

**SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE
CITY AND COUNTY OF LOS ANGELES
FINAL MINUTES OF MEETING
Thursday, September 1, 2011, 3 p.m.
Knollwood Country Club
12024 Balboa Boulevard, Granada Hills, CA 91344**

- A.** The meeting was called to order by Chair Becky Bendikson at 5:12 p.m.

The Roll was called by Agnes Lewis. **PRESENT: SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE members:** Becky Bendikson, Jeanette Capaldi, Gale Gundersen, Josh Jordahl, and Wayde Hunter. **Absent:** Mary Anna Kienholz, Larry Gray, and Joe Vitti. Quorum established with five members.

REPRESENTATIVES FROM THE CITY, COUNTY, AND REPUBLIC SERVICES:

SCL-LEA: David Thompson, Wayne Tsuda; SUPERVISOR ANTONOVICH'S OFFICE: Edel Viscarra; BFI/REPUBLIC SERVICES: David Cieply, Rafael Garcia, Jim Teter; SCAQMD: David Jones, Larry Israel; CD 12 OFFICE: Nicole Bernson; LAUSD District 3: Jennifer Brogin; LOS ANGELES COUNTY REGIONAL PLANNING: Gerry Villalobos; MEMBERS OF THE PUBLIC: Bill Hopkins (GHNNC), Agnes Lewis (GHNNC), Ralph Kroy (GHNNC), Cherie Mann, Anne Ziliak (GHNNC), Selena Goldman, Mike Mohajer, Roxie Deukmedjian, Carol Fultz, Chuck Alpern, Jo Alpern, Martin Levine, Adrian Saralon, Andy Shahinian, Salpy Segherian, Syke Michaels, Angie Yoo.

Ms. Bendikson thanked members of the public for attending. She asked all to sign in, but made it clear that the members of the public may remain anonymous if they so wish. She reported an ex parte communication with Messrs. Teter and Bartlett who requested a meeting with Ms. Bendikson. She had requested that Vice Chair Wayde Hunter attend the meeting as well to hear the plans Republic has for addressing the issues with the Sunshine Canyon Landfill.

B. Old Business:

1. Discussion of any outstanding administrative matters (Chair):

Ms. Bendikson asked for the treasurer's report while waiting for other members to arrive.

- 2. Treasurer's Report (Mr. Hunter):** The Treasurer's report was distributed before the start of the meeting. The balance in the operational account is \$32,411.05 (as of June 30). In the savings account, the balance is \$81,992.41 (as of July 31) and 78, 865.95 (as of August 26). Transactions for the last two months totaled \$3,548.50. There were no questions. Mr. Hunter reminded members that according to the MOU with Republic, the SCL-CAC should get \$6k on October 1, 2011 for the next year's administrative expenses plus \$20k in funds for consultant expenses.

- 3. Election of Officers** was held for the positions of Chair, Vice Chair, Treasurer, Secretary, and TAC Representative. **Nomination for Chair:** Ms. Bendikson (Capaldi/Hunter). There were no other nominations. **Elected 4-0-1. Nomination for Vice Chair:** Mr. Hunter (Hunter/Capaldi); **Elected 4-0-1. Nomination for Treasurer:** Ms. Keinholz had previously resigned the position. No nominations were made, and the election of this position was

deferred until the next meeting. **Nomination for Secretary:** Ms. Gundersen (Hunter/Capaldi); **Elected** 4-0-1. **Nomination for TAC Representative:** Mr. Jordahl (Capaldi/Hunter); **Elected** 3-0-2.

4. **Clarification from SCL-LEA (Mr. Wayne Tsuda):** He stated that he is Program Manager for the SCL-LEA, and asked to give a short clarification report before the formal report from the LEA. He had recently presented a letter to the CAC from the SCL-LEA, which was publicized by the Daily News. Mr. Tsuda said the LEA routinely collects samples around the perimeter of the landfill at 36 locations, from 15 to 100-feet down. The network of probes is what they use to determine whether underground gas is migrating offsite. This would indicate that the gas collection system might need repair. There were 12 violations (NOV) and 8 areas of concern (AOC) since January 1st, equaling roughly 1,000 readings. They do about 1,000 measurements a month. All 20 items have been corrected by the operator except for two wells from two months ago, at depths of 47 and 78-feet. The Daily News article indicated that once this is fixed, the odor problem will go away. But these items are not contributing much to this problem, and it is unlikely that resolving these violations will solve the larger issue of the odor. Mr. Tsuda distributed copies of the letter.

C. New Business:

1. **BFI/Republic Report: (Jim Teter, Director of Infrastructure Services)** SCL has sent flyers out to the neighborhood affected by the odor problems; a copy was made available to the SCL-CAC. Mr. Teter commented that 80% of the odor complaints come from three streets near the landfill. He briefly reviewed some of the history: Over the past five years there has been a major influx of trash into the north part of the City's portion of the landfill. In 2009 the City and County areas connected. A lot of gas came out at the time. In April, four million yards of dirt slid, and that took out 11 gas collection wells. They recognize that there is a major need to upgrade the gas collection systems. For example, 8-inch diameter pipe will be replaced with 24-inch; and 12-inch lines will likely become 35-inch lines; and the whole system will be proportionately upgraded. They had their own crew of 2 to 4 people working on this, but by now, there are a minimum of 20 people working on it, and up to as high as 24 people putting in 4 miles of new piping. Short term, this construction is making the problem worse, because when they drill the collection holes, the gas comes out and creates more odor. However, when the system is finished, it should collect most of the gas and not allow it to escape. In addition, there is a problem with flare #8, which is working at half capacity. It takes about 3 months to get a permit to replace it, plus another 6 months for the installation. The landfill gas collection operations and maintenance – they were doing it themselves but are now farming it out to a third party. They are putting a new apron, 10x10-feet around every wellhead; this is unique to the California landfills. There are 160 wellheads onsite.

Condition #52 of their Conditional Use Permit (CUP) requires them to do "beneficial gas collection," which they will do for DTE. Republic does not own the gas rights; DTE does. They will be adding another 3 or 4 flares as backup for gas problems. BFI is responsible for handling issues if DTE has a problem.

The CUP also authorized green waste to enhance the revegetation of the site. However, SCL has traced a musty, mildew smell to this green waste, which they would like to discontinue. They will continue to track odor complaints in this category.

The odor patrol is getting new equipment, which should arrive within 30 days. On the vegetation plan, Mr. Teter thinks that, in spite of spending a lot of money, the plan is just not working satisfactorily. Instead, they propose planting a small forest of poplars, which grow very fast; they should be around 35-feet tall in about three years. Their disadvantage is that they require a lot of water, but the landfill generates a lot of water, which it must use on-site, so there is a good match. Mr. Teter remarked that he is on-site every week, and offered free tours to anyone interested. He opened the floor to questions.

Mike Mohajer commented that he was here on his own, and that he was not representing any organizations. He stated that he had visited the landfill at Puente Hills, and they had determined that cutting the volume of trash was not the main issue for odor complaints.

There were a number of other questions and answers addressed by Mr. Teter regarding the dirt cover used at the end of every working day. Mr. Teter stated that the (weekly) dirt used to be removed when new material (trash) was to be placed, but now it is not removed.; the permit for the landfill runs until 2031, and covers 360 acres, of which about half is now in use; SCL has donated about 8,000 adjacent acres for other uses. Question: (Audience member) wanted to know what happens with the gas when there are no odor complaints. Answer (Mr. Teter) responded saying that it is monitored about 4 times a year, and there have never been any adverse conditions noted.

Mr. Mohajer offered the following information; that decomposition used to take about 5 years, but since the advent of recycling, that it has accelerated to about 6 months; no one understands the process fully. He also questioned Mr. Teter why trenches were 60-feet apart at SCL, and why could they not be 30-feet apart as at Puente Hills? There was a heated discussion between Messrs. Mohajer and Teter at this point, on the spacing of trenches and whether they were 60-feet apart horizontally or vertically, and how that compares to Puente Hills. Mr. Teter said Puente Hills had told him that changing the volume of trash made little difference in their odor problems. Further discussion revolved around the (daily) 9-inch dirt cover. An audience member thought that it reduces odor but financially hurts SCL versus using a tarp. The discussion that followed became heated at times. Audience members accused SCL of causing the odor problems, by worsening the conditions for gas collection. Another audience member commented that he heard the landfill is built "on top of water", and that there is no such thing as a "no-leak" landfill. He (audience member) is concerned that the odors show a possibly bigger problem, and that there could be bad leaks harming the water supply for 19 million people.

Mr. Hunter clarified some previous statements; the Los Angeles reservoir is unlined, and it is post-treatment water. Dust and bird droppings can get in the water. If any leachate gets

out of the landfill, that could also impact the water. The County side used a single liner (system), which leaked after only six years. Now there is a double liner (the City side, new County areas, and bridge area), which should last for 50 years. The old City part is unlined. Next year the water (at the reservoir) will be covered with plastic balls, 78 million of them. Including the MWD and LADWP this water does serve 19 million people,. By 2020, there will be two brand new reservoirs, and the current one will be taken out of service. The SCL is close to the reservoir, but not "on top of" the water.

Question: (Audience member) What is the impact of earthquakes in this seismic area?

Answer: (Mr. Teter) _____ inaudible _____, and he also talked about replacing old gas wells.

Question: (Audience member) What danger is there for people who live in the area?

Answer: (Mr. Teter) He replied that all these issues had been dealt with 20 years ago when the Conditional Use Permit was issued. That is why there is a double lining in the landfill.

Question: (Audience member) Is anyone tracking health issues in the areas adjacent to the dump? Answer: (Mr Teter) The landfill is required to conduct periodic health surveys. Issues are the same in this community as in nearby ones.

Question: (Audience member) Requested a clarification of Mr. Tsuda's (LEA) comments made earlier in his report that "wells won't help". Answer: (Mr. Tsuda) The LEA is not saying that it won't help the issue. The violations at perimeter probes will be corrected, and the readings brought to zero; it is relatively easy to fix, but it will not eliminate the odor problem. They (LEA) are more and more convinced that the big problem is that of gas collection.

Comment from another audience member, that he has lived at his current address for 20 years, but only began to notice odor problems about two years ago. He also smells it at night and on weekends, which does not make sense to him. Answer: SCL doesn't understand it either; they think off-hours odors are tied to gas well construction.

2. **SCAQMD Report:** Mr. Israel, Compliance Inspector: In July, SCAQMD had 38 complaints, a lot of them in the evening hours. There was a variety of descriptions: garbage, trash, etc. In August, complaints spiked to one hundred and thirty-eight (138); one at 5:20 a.m., and the others in the evening hours. They issued two Notices of Violation (NOVs). On August 1st, verified 13, on August 23rd verified 10, and issued NOV's for public nuisance. In July he visited the area every week, and in August almost daily. There was a full annual compliance inspection done last week, which found no serious violations. There were two surveys done back-to-back on 8/3/11 and 8/5/11 on the County side, and an additional one the week after on the City side. They found several surface emissions, but they were all next to repairs being conducted. The types of odors being reported are all over the place: from "landfill gas" to "sweet" to "trashy". They are trying to be as proactive as possible. He has been out more times this summer than ever before, and he has smelled a sweet rotting odor, which he ascribes to landfill gas. They do not routinely do surveillance of every street, but this year they have received complaints almost daily. They can respond fairly quickly, because they

realize that odors can be highly transient. They have noticed nighttime odor complaints near Lisette and Balboa, on top of the hill, and they no longer smell it down by the school. They also have complaints from the east side of Balboa, near Woodley, north of the golf course. They have eliminated every other possible source for those odors. There are other sources (in the area) that compost green waste; one of them belongs to the City Bureau of Sanitation and is located southeast of the landfill. Another is located north of Blucher. They did not detect odors coming from them. They are also receiving some complaints from Stevenson Ranch, five miles north (sic) (s/b east) of the landfill; so complaints are coming from all points of the compass. Before, odors were coming primarily from the working face, but that was no longer true in July and August; those were likely landfill gas.

Question (Audience member): What about "really toxic odors" late at night, like burning rubber. Answer (Mr. Israel): they found the complaint, made on a Sunday evening. That has not yet been followed up.

David Jones, SCAQMD gave additional information: At the last meeting, they were asked why there were no fines were issued when there are many NOVs? These are under consideration by their legal officer, who will be at the next meeting of the CAC. August tied for the 4th highest month in terms of number of complaints. This is probably caused by the installation of new wells, but it has to be done because the old system is inadequate to collect the amount of gas emitted.

Question (Audience member): What kind of legal teeth does the AQMD have? Why not just shut down the landfill because of the complaints and the NOVs? Answer (Mr. Jones): The NOVs are sent to the SCAQMD's legal division, where there are four choices: to void them; to settle with the operator; to bring a civil suit; or to forward for criminal prosecution. They can also go to a district hearing board to provide relief. Hearing boards are usually reluctant to shut down businesses; it's rare. To expect that is probably unrealistic. This landfill takes trash from a big part of the City. Instead, all parties are looking to find a solution, and he is optimistic that one will be found.

Comment (Audience member): At the County level, the Board of Supervisors of the County eventually decides; they also appoint the people at the AQMD. They are unlikely to shut down the landfill. The City Attorney's office is looking at the possibility of criminal prosecution. These are a different set of people, not connected to the enforcement agencies.

The discussion got quite heated again at this point, with several audience members speaking at once and the CAC Chair trying to impose order. The general tone of the audience was angry. One audience member accused the AQMD of "knowing that there is damage to the neighborhood but not doing anything about it for the last 20 years". Mr. Hunter intervened, and said that, though he has been unusually quiet, it is now necessary to get to the rest of the reports. He stated that we only have two hours every two months. He

asked audience members to speak instead to the various representatives of City and County agencies after the meeting.

3. **SCL-LEA Report:** David Thompson: There were two violations in July and August, at perimeter probes #231 and #214, on the north side of the landfill. Gas readings were on the order of 7, 11, and 8%, well above the regulatory limit of 5%. When a problem is found, the operator has the obligation to provide a plan to address it. There is a plan to put in additional wells connected to one of the probes, but not the other one. They (BFI) will be required to submit a revised plan. This will be approved by the LEA, and the State agencies. These are deep probes, 77-feet under the surface. On August 26th, they did two surveys looking for trash and odors between the hours of 6 am and 6 pm. On August 26th, they noticed odors on Mission Tierra and Timber Ridge, two streets adjacent to the landfill. They notified AQMD. There is progress in beefing up the description of odors; they would like to have something that would stand up in court. This is in the pilot stages. The SCL-LEA wants information to be very open, so relevant documents, including official submittal of plans, are available on their website, at www.SCLLEA.org. He acknowledges receiving a letter from the offices of Congressman Brad Sherman on the landfill problems.

Question (Ms. Capaldi): Will they install machinery to automatically detect odors?

Answer (Mr. Thompson): the information gathered by machinery is about weather, wind direction, wind speed, humidity, and other factors that could be correlated to the odors; but there is no machinery to detect the odors themselves. People use respirators to neutralize their own senses before smelling for reported odors.

4. **City and County Planning Departments Report:** Iris Chi from Los Angeles County reported that they hired third party mitigation consultants, who will be reporting quarterly, in addition to the operator. This will be a fresh set of eyes and noses to advise us on these problems. The website www.planning.lacounty.gov has information on the SCL project. Questions may be emailed to her at ichi@planning.lacounty.gov.
5. **Other persons representing City, County, or State:** None responded.

- D. **Public Comment:** Question (Cherie Mann): Why are they planting poplars? There were more than 3,000 oaks destroyed by the landfill. Poplars are not native to the area. Answer: The plantings are 2 to 1 oaks. They need to use up water on-site (a condition of their permit), and so the poplars will use up the water. They are native to California, fast growing but relatively short-lived.

Question (Mike Mohajer): He wanted to make clear that he is here as a private citizen representing solely his own views. He wanted clarification on the report of June 24th to the SCAQMD, where SCL said that soil cover is not industry practice. He wants information to corroborate that. Answer: Site engineers will report on that next week.

Question (Audience member) to any of SCL, AQMD, and LEA: Is there a "hard stop" date on odors? When will this long and frustrating process stop? Answer (Mr. Jones, AQMD): There is no "hard stop" date. The AQMD cannot promise a shutdown; they don't have the

power for that. However, he thinks that if the problem persists for another 6 months, the district will take dramatic action. (Mr. Teter, SCL): The major construction on the new gas lines will be completed by October 26th, and the 36-inch line by the end of the year. They (BFI) think the replacement flares will help.

Question (Audience member) for the LEA: Can they withdraw the Conditional Use Permit if the odors persist or can the EPA shut them down? Answer (Mr. Tsuda): The permit is issued by the State, County, and City, not the LEA, so they do not have power to rescind it. The EPA likewise did not issue the permit and cannot revoke it.

Mr. Teter (SCL) corrected and amplified his own earlier comment: the horizontal trench distance at SCL is the same as at Puente Hills. Comment (Mr. Hunter): Puente Hills processes 13,100 tons of trash, much more than SCL, yet they only have 5 or 6 odor complaints a month.

The CAC formal meeting adjourned at 5:10.p.m. Members of agencies were released from attendance, and invited to stay along with any members of the public if they wished. The Committee's special budgetary meeting was expected to reconvene at 5:30 p.m.

E. Special Budget Meeting convened at 5:28 p.m.

Mr. Hunter reported that minor adjustments need to be made between accounts to correctly classify earlier checks issued. On the issue of developing a website for the CAC, he has hired Aaron DeVandry, well known for developing many websites for Neighborhood Councils. He has started the work. The purchase of the copier is in limbo, largely because there is no convenient place to keep it. Copying costs are running about \$150 per month. There was a discussion about potential places for the copier, without a final resolution.

On the topic of aerial photographs, Mr. Hunter stated that he had received the invoice for review yesterday. The cost was approximately \$3,600, as discussed in previous meetings. The CAC has the copyright, and has a DVD that will make it possible to look at the detail. For example by zooming in on parts of the landfill. The CAC will also supply a copy to the LEA.

Ms. Bendikson reported that the County appointments to the CAC are: Jeanetty Cajpaldi, Larry Gray, Wayde Hunter and Josh Jordahl. The City appointments to the CAC are Maria Armoudian (replacing Mr. Hemming), Becky Bendikson, Mary Anna Kienholz, and Joe Vitti. The LAUSD appointment is Gale Gundersen.

There was a very brief discussion about the unruly crowd that had attended the full meeting due to several Committee members concerns. Neighbors are getting angrier as the problems persist and worsen, and with no solution in sight. No action was taken as this was not an agendized financial consideration.

F. Adjournment at 5:50 pm.

Minutes by Agnes Lewis. Approved by Committee with no amendments November 3, 2011