

**SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE
CITY AND COUNTY OF LOS ANGELES, CALIFORNIA
MINUTES OF MEETING, Thursday, November 10, 2022
DRAFT Minutes [to be replaced by “Approved _[Month]_ _[date]_, 202_[year]_”]**

In conformity with the Governor’s Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, this meeting was conducted online and telephonically.

Members: Jeanette Capaldi (Vice-Chair), Laine Caspi (Secretary), Richard Fisk, Larry Fleck (Treasurer), Wayde Hunter (Chair & TAC Rep), Debbie Pietraszko (Parliamentarian), Keren Waters and Dr. Donna Zero.

A. Call to Order, Roll Call by Notetaker, and Approval of September 8, 2022, Minutes (Chair).

This meeting of the Sunshine Canyon Landfill Community Advisory Committee (SCL-CAC) was called to order at 3:00 p.m. on November 10, 2022 online by Chair Wayde Hunter. Roll Call was taken by the Note Taker. All eight of the eight Committee Members were present: Jeanette Capaldi, Laine Caspi, Richard Fisk, Larry Fleck, Wayde Hunter, Debbie Pietraszko, Keren Waters and Dr. Donna Zero. A quorum of at least five (there were eight) Committee Members was present. One Committee Member opening was available. Mr. Hunter indicated that Dr. Zero will resign after this meeting and that he has spent 1-1/2 months trying to get an LAUSD replacement for her. Landfill and government representatives present: BFI/Republic Services: none; SCAQMD (South Coast Air Quality Management District): Larry Israel and Jack Cheng; SCL-LEA (Sunshine Canyon Landfill - Local Enforcement Agency): Jose Gutierrez; L.A. County Public Health Dept.: none; L.A. County Public Works Dept.: David Nguyen; L.A. County Regional Planning Dept.: Edgar De La Torre and Diana Gonzalez; L.A. County Supervisor Sheila Kuehl’s Office: Blake Clayton; L.A. County Supervisor Kathryn Barger’s Office: none; L.A. City Councilman John Lee’s Office: Sharon Bronson; L.A. City Planning Dept.: Tim Fargo; and LAUSD District 3: none (Bill Piazza had resigned). Also attended: at least three residents and other guests. A Balance Sheet, Reconciliation Detail and other related SCL-CAC and Landfill documents were available at www.scl-cac.org and slides were shown.

MOTION (by Mr. Hunter, seconded by Mr. Fisk): the Sunshine Canyon Landfill – Community Advisory Committee approves the Minutes of its September 8, 2022 Meeting as amended. (Page 1, Item A “he” is Mr. Hunter, Page 2 the “he” is Mr. Hunter, Page 6 Item #C, “APCD” is Air Pollution Control District, Page 7 Item C. strike second “and wind”).

MOTION (by Mr. Hunter, seconded by Mr. Fisk): the Sunshine Canyon Landfill – Community Advisory Committee approves the Minutes of its September 8, 2022 Meeting as amended.

MOTION PASSED unanimously by a voice vote of the eight eligible voters present with all eight in favor (“Yes” or “Aye”) (Capaldi, Caspi, Fisk, Fleck, Hunter, Pietraszko, Waters and Zero); zero opposed; zero abstained.

B. Old Business: Discussion and Committee motions & possible action:

- Outstanding administrative matters (Chair/Vice Chair).
Mr. Hunter indicated that there were none.
- Treasurer’s Report, July 2022 – August 2022 – September 2022 – October 2022 (Treasurer). Mr. Hunter indicated that the July and August reports were accidentally left in the agenda and already had been approved. Mr. Fleck reviewed finances for September and October. The “Business Checking Account (for Expenses)” beginning balance on September 1st was \$7,786.44. Three checks were written on that account: \$180 for “PO Box #412,” \$141.17 for “scl-cac.org website hosting,” and \$210 for “May 2022 Minutes.” Total deductions were \$531.17; the ending balance was \$7,255.27 on October 21st. The “Business Savings Account (for Consultants)” beginning and ending balance was \$61,450.10 as interest was not available. The “Business Checking Account (for Consultants)” beginning and ending balances both were \$10,014.98. There again was \$100 in Petty Cash and \$682 in Other Assets. There was \$868.75 remaining on the ECORP contract. The total beginning balance for all accounts as of Sep. 1, 2022 was \$80,033.52; debits were \$531.17 and deposits were “not available”; the total ending balance for all accounts was \$79,502.35 as of Oct. 31, 2022 per Mr. Fleck and Mr. Hunter.

MOTION (by Ms. Capaldi, seconded by Ms. Waters): the Sunshine Canyon Landfill – Community Advisory Committee approves the September 2022 – October 2022 Treasurer’s Report as presented.

MOTION PASSED unanimously by a voice vote of the eight eligible voters present with all eight in favor (“Yes” or “Aye”) (Capaldi, Caspi, Fisk, Fleck, Hunter, Pietraszko, Waters and Zero); zero opposed; zero abstained.

C. New Business. Discussion and possible Committee motions & action to address the following:

- 1. Browning-Ferris Industries/Republic Services Inc. (BFI/Republic)** to report on any and all Sunshine Canyon Landfill daily activities, state of infrastructure/gas collection system, notable events, current and future disposal operations, including continuing efforts to abate odors.

Valorie Moore, Environmental Team Manager, BFI/Republic [24-hour Landfill hotline 818-779-9170; main 818-362-2124; Info@SunshineCanyonLandfill.com; <http://SunshineCanyonLandfill.com>], was not present. Mr. Hunter asked but no other representative was present and there was no report. He commented that “this was a first since 2009, and BFI/Republic has never missed an opportunity to represent, so either there is some sort of problem or there is nobody to do it. The reason for this meeting is to get a report from them.”

2. South Coast Air Quality Management District (SCAQMD) to report on odor complaints received and NOVs issued including any year-to-date charts, frequency of Inspector response to reports, and any other matters within their purview.

Larry Israel, Compliance Lead Inspector, SCAQMD [909-396-2370; LIsrael@aqmd.gov; www.aqmd.gov], reported that there were 85 complaints in September; 35 were verified and NOVs [Notices of Violation] were issued on September 22nd and 28th. In October, 61 complaints were made; 21 were verified and one NOV was issued on October 17th. So far in November there've been two complaints; one was verified. The September 22nd NOV noted 14 complaints verified 7:30 - 9:30 a.m., all sour rotting trash odors; wind conditions were from the northwest about 5 – 6 miles per hour (mph). Areas impacted were quite extensive with street locations from Golden Valley, Mission Tierra, Jimeno, Tennyson Place, Lissette Street, on both sides of the Van Gogh/Bee Canyon Park area. The September 28th NOV noted 10 complaints verified 6:50 - 7:40 a.m.; winds were calm, less than three mph. He detected sour, rotting trash odors in approximately the same (street) locations. What is different about the October 17th NOV is that it was verified in the morning. The majority of complaints were landfill gas-related in the evening hours after 9:30 p.m.; those were verified in the residential areas Mission Tierra, Canyon Ridge Drive, Golden Valley and Constable Avenues. Residential streets closest to the landfill were where landfill gas was detected. Wind conditions were fairly calm that night, only one to 1-1/2 mph out of the northwest. October 12th and October 18th they came very close to issuing more NOVs, so around then these issues were pretty prevalent. October 12th complaints were verified at Van Gogh Elementary School. The new Principal and one or more teachers had called, so this impacted Van Gogh. In 2022 so far they'd gotten about 595 complaints, the most since 2017, and issued 12 NOVs, also the most since 2017, which was at the time of the last Order for Abatement.

Mr. Hunter pointed out that "it was 64 odor complaints, and not 61, as reported by Mr. Israel, and 596 that the AQMD was showing for the total so far (this year), which surpasses everything. Their low was 2018 when it was 208 (complaints), and that is when they did all the work, and they have just continued to go back up again." Mike Mohajer, speaking "as a private citizen" representing himself, not any group, asked about the NOVs, what is the next step, and when will that step be initiated if the problem continues. Mr. Israel replied "I don't know if I can answer that directly. I investigate and write the reports and serve the violations." Mr. Mohajer said it only partially answered his question and wanted to know about the (AQMD) Hearing Board. Mr. Israel replied that the AQMD has had internal discussions but that he can't elaborate on that, and that he's not really the person to answer that. Mr. Israel did not agree with Mr. Mohajer when Mr. Mohajer said he thought NOVs just go in a drawer and are forgotten about if the NOVs are not pursued by the AQMD. Mr. Mohajer hoped it would be resolved and said the AQMD Hearing Board could issue a Notice (Order) of Abatement, because he saw the AQMD as being more proactive in addressing residents' concerns.

Mr. Cheng, AQMD Senior Enforcement Manager, explained that he was Mr. Israel's Manager, and that NOV's are handled by their legal department, not by the Office of Compliance & Enforcement. He said they observe the violation, issue the violation (citation), the violations are then written, and they pass them to their legal department, which handles the settlement process. They have tools that their legal department utilizes to get compliance or remedy the situation. There also are financial penalties. Those are some of the tools their legal department uses to settle some of the violations.

Mr. Hunter observed that "the AQMD regularly settles NOV's for around \$8,900 to \$9,000 per occurrence, so for Republic it is merely a cost of doing business and the NOV's aren't doing anything. He noted that the North Valley Coalition (NVC) wrote two letters to the Executive Officer requesting his help getting another Odor Abatement Hearing; Mr. Hunter said the response from their legal counsel would make you cry. He did not have the heart to show it to his fellow NVC Board members because to him it was so bad; the NVC is in the process of writing a third letter; the AQMD is not doing anything about odor complaints."

Mr. Hunter had said that Supervisor Sheila Kuehl's office had not attended CAC meetings; Mr. Clayton pointed out that he had "been here the past two meetings," and that he has "been sharing with her what takes place."

3. Sunshine Canyon Landfill-Local Enforcement Agency (SCL-LEA) to report on any SCL matters within their purview.

Jose Gutierrez (213-252-3348; Jose.Gutierrez@LACity.org), for Dave Thompson, SCL-LEA Program Manager [213-252-3932; David.Thompson@lacity.org; www.SCLLEA.org], reported that there've been no violations since the last meeting. The LEA Board will meet December 5th, and the SCL-LEA will notify the SCL-CAC when the date is finalized.. He said any other questions can be directed to Mr. Thompson or Dee Hanson-Lugo [DLugo@ph.LACounty.gov].

Mr. Hunter said that he understood that the LEA was not responsible for odor complaints, but that in the past, the LEA was successful in getting many changes that helped the landfill bring down those odor complaints in 2017-2018, and that he wanted to know if the LEA was going to raise the issue of assisting Republic come into compliance at the meeting. Mr. Gutierrez said that there is constant communication with the Landfill, and that he would bring the request up with Dave Thompson next week.

4. Los Angeles Unified School District (LAUSD): Review ECORP Consulting Inc., Data Review Report & Health Risk Assessment. Motion to accept report, and write letters specifically to the SCAQMD and the Los Angeles County Department of Public Health requesting that they review and consider the report findings that show fugitive landfill emissions contribute to the degradation of air quality (PM10) and elevated carcinogenic risks from on and off-road diesel mobile sources that would warrant the imposition of additional emission control strategies and

incorporate regulatory oversight under Rule 1402 and AB 2588 Air Toxics "Hot Spots" program, whereby health risk assessments are customarily prepared to evaluate community exposures. Send copies to the landfill operator, and other regulatory agencies that oversee the landfill's operations (LAUSD, SCL-TAC, SCL-LEA, City Planning, County Regional Planning, County Public Works, Facility & Plan Review Subcommittee County Integrated Solid Waste Task Force).

Mr. Hunter reminded those present that Mr. Bill Piazza had retired, and that his replacement, Mr. Andrew Modugno was not present. He went on to point out that Mr. Seth Myers and Mr. William Duval of ECORP had presented the draft report at the September 8th meeting, and that the Committee Members had received a draft (prior to the meeting) and that they had an opportunity to ask questions or if they had any issues. Further, that a final report was posted in their (current) document packages on the scl-cac.org website.

Ms. Capaldi asked if Van Gogh School knew that the Committee was working hard for them. Mr. Hunter responded that he was "not sure," that he was diplomatic in trying to get somebody from the School to represent them; a person changed their mind. He indicated that he has gone to all kinds of trouble; in 1-1/2 months he hasn't been able to get a meeting with the Principal. He feels like a persona non grata and doesn't understand why he can't get a meeting. He was going to make this report available to the School and give copies to the PTA because he thought they need to know the impacts that are going on and how hard the Committee has fought. As Mr. Israel pointed out, the AQMD actually had a call from the Principal and from one of the teachers regarding odors. Republic is there and they are going to continue to impact the school, and, Mr. Hunter said, it is just going to get worse.

Ms. Waters asked if Donna Zero had any recommendations, and that the Committee should contact LAUSD Board Member Scott Schmerelson [ofc. 818-654-3785; <http://achieve.lausd.net/schmerelson>] directly as he had been very responsive to Ms. Zero. Mr. Hunter reported that he was in contact with Mr. Schmerelson; Mr. Hunter had a candidate, Mr. Schmerelson appointed them but the person backed out the next day and left him (Mr. Hunter) hanging. Mr. Hunter said it was absolutely ridiculous. He will complain to Mr. Schmerelson's office that he can't get a meeting with the Principal of Van Gogh.

Ms. Zero stated that she "just wanted to point out that this Principal is brand new and started after the school year began. It could be that she is completely overwhelmed and doesn't want to get anything on to her plate at this point, and I can appreciate that because when I was a new Principal I was overwhelmed. But I suggested to Wayde that PTA President or maybe the Union Representative, because the Union has been very vocal about the landfill odors at the school. You can't force people to join things." Mr. Hunter said that he had sold the position, to make it easy because he understood the Committee; that there is a lot of documentation that comes out; while for him it is his lot in life to have to do this . . . he offered to moderate what the person was going to be receiving. Ms. Waters

asked if Mr. Hunter had considered attending a PTA Meeting and he replied that he had and that it was Plan B.

Mr. Hunter noted that Mr. Schmerelson was informed that the person had backed down and that he (Mr. Hunter) had worked with Mr. Schmerelson's staff and talked to them four days ago. Mr. Hunter reminded that "the requirement for the LAUSD is the appointment of somebody who is at Van Gogh, Robert Frost or El Oro Way Schools. We obviously prefer somebody from the school most impacted; Van Gogh gets it all the time while the other schools have only had an occasional problem..... ..preferably the Principal because that is as high as you can go. But we would take a teacher, a staff person, anybody; it is actually written into our by-laws, from those three schools and they have to work there.."

Mr. Fisk asked if anyone else had the same summary of the 92-page report about how monitoring and counting was done, and whether the Landfill has an impact on health. Mr. Hunter replied "yes, under 4.0 Conclusions" they make the statement. I kind of like the Executive Summary myself but there wasn't one, where you don't have to read all that documentation stuff and you get to the nitty-gritty, but they didn't have one, but they did under Conclusions say that. If you look under the Minutes (September) I really did cover it. Bill Piazza made a rather large statement about it preceding and following the presentation. The presentation obviously was a visual so it was kind of summarized, but I did put in some of the words that were spoken by Mr. Duval when he was making the presentation; the sense of what it was and how important it was to the person who represented the LAUSD as their person on this Committee there was an impact . . . There has to be a cover letter going along with it (the report) saying what our motion is saying and the reason why we want them to look at, and what we would basically like them to do."

MOTION (by Mr. Hunter, seconded by Ms. Pietraszko): the Sunshine Canyon Landfill – Community Advisory Committee accepts the Data Review Report & Health Risk Assessment and will write letters to the SCAQMD and the Los Angeles County Department of Public Health requesting that they review and consider the report findings that show fugitive landfill emissions contribute to the degradation of air quality (PM10) and elevated carcinogenic risks from on and off-road diesel mobile sources that would warrant the imposition of additional emission control strategies and incorporate regulatory oversight under Rule 1402 and AB 2588 Air Toxics "Hot Spots" program, whereby health risk assessments are customarily prepared to evaluate community exposures. Send copies to the landfill operator, and other regulatory agencies that oversee the landfill's operations (LAUSD, SCL-TAC, SCL-LEA, City Planning, County Regional Planning, County Public Works, Facility & Plan Review Subcommittee County Integrated Solid Waste Task Force).

MOTION PASSED unanimously by a voice vote of the eight eligible voters present with all eight in favor ("Yes" or "Aye") (Capaldi, Caspi, Fisk, Fleck, Hunter, Pietraszko, Waters and Zero); zero opposed; zero abstained.

5. County Public Works to report on any SCL matters within their purview.

David Nguyen, Civil Engineer, L.A. County Dept. of Public Works [626-458-5189; DNguyen@dpw.LACounty.gov; www.dpw.LACounty.gov], reported that BFI/Republic came into compliance after not having properly covered the Landfill and staff continue to monitor the continuation of that requirement. Mr. Hunter commented that Mr. Nguyen might be getting an email from the Cascades in Sylmar as they were upset with the trash odors and believed that Republic was not covering the landfill properly. Mr. Hunter reported that a letter was sent to Republic from CPW on September 30th regarding their Monthly Dust & Odor Report, and that CPW rejected it, saying that it is insufficient and that they CPW wanted new and updated information.

6. County Regional Planning Department to report on any SCL matters within their purview.

Edgar De La Torre, Zoning Enforcement Planner, L.A. County Regional Planning Dept. [213-974-6453; EDeLaTorre@planning.LACounty.gov; <http://planning.LACounty.gov>], reported that they continue monitoring the Landfill.

7. County Public Health Department to report on any SCL matters within their purview.

No representative was present; there was no report.

8. City Planning Department to report on SCL matters within their purview.

Tim Fargo, Planner, L.A. City Planning Dept. (818-374-9911; Tim.Fargo@LACity.org; www.planning.LACity.org), reported that Kristine Jegalian would no longer be attending these meetings; he or Claudia Rodriguez would attend. Also, "Republic is seeking a permit to import 1.5 million cubic yards of soil to develop a new berm near the entrance. I have been reviewing that against the EIR and we will be making a decision on that in the next week or two probably. So, this is for the new toe berm that will have waste deposited against it, near the entrance."

Mr. Fisk asked "who in the City or the County has San Fernando Road under their purview, and is there any way that they can rebuild that road? It is terrible to ride on as it has been destroyed by the weight of those (garbage) trucks and the heat." Mr. Fargo replied "that would be DOT or Engineering perhaps" and that would be something that he could personally handle. Ms. Bronson said that she would "look into that to see whose jurisdiction that is."

Mr. Hunter asked Mr. Fargo "is the same information (regarding the request for a permit to import 1.5 million cubic yards of soil) going to the County of Los Angeles/County Public Works? I know that the toe berm is on the City side, but

nevertheless, any grading and certain things like that should be going in front of County Public Works. Does County Public Works have that document, their application?" Mr. Nguyen stated that "no, they have not received any requests from Sunshine Canyon Landfill for 1.5 million tons (s/b cubic yards)." Mr. Hunter said "it is my recollection that we are talking about the importation of soil, and regardless, it is a City/County landfill. It is not a City landfill, and it is not a County (landfill), it is a City/County landfill. Therefore, it is my understanding that any grading, any importation of soil comes under the County as well. So, if they have made application to you (Mr. Fargo) they need to make application to County Public Works (Mr. Nguyen)." Mr. Fargo said "yes, we can discuss it with the County." Mr. Hunter said "I want to make sure you discuss it because I just didn't want to see the City just giving a blanket approval, and go ahead and import all your soil. What about the importation routes and all that stuff that impacts the communities around not just us but Sylmar . . . That is an awful lot of soil, and not only that we need to know what condition that soil is in, that testing is going on, et cetera. So, before you proceed, I would tell you to stop what you are doing right now, and get hold of the County Public Works and get this issue resolved because this is very important. I am serious about this. You have never heard me say this before at a meeting.... . David, are you the one they should be contacting?" Mr. Nguyen agreed that it would be him. He said "there is a Condition in the City/County CUP that requires that Sunshine Canyon Landfill obtain prior approval before they import any topsoil to the landfill. They do need to get approval from us first."

Committee Member Dr. Donna Zero left at this time (3:55), making seven Committee Members present (the SCL-CAC quorum is five).

Mr. Hunter requested that a copy of the documentation be provided to him and said that he needs "to see what the importation routes are, et cetera, and turn around and talk with these other communities. We need to know how much is being imported . . . at what rate they are importing it?"

- 9. Other persons representing the City, County or State** who wish to report any additional information or subject matter relating to SCL that is within their purview that has not been agendized for this meeting. If necessary, discussion and action will be agendized for another meeting.

Ms. Bronson said she had nothing to report but would follow up on Mr. Fisk's request. Mr. Hunter requested and she agreed to bring to Councilmember Lee's attention that the community is again having problems with Landfill trash odors, and that they are not getting better, they are getting worse. Mr. Clayton promised to bring concerns about the Landfill to Supervisor Kuehl's Office, to try to get County Public Health to attend, and to make sure that the Supervisor's successor staff is aware of and attends this meeting.

D. Committee Member and Public comments on items NOT on the Agenda.

Mr. Fisk relayed that Senator Bob Hertzberg said that, if he elected Supervisor, he will be looking for community leaders to staff his office. Ms. Waters will check Granada Hills North Neighborhood Council Meeting Minutes regarding whether Google has air monitoring systems operating in the area.

Mr. Hunter apologized once again to Mr. Clayton for Mr. Hunter saying that Supervisor Kuehl's office was not represented at past meetings. Guest Glenn Bailey commented that redistricting had caused problems and that Mr. Clayton had attended so many meetings in the Valley, possibly any past absences were due to that. He also commented that in the past he had recommended that the CAC contact the election candidates to brief them and was now recommending that the CAC contact the winner, especially if they are not from the Valley, to brief them on Landfill issues. Ms. Waters and Mr. Fisk thanked Mr. Clayton for his hard work on local issues and for attending meetings in the Valley.

- E. Set next meeting date** (January 12, 2023). Motion: Whereas meeting in person would continue to present imminent risks to the health or safety of attendees, and that State and/or local officials continue to impose or recommend measures to promote social distancing we approve the continued use of Zoom for our meetings. Adjourn at 5:00 p.m.

MOTION (by Mr. Hunter, seconded by Ms. Pietraszko): Whereas meeting in person would continue to present imminent risks to the health or safety of attendees, and that State and/or local officials continue to impose or recommend measures to promote social distancing, the Sunshine Canyon Landfill – Community Advisory Committee approves the continued use of Zoom for our meetings.

MOTION PASSED unanimously by a voice vote of the seven eligible voters present with all seven in favor (“Yes” or “Aye”) (Capaldi, Caspi, Fisk, Fleck, Hunter, Pietraszko and Waters); zero opposed; zero abstained.

Mr. Hunter said he wanted to give Browning-Ferris Industries/Republic Services another opportunity to present at this meeting. He added that he does not know who their new General Manager is and he doesn't know if Valerie Moore is even working there anymore. He said that, “in closing, only because I want to make a continuing record that Valerie had brought up under her report, that they had an employee that was accosted by a neighbor . . . We offered to post anything she liked, to work with her. Mr. Fisk was really concerned and made a number of suggestions. He provided contact information to the Neighborhood Watch meeting that was occurring in the area. Apparently, Valerie and the new General Manager turned up but did not raise the issue at all.” It was also reported that Landfill representatives' vehicles had no markings.

Mr. Fisk disagreed; that at the Neighborhood Watch meeting it was openly and briefly addressed with the group. Ms. Waters said that no harassment is acceptable

and suggested a mailer be sent to the local community, preferably at Republic's expense, or that there was something the CAC could do. Mr. Hunter commented that he was only repeating what he had been told had occurred, but that he was concerned that Valerie was not in attendance, that he was only providing a thread to another meeting, and that he had hoped that the issue would have been addressed at the Neighborhood Watch meeting.

MOTION to ADJOURN (by Ms. Waters, seconded by Ms. Capaldi).

MOTION PASSED unanimously by a voice vote of the seven eligible voters present with all seven in favor ("Yes" or "Aye") (Capaldi, Caspi, Fisk, Fleck, Hunter, Pietraszko and Waters); zero opposed; zero abstained.

The Meeting was **ADJOURNED** at 4:20 p.m.

F. Special Overtime Discussion of Budget, Banking & Financial Matters.

Mr. Hunter indicated that there was no more discussion.

Respectfully submitted,

David Levin, Note Taker (Minutes Writer). Edited by SCL-CAC. *The first paragraph of some Items, Motions/Resolutions and other wording may have been directly copied from the Agenda.* The SCL-CAC Meeting Minutes page is <http://scl-cac.org/agendas-minutes>.