

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

October 19, 2023

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

SUBCOMMITTEE MEMBERS PRESENT:

Dorcas (Dee) Hanson-Lugo, County of Los Angeles Department of Public Health
Mike Mohajer, General Public Representative

OTHERS PRESENT:

Brenda Eels, Waste Connection
Bernadette Halverson, City of Los Angeles Bureau of Sanitation
Wayde Hunter, North Valley Coalition of Concerned Citizens
Larry Israel, South Coast Air Quality Management District
Kate Downey, Republic Services
Michael Stewart, Republic Services
Eugene Tseng, UCLA Solid Waste Program
Josephine Chen, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Darren Kwan, Los Angeles County Public Works
Karlo Manalo, Los Angeles County Public Works
Dave Nguyen, Los Angeles County Public Works
Gladys Rietze, Los Angeles County Public Works
Carol Saucillo, Los Angeles County Public Works
Coby Skye, Los Angeles County Public Works

I. CALL TO ORDER

Mr. Mike Mohajer called the meeting to order at 11:05 a.m.

II. APPROVAL OF MINUTES FROM THE SEPTEMBER 21, 2023, MEETING

Approval of the Minutes postponed until next month due to lack of quorum.

III. UPDATE ON CHIQUITA CANYON LANDFILL

Mr. Karlo Manalo, staff to the Task Force, provided the following update:

Odor Complaints and Notices of Violation (NOV)

The South Coast Air Quality Management District (AQMD) agreed to provide odor complaint and NOV data on a quarterly basis. Chiquita Canyon Landfill (CCL) was issued 18 NOVs in September 2023, 17 from AQMD, all of which were air quality-related, and 1 NOV from the Los Angeles County Local Enforcement Agency (LEA) for exceeding 5 percent by volume of methane in one of the perimeter probes at the Landfill, which adds to 77 NOVs for the calendar year as of September 30, 2023. A [map](#) was displayed to the Subcommittee with the location of the GP-13 Perimeter Probe located on the northwest portion of the Landfill.

Mr. Mohajer asked where the Post Office was located from the Landfill. Mr. Manalo responded it was on the easterly side of the Landfill, at approximately less than one mile from the field area.

Task Force Request for CCL to Submit a Report regarding NOVs Received

- CCL submitted their [Thirtieth Monthly Update](#) dated September 29, 2023. The update addressed the April 19, 2021, letter's requirements, and updates on implementation of Conditions 68 (status of air quality monitoring for surrounding communities), 77 (relocation of the site entrance from Henry Mayo Drive to Wolcott Drive), and 79 (schedule of the Street Improvement project), as well as the Stipulated Order for Abatement (SOA) from AQMD.
- CCL and Public Works (PW) continue to work on securing the permits required to begin construction on the new entrance along Wolcott Way.
- The Conditional Use Permit (CUP) modification application, which resulted from the settlement agreement between Los Angeles County (County) and CCL, was submitted to County Regional Planning (Regional Planning) for consideration, and currently not subject to public review.

- Odor-related NOVs issued by AQMD are due to an unexpected increase in production of landfill gas caused by a reaction within a portion of the Landfill's waste mass, which is producing a higher-than-normal level of Dimethyl Sulfide (DMS). Normal level of DMS at CCL is around six parts per million. As of August 2023, CCL reported that DMS had not been detected across the community and therefore, does not present a human health risk.
- The AQMD Hearing Board approved a Stipulated Order for Abatement (SOA) for CCL on September 6, 2023, which contained conditions designed to address and abate the current odor issues. As required by the SOA, along with ongoing mitigation measures, CCL started the following implementation:
 - Conducting odor surveillance twice a day at 32 locations in the surrounding communities conducted by a third part contractor.
 - Installed a Semi-Permanent Vapor Odor Control system and a perimeter odor control misting system.
 - Submitted the completed design for the geosynthetic over to AQMD.
 - Provided a link to CCL's webpage containing a list of up-to-date odor mitigation efforts by the Landfill.
- On September 28, 2023, CCL received AQMD's permit for a new flare to allow the Landfill to better control the increasing quantity of gas. CCL poured the foundation for the flare and will process promptly to install the flare.
- On September 29, 2023, PW issued the building permit for construction of the concrete pads as foundation for the new flare.
- PW, with other regulatory agencies, are collaboratively reviewing information provided by the Landfill Operator from their Condition 69 Report submittals, for odor mitigation, and are continuously working with the Landfill Operator to obtain additional information to further understand the odor issue for possible resolution and/or mitigation measures.
- In August 2023, the LEA requested CalRecycle to conduct a technical review of the ongoing odor incident at CCL. On October 6, 2023, CalRecycle completed their review and submitted a letter to the LEA outlining their findings and comprehensive recommendations to mitigate the odor issue.
- On [October 17, 2023](#), the Los Angeles County Board of Supervisors (Board) approved a Read-in Motion that specified a series of actions that must be completed immediately to bring relief to residents near the Landfill.
- On October 18, 2023, Supervisor Katherine Barger attended a press conference regarding the October 17, 2023, Board adopted Read-in Motion.

Mr. Mohajer asked if staff had reviewed CalRecycle's analysis on which Mr. Manalo informed that staff would review and share with the Subcommittee.

Mr. Mohajer reiterated his request from last month's Subcommittee meeting for staff to provide a tabulation table on CCL's status with SOA items and deadlines.

Mr. Manalo responded that staff requested the list of SOA items from the Landfill Operator and received the list yesterday. Staff also requested that the Landfill Operator include SOA items in future monthly updates.

Mr. Mohajer indicated that he hoped all the items requested and noted in the minutes would be provided, including the tabulation table, that he recommended staff expand to include other documentation that staff is aware of including from the Board, Los Angeles Regional Water Quality Control Board, County Regional Planning Board, etc.

Mr. Mohajer asked if staff had opened the links listed in the [Thirtieth Monthly Update](#). Mr. Manalo advised that there is a faulty link directed to CalRecycle's odor mitigation page and that staff had requested the Landfill Operator correct.

Mr. Mohajer asked if staff had heard anything from County Counsel regarding the issue he raised a few months ago regarding CCL's Privacy Notice on their website. Ms. Carol Saucillo responded there had been no update from County Counsel, and that staff continued to follow up.

Mr. Mohajer commented that the issue will be raised at today's Task Force meeting with County Counsel because of his concern about having to agree to CCL's Privacy Notice to review reports when he is not a customer, which makes him unable to open the links on their monthly update.

IV. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints and Notice of Violations

Ms. Gladys Rietze, staff to the Task Force, provided an [update on the odor complaints from the AQMD](#) for September 2023 at Sunshine Canyon Landfill (SCL):

- During the month of September 2023, 148 complaints were made to the AQMD hotline. Of those, 22 were listed as Trash, 30 were listed as No Field Response, 41 were classified as Landfill Gas, and 55 were classified as None, which meant the inspector visited the site and did not detect any odor.
- Compared to August 2023, the number of complaints received in September 2023, decreased from 264 to 148 complaints.
- Compared to September 2022, the number of complaints received in September 2023, increased from 85 to 148 complaints.
- As of September 2023, AQMD issued 4 NOVs related to odor for the month of September 2023 and there was a total of 44 NOVs for the year of 2023.
- Compared to the previous year, the number of NOVs increased from 12 to 44.

- As of September 2023, the total number of odor complaints received during 2023 is 1,248.

On June 1, 2023, AQMD sent a [response letter](#) to the Task Force that included an agreement between AQMD and SCL in which SCL committed to perform immediate odor mitigation measures south by AQMD to address the spike in odors impacting the community.

According to Republic Services (Republic), the recent increase in odor complaints was associated with impacts from heavy rainstorms and waste network issues that delayed disposal of trash sitting in transfer stations. Staff recommended that the Task Force follow up with AQMD on SCL's progress in implementing mitigation measures, which may include proposed protocols to cease operation during extreme weather events, as well as handling delayed loads at transfer stations.

Mr. Mohajer questioned if the Task Force could work with AQMD, considering PW does not process Task Force letters. He requested staff's recommendations in writing, specifically when staff recommending the Task Force to collaborate with AQMD.

Mr. Wayde Hunter with the North Valley Coalition of Concerned Citizen asked Ms. Kate Downey of Republic what the reason was for the 254 odor complaints, on which Ms. Downey informed that they were due to Hurricane Hillary that caused waste to be backup at the material recovery facilities (MRF).

Mr. Hunter stated that Republic manages six MRFs that deliver trash to the Landfill, so Republic is responsible for all the odors.

Mr. Larry Israel with AQMD commented that SCL agreed with AQMD's recommendations several months ago and that there had not been a real test on how wet weather will impact SCL, but progress was being made. He indicated there were still several violations issued the last week and half.

Mr. Mohajer commented that there had been no rain for at least two weeks, and he asked if there is anything the AQMD could suggest to SCL to reduce odor during wet weather.

Mr. Mohajer also asked the LEA the same question on which Ms. Dee Hanson-Lugo responded that the wet weather plan is currently being reviewed by the LEA and Mr. David Thompson of the LEA had comments that he wants SCL to address, with the hope that this coming winter SCL does not suffer the same impacts.

Mr. Mohajer asked if SCL closed during the January rainstorm. Ms. Hanson-Lugo answered that the Landfill was not closed during the rainstorm and that closing a landfill is not an easy task and must go through due process, which requires a series of events that must occur. She further added that typically, a Landfill Operator will close certain parts of a landfill during high wind events and will shut down on a voluntary basis.

Mr. Mohajer suggested that AQMD work with SCL to expedite the recommendations provided and asked Mr. Israel if he had the authority to direct SCL to implement the recommendations within the next 30 days. Mr. Israel responded that he would pass that information on to the appropriate AQMD staff.

Mr. Hunter responded to Ms. Hanson-Lugo's comment about not being able to simply shut down a landfill as he was not aware of any rules or regulations that prevents a landfill to shut down since they are a private business and can shut down at any time.

Mr. Hunter mentioned in SCL's wet weather plan that there is no mention of closing the landfill if it is warranted and/or that trash would be diverted to another facility. He also stated that Mr. Michael Stewart of Republic did not believe that was an option, which this option should be included in the wet weather plan so future managers for the landfill could be aware of the written protocol.

Mr. Mohajer commented that some landfills do shut down, but that it was not a general operation during wet weather. Mr. Mohajer further stated, that as far as he knew, this governing body did not have authority over wet weather, but the effort is for the community. Discussion ensued.

Task Force Letter to County Regional Planning regarding NOV Hearing

Mr. Michael Harmon, staff to the Task Force, provided the following update:

At the September 21, 2023, FPRS meeting, the Subcommittee notified SCL-LEA that the Customer Daily Summary Table of SCL's Monthly LEA Report had been modified. PW staff contacted SCL-LEA to confirm they agreed to the modification in the reporting format and to also request that CCL continue to report on gross tons received.

The LEA determined that both reporting formats that Republic had submitted in the monthly report fulfilled the Solid Waste Facility Permit (SWFP) and that the Clean Soil category is not required by the SWFP but rather, is beneficial information for the LEA. Although the LEA does not have grounds to force Republic to

discontinue the use of the new format, they did request Republic to resume the old format and is awaiting their response.

Mr. Mohajer asked if there was currently a request from LEA to Republic to continue with the previous format. Mr. Harmon replied yes. Mr. Mohajer asked if the new format by Republic was consistent with the format that the Task Force required in the Finding of Conformance (FOC). Mr. Mohajer requested that staff investigate what the FOC requires. Mr. Harmon confirmed that staff would review the FOC requirement and compare to the existing monthly report.

Status of NOV

Regional Planning issued a NOV to Republic for exceedance of daily tonnage at SCL on May 2, 2023. An appeal hearing took place on June 27, 2023, and due to a request for extension from the Landfill Operator, the hearing was rescheduled to November 7, 2023.

The Task Force voted to write a letter to Regional Planning requesting that they consider expediting the process. The decision to reach out directly to Regional Planning, in lieu of the letter, was previously discussed at last month's meeting and documented in the draft FPRS minutes.

On October 16, 2023, the Regional Planning issued a [Notice of Violation Rescission](#) issued on May 2, 2023, regarding exceedance of daily tonnage limits to Republic, which was e-mailed to the Task Force on October 18, 2023. In accordance with the rescission letter, PW requested Regional Planning to [rescind the NOV](#) without prejudice to the authority and discretion of the County to issue a new NOV based on the same or similar issues.

Mr. Mohajer commented that the Task Force received the two documents, and that the memo from PW to Regional Planning was not dated, nor did it indicate why the NOV was issued and what criteria was used to determine the justification for withdrawing the NOV.

Mr. Mohajer also asked when the NOV from Regional Planning was issued to Republic, what the justification was for the NOV issuance, and what the justification was for PW to request Regional Planning to rescind the NOV.

Mr. Mohajer stated that this was a critical legal issue that may subject the County to a lawsuit. He also stated that there were several requirements in the California Environmental Quality Act (CEQA) document that was prepared for the Landfill. He mentioned that there is a notice of overriding within the CEQA language

that gave the Board the authority to move forward with certifying the Environmental Impact Report. Therefore, in his view, the overriding may be violating CEQA.

Mr. Mohajer further stated that there are a number of requirements related to solid waste facilities under Section 40900 of the [Public Resources Code](#) (PRC) and read Subsection C. Mr. Mohajer asked if any portion of the PW memo satisfied the requirement noted in the PRC.

Mr. Mohajer also commented that the PW memo violated the CUP condition which was based on CEQA's limited tonnage of 12,100. He also noted the lack of community involvement in the recission process.

Mr. Mohajer brought up that SCL may be a potential site for docking materials from Pacoima Dam, which is about 5,000,000 tons. He wondered if all that was being done was based on a political basis.

Mr. Mohajer requested that PW staff provide the justifications and rationale of why PW recommended to Regional Planning to issue a NOV to SCL for exceeding daily tonnages, and then request that Regional Planning rescind the NOV.

V. DISCUSSION ON FINDING OF CONFORMANCE REPORTS

Due to time constraint. This item was postponed again to next month's Subcommittee meeting.

VI. PUBLIC COMMENTS

No public comment.

VII. ADJOURNMENT

The meeting adjourned at 12:21 p.m. The next meeting is tentatively scheduled for November 16, 2023, at 11 a.m.