can be found on the CT Newsletter. All Task Force Members have been added to CT Newsletter listserv.

After Mr. Sheppard's ATAS update, Mr. Mike Mohajer recommended issuing Certificates of Appreciation to former Council Members Ms. Liz Reilly and Mr. Jack Hadjinian, and to Mr. Charles Tripp from the City of Long Beach for their years of service with the Task Force.

IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE (FPRS)

Ms. Landis, FPRS Chair, provided a report on the discussion at today's FPRS meeting:

- Sunshine Canyon Landfill (SCL) odor complaints - There was one Notice of Violation issued by AQMD for the month of December 2020 and the total complaints received by AQMD for 2020 is 580 odor complaints.
- Proposed soil importation at SCL – The request is still being reviewed by Public Works and the FPRS will know more about it next month.
- SCL Vegetation Report - Staff to write a letter to encourage SCL to continue revegetation activities and seeding.
- Chiquita Canyon Landfill (CCL) – The Subcommittee asked for copies of the Finding of Conformance and Conditional Use Permit for CCL. The Subcommittee wants to review CCL's compliance with FOC requirements.

Ms. Clark had to leave the meeting, so Ms. Landis resumed as Chair. Ms. Landis announced that Item IX, was being moved up on the Agenda.

Mr. Wayde Hunter with the North Valley Coalition of Concerned Citizens commented that the submitted SCL Vegetation Report does not specify time frame for some of the recommended measures and that specific timelines should be noted.

V. COVID-19 IMPACTS ON LA COUNTY JURISDICTIONS' SOLID WASTE COLLECTION AND RECYCLING/DIVERSION SERVICES

This Agenda Item was moved up from Item IX to V. Mr. Patrick Holland reported on the impact of the recent surge in COVID-19 related cases on waste collection and recycling activities in the unincorporated County areas. At the onset of the pandemic in March 2020, many material recovery facilities (MRF) temporarily closed. Due to MRFs being closed, several collection services requested temporary approval to collect all three waste streams which include trash, recyclables and green waste, in one truck. Public Works approved the requests. In June, operations resumed at all the MRFs and waste haulers were able to separately collect the three waste streams. Unfortunately, the COVID-19 infection numbers have drastically increased over the past couple of months and have resulted in many waste collection vehicle drivers and other employees being quarantined. Public Works is now approving collection of the three waste streams in one truck on a case-by-case basis and requests are being reviewed on a weekly basis. Currently, there are three companies approved to collect waste in one truck, which affects eight of the County's franchised areas and one garbage disposal district. Thus, less material is being diverted. Also, Public Works temporarily suspended household hazardous waste and electronic waste collection events, including events held at EDCO Signal Hill and AVECC in Palmdale. Bulky item collection and additional trash or green waste collection remain available. Other jurisdictions are also implementing changes to their waste collection as a result of the COVID-19 surge.

Ms. Landis commented that these changes are not corresponding with everything that is organic and must be separated and composted. She asked if landfills are receiving everything, including black and green cans. Mr. Holland responded that landfills will be receiving additional waste on a temporary basis in some areas. Because trash companies have been so impacted by COVID-19, many employees are out, and in an effort to have trash picked up on a routine basis, we are allowing some material to be comingled. Mr. Holland believes this practice may not align with Senate Bill 1383 (SB 1383) regulations but is temporary. Mr. Mohajer requested to see what other jurisdictions are doing and mentioned the confusion that residents may have pertaining to where to put their recyclables and green waste. Mr. Mohajer also brought up his concern about recyclables having COVID-19 contamination and suggested that County Public Health provide some type of outreach program to residents. Mr. Holland responded that staff is aware of some jurisdictions altering their programs with one week of green waste collection and the following week with recyclables collection. Public Works thought of doing the same but decided it may cause confusion to residents. Mr. Holland mentioned that outreach to communities is also difficult because it is not a uniform,

widespread message and is only for those haulers requesting the commingling of waste.

Mr. Gideon Kracov, representing the trade association of haulers and recyclers, thanked the County for its approach to the issues regarding waste collection, especially with the last six weeks being very difficult for waste haulers. Mr. Kracov also brought up the question addressed to CalRecycle in the middle of last year about whether the extra material going to the landfills would be considered disaster debris and recalled CalRecycle saying no. Instead, jurisdictions would have to submit disposal modification requests. He is hoping CalRecycle will be reasonable to the needs of jurisdictions. Mr. Coby Skye thanked Mr. Kracov for his feedback and stated it was very helpful to work with his association and its members and that very early in the pandemic, Public Works reached out to all the haulers to develop best practices to make certain that facilities and workers were protected. Discussion ensued about safety measures, suspended programs, and timelines.

VI. OVERVIEW OF BASEL CONVENTION

Mr. Sheppard provided an overview of the [Basel Convention Treaty](#). The Basel Convention Global Treaty was established in 1989 and was implemented in 1992. It created a legal framework for managing hazardous waste and other materials between countries. The United States is one of eight countries that have yet to sign the Treaty.

The Treaty requires that exports of certain wastes may only occur under specified guidelines to minimize transboundary movement of hazardous waste and promote self-sufficiency. There must be an agreement between the different countries for any waste that will be imported and exported between the countries. The Basel Convention Treaty was originally designed as a way to responsibly manage e-waste moving across international borders. However, the Treaty was recently amended to include provisions related to plastics due to stricter import requirements by China and other countries, concern of marine pollution by plastics, and the fact that the Treaty provided a readily established legal framework in order to control import and export. The amendments to the Treaty went into effect on January 1, 2021.

California is one the leading exporters of recyclables in the U.S. As a result, the export of plastics will become much more difficult and may affect California's ability to recycle.

In 2020, the destination of California plastic waste exports included Malaysia, Mexico, and Vietnam. The Task Force continues to voice its concerns regarding the challenges of plastic exports from California.

There has been an international response to plastics and to the Basel Convention. On January 1, 2021, Interpol began the tracking of waste exports. There has been renewed interest in the U.S. becoming a party of the Treaty, including California Assembly Joint Resolution 4, which urged the Biden Administration to ratify the Treaty. The Joint Resolution had 10 legislative co-sponsors, as well as a broad coalition of other sponsors, including Los Angeles County.

VII. LEGISLATIVE UPDATE

Mr. Sheppard provided an update on the [Legislative Table](#). The new two-year Legislative Session began in January 2021, of which there has already been about 500 bills being introduced, but mostly related to COVID-19 budget relief. Following are key dates:

- The Governor released his proposed budget for Fiscal Year 2122 on January 19, 2021, with climate change being a major focus.
- The Assembly Budget Committee is having a hearing regarding the Governor's budget on January 24, 2021.
- The last day for new bills to be introduced by each House is February 19, 2021.

The Governor's budget involves several environmental initiatives such as a cap and trade expenditure plan that includes \$1.37 billion, providing \$325 million in one-time support to community air protection programs and \$635 million in one-time funding to reduce emissions from the transportation sector. That particular item includes \$355 million for land-based carbon removals, which includes \$30 million in one-time funding for the Healthy Soils Grant Program and \$23 million in one-time funding for the Urban Forestry Program. To date, the trade expenditure plan does not include any funding to CalRecycle.

There was \$7.4 billion allocated to the Natural Resources Agency and 4.3 billion for programs managed by the California Environmental Protection Agency. The budget discussed the need to move the state towards the circular economy and implementing SB 1383. The main funding noted for CalRecycle was \$5 million from the beverage container recycling fund to develop pilot programs that expand the consumer redemption program for recycling centers for the Beverage Container Program.

There are a total of 11 bills on the Legislative Table and Staff recommended a watch position for the following two bills:

- SB 38 (Wieckowski) - Beverage container stewardship organization. Mr. Skye motioned to watch the bill and Ms. Landis seconded. Motion passed with one abstention.
- SB 54 (Allen, Stern, and Wiener) – solid waste disposal packaging and food ware reduction through source reduction, composting and recycling. Staff and Task Force will watch until more language is added to the bill.

Ms. Clark noted one bill on the legislative table that concerned her, AB 33 (Ting), which prohibits new public buildings from having natural gas connections. Ms. Clark commented that many cities are concerned with the push for electrification and motioned to oppose the bill. Ms. Landis seconded. Motion did not pass. Task Force members requested that staff provide more information at next month's Task Force Meeting.

VIII. UPDATE ON CALRECYCLE REPORT, "ANALYSIS OF THE PROGRESS TOWARD THE SB 1383"

Mr. Ruiz provided an update on the Analysis of the Progress toward the SB 1383 regulations. The Report was issued by CalRecycle, in consultation with the California Air Resources Board, and was released to the public for review in August 2020. The Report was presented to the Task Force in September 2020. The Report provided an opportunity to realistically assess the progress made towards the SB 1383 goals. However, the Report noted that CalRecycle could not conclude whether the timelines needed to be adjusted since the regulations were not effective until January 1, 2022. The Report also concluded that the regulations provided sufficient flexibility and compliance timelines before penalties are issued. The Task Force found that the Report did not adequately address critical deficiencies that exist and, therefore, would make it practically impossible for many jurisdictions to fully comply with SB 1383, including:

- Inadequate commitment of state funding for organic recycling infrastructure;
- The Report did not recognize the impact that CalRecycle's delay in developing the regulations will have on jurisdictions' ability to timely meet the extensive new regulatory requirements;
- The Report did not recognize the impact of COVID-19 pandemic on local governments' ability to fund expensive new programs; and
- Overreliance on composting and CalRecycle's inability to recognize the limitations of composting in reducing methane emissions.

In December 2020, CalRecycle released an updated Report that included an Addendum with all public comments received. Comments were also received from dozens of stakeholders, including local governments expressing concerns about feasibility and compliance by January 1, 2022 deadline. The concerns were similar to those of the Task Force, as noted in the September comment letter to CalRecycle, which included the following four key recommendations:

- The need to extend regulatory deadlines to provide greater flexibility for compliance with SB 1383 regulations;
- Recognizing local jurisdictions' good faith efforts;
- Providing funding for organics recycling infrastructure; and
- Providing flexibility in the use of technologies that can divert significant amount of organic waste from landfills.

No changes were made to the Report after response to the comments.

Ms. Clark commented that jurisdictions have a green waste can, a blue recyclables can, and a black can for trash and asked if CalRecycle will make them have a fourth can for food waste. Mr. Ruiz responded that his understanding is that CalRecycle provides different options for jurisdictions to consider. Discussion of source separation and diversion ensued.

A motion was made by Mr. Mike Mohajer to send a letter to CalRecycle requesting a written response to the Task Force's September 2020 comment letter. Ms. Landis seconded the motion. Motion passed with one abstention.

IX. AB 1583 STATEWIDE COMMISSION ON RECYCLING MARKETS AND CURBSIDE RECYCLING REPORT AND POLICIES UPDATE

Mr. Skye reported on [Assembly Bill 1583 \(AB 1583\) Statewide Commission](#). In 2019, Governor Newsom signed into law AB 1583, the California Recycling Market Development. The Statewide Commission was developed by AB 1583 with priorities to include developing California markets for processing and remanufacturing recycled materials, achieving SB 1383 targets, achieving the state policy goal of 75 percent reduction of solid waste, and definitions of what is recyclable or compostable. Statewide Commission meetings began last year with a very aggressive goal to develop policy recommendations in a report to the legislature by the end of 2020. In December 2020, the Commission submitted the report with 19 policy recommendations, including:

- Reducing the risk of fire and other hazards from discarded materials in curbside bins;
- Eliminating packaging that impedes recycling;
- Addressing market development; and
- Ensuring the recovery of materials does not cause other environmental impacts.

The Task Force submitted 10 recommendations for consideration by the Commission. Five of those recommendations align with the Commission's policy recommendations. The next steps are to develop a final report, including how the state will address CT and chemical recycling issues and whether it will be a state priority.

Mr. Kracov thanked Mr. Skye for his service on the Statewide Commission and asked him if any legislators are going to be picking up any of the interim recommendations for legislation this year. Mr. Skye responded the Commission is seeing a tremendous amount of interest in the Basel Convention. They are also hoping that some of the recommendations related to the bottle bill will be picked up as well. The Commission is seeing a number of different proposals related to that. Mr. Skye expects that there will be more legislation relating to the Commission's recommendations.

X. EPA/DTSC ACTION ON TREATED WOOD WASTE

Mr. Sheppard provided a [presentation](#) about recent action related to treated wood waste. There is a long legislative history related to treated wood waste going back to 2004. Alternative Management Standards were adopted for treated wood waste to allow such waste to not be handled as hazardous waste. The allowances were not permanent. Most recently, the standards were extended until December 31, 2020. Senate Bill 68 (SB 68) was to remove the sunset date and impose requirements for industry and DTSC to submit an inspection and compliance plan in 2022. SB 68 was vetoed by the Governor due to the funding requirements for DTSC and their current financial issues.

As of January 1, 2021, the Alternative Management Standards no longer apply, which means treated wood waste is considered hazardous waste. Facilities will no longer be able to collect treated wood waste without becoming a full hazardous waste facility. DTSC will grant variances on a case by case basis. A coalition letter was sent to Secretary Blumenfeld from a solid waste industry group and others, that the Task Force signed, outlining the issues and potential high costs. In Los Angeles County, 150,000 tons of wood waste is generated per year. Potential fixes are for DTSC to issue variances for facilities, reintroduce SB 68

while addressing the Governor's concerns, and urgency legislation requiring a two-thirds majority vote.

Mr. Mohajer commented that if the ultimate decision is to adopt legislation, it would require DTSC to fast-track the development of new regulations. This would take at least six additional months after the legislation is promulgated. Ms. Landis asked what was considered hazardous wood waste and if it was something being treated with chemicals or used to store poisonous chemicals. Mr. Sheppard responded it is essentially wood that has been treated with preservative chemicals to help with certain uses. For example, pressure treated wood used for decks and outdoor furniture that often have arsenic and chromium and other types of chemicals that preserve the wood. Ms. Landis also asked if a forest fire burned houses, if that would be considered hazardous waste. Mr. Skye answered yes. Ms. Landis commented there are tons of hazardous wood waste with no place to take it. Mr. Skye mentioned the County's private property debris removal program for the Woolsey Fire and, more recently, the Bobcat and Lake Fires. Since there is often ash from materials inside burned building and structures that could potentially be hazardous, the County created this program to make sure that ash is properly disposed. Ms. Landis asked Mr. Sheppard what the Task Force could do. Mr. Sheppard responded that the Task Force signed a SWIG Coalition letter and the Task Force could monitor legislation and other regulatory actions that are related. Staff will keep the Task Force apprised of any action and comment on the process.

XI. CALRECYCLE UPDATE

Mr. Primitivo Nuñez reported the following from CalRecycle:

- Published new web pages including a new homepage and documents of the final rulemaking package for SB 1383.
- Published web pages dedicated to collection procurement food recovery, as well as resources for jurisdiction food donors and food recovery organization organizations and services.
- Published SB 1383 frequently asked questions for collection, procurement, and food recovery.
- CalRecycle will have a regional webinar series in February covering collections, procurement, and edible food recovery requirements.
- CalRecycle will have a statewide webinar covering solid waste facility requirements and related questions.
- The application due date for Tire Derived Aggregate Grant Program for Fiscal Year 2020-2021 is January 27, 2021.

XII. PUBLIC COMMENT

None.

XIII. ADJOURNMENT

The meeting adjourned at 3:12 p.m. The next meeting is scheduled remotely on Thursday, February 18, 2021, at 1 p.m.