

**SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE
CITY AND COUNTY OF LOS ANGELES
MINUTES OF MEETING
Thursday, January 5, 2012, 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 3:04 p.m.

Roll call was called by Agnes Lewis.

PRESENT: SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE

members: Maria Armoudian, Becky Bendikson, Jeanette Capaldi, Wayne Hunter, Josh Jordahl, Mary Anna Kienholz.

Absent: Gale Gundersen, Joe Vitti. Quorum established with six.

REPRESENTATIVES FROM THE CITY, COUNTY, AND REPUBLIC SERVICES:

SCL-LEA: David Thompson, Gerry Villalobos, Cindy Chen; SUPERVISOR ANTONOVICH'S OFFICE: Jarred Degonia; BFI/REPUBLIC SERVICES: David Cieply, Anthony Bertrand; SCAQMD: David Jones, Larry Israel, Jill Wynot.; CD 12 OFFICE: Nicole Bernson; LAUSD District 3: None Present; LOS ANGELES COUNTY REGIONAL PLANNING: Iris Chi; LOS ANGELES CITY PLANNING: Ly Lam;

MEMBERS OF THE PUBLIC: Ralph Kroy (GHNNC), Mike Mohajer, Joyce Edelman, Cherie Mann, Anne Ziliak (GHNNC), PR (undecipherable), Yelena Goldman, Kim Thompson (GHNNC), Salpy Sagherian, Skye Michaels.

Ms. Bendikson thanked the 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.

November 3, 2011 minutes were approved with minor changes.

B. Old Business:

1. **Discussion of any outstanding administrative matters (Chair):** The funds due the SCL-CAC were received from Sunshine Canyon Landfill for this year.
2. **Treasurer's Report (Mr. Jordahl):** The Treasurer's report was distributed before the start of the meeting. Mr. Jordahl summarized the information as of 12/31/2011: The consultant checking account balance was \$4,151.61. The checking account balance was \$7,326.99. The savings account balance was \$89,354.96. Petty Cash was \$100. The total amount of funds was \$100,933.56. The report was accepted unanimously.

C. New Business:

1. **BFI/Republic Report: (Mr. Cieply)** He stated that a lot has happened since November 2011. At a hearing on December 3, 2011, there were stipulated changes to the Order of Abatement for Odors and he provided an update on what has been done since then: They submitted the master plan and started to implement it; submitted the plan on the gas collection system; started on the trenching and installations of the vertical wells and horizontal collectors. To date, they have completed 22 wells. They will send a report on the gas collection system evaluation, by January 15, 2012. The damage prevention work plan

will be submitted by January 15th as well. Phase 1 and Phase 2 of installing the gas header line have been completed. Phase 3 designs are being addressed. They have submitted a plan to minimize odors and have started to implement it. They will meet the January 6, 2012 deadline to amend the Odor Plan from last June (2011). They began the environmental monitoring before the hearing, and it will be ongoing. They have set in motion the monitoring of slopes greater than 30 degrees. The Topo map will be completed by January 6, 2012. They submitted the names of corrective action managers and their qualifications to SCAQMD on December 16, 2011 and received a rebuttal, which they addressed, and are now awaiting a further reply. Also submitted names and qualifications for the Environmental Monitor on December 30, 2011 and are awaiting approval. They are aggressively pursuing the other few items on the Order of Abatement for Odors, and are looking forward to 2012 to achieve zero complaints.

Question (Mr. Hunter): What was the nature of the rebuttal? Answer (Mr. Cieply): It had to do with the background of the two solid candidates submitted. They addressed the issue and sent more information on their qualifications, plus presented a third candidate.

Question (Ms. Armoudian): What is the timeline? When can the community expect some improvement and detect that odors are improving? Is there a way to expedite things? Answer (Mr. Cieply): as I said at the hearing, they can't guarantee a specific date. They believe the temporary flare will help, but it will be only when the permanent flare is installed by February 17, 2012 that they will have the capacity to collect all the gas. Meanwhile they are doing all the monitoring and aggressively and continually pursuing all that is not gas related. They strongly believe they need the flare, and it isn't possible to expedite it until the flare is in place. The temporary flare is the expedited solution, and that is 5-6 days ahead of schedule. Comment (Ms. Wynot, AQMD): This has been as fast-tracked as possible; it's a priority.

Question (Ms. Kienholz): If the odors are caused by gas, why does it smell like trash? Answer (Mr. Cieply): It's a matter of perception. They are confident a very large part of them is due to gas. Also, they are not ignoring the rest – in the plan to be submitted January 6, 2012, we will see that there will be an exhaustive effort on everything else as well.

Question (Mr. Kroy, audience): Will the public have access to the computer modeling information? Answer (Mr. Cieply): Once it's submitted and approved by AQMD, the information can be made available, but maybe not the raw computer information. (Mr. Bratton): Probably can come to the next meeting with the information, and help interpret it.

Question (Mr. Michaels, audience): The hearing didn't really address the trash smells that aren't trash. What can be done? Answer (Mr. Bratton): The plan will show extensive detail on how to mitigate the trash smells. SCL is committed to solving this, and things are definitely not at a standstill. (Mr. Cieply): This will be addressed in the plan, but he doesn't want to say more until AQMD sees it.

Question (Ms. Mann, audience): Are they still doing the daily cover? And she understands that there was a load containing iodine – was it toxic? Answer (Mr. Villalobos): Every load gets screened for low-level radiation. If any is detected, it goes through a secondary screening. Typically, the problem is iodine 131, which is common in cancer treatment. Fortunately, its half-life is 8 days. It is set aside, and stops being radioactive in a couple of weeks.

Question (Ms. Ziliak, audience): She thought they were going to have a misting system in the truck area? There is a distinct difference between gas odors and trash odors, and she can detect them when driving by. Answer (Mr. Cieply): They have increased the length of the misting system. They typically are on during operating hours, at least 12 hours per day.

Question (Ms. Ziliak): On December 26 (2011) at 7:30 p.m. there was a strong trash odor. I feel their answers are vague. Why is it taking so long for a company with so much experience to handle this? Answer (Ms. Wynot): They should know what to do.

Comment (Ms. Ziliak): She asked SCL to provide some indication of their plan, and the number of items on it. Answer (Ms. Wynot): There are a myriad of proposals. They have done a lot of studies, which have provided some level of substance. They are proposing real-life experiments. Once they are initiated, they will be happy to share the findings.

- 2. SCAQMD Report – (Jill Wynot):** The AQMD worked hard with other agencies to put together the proposed changes to the Order of Abatement, which the Hearing Board approved with only one change, which was to require SCL to obtain the approval of AQMD if they should want to fire the Environmental Monitor.

(Larry Israel) Gave the report on odor complaints for the past two-month period. There were 126 in November 2011, and 124 in December 2011. This month (January 2012) there were 18 in the first five days. On November 8, 2011 an NOV (Notice of Violation) was issued for public nuisance and trash odors detected at Van Gogh Elementary School. On November 26, 2011, there were trash odors in the morning hours. On November 28, 2011 in the evening hours, there were 20 complaints of landfill gas odors. On December 4, 2011, another NOV was issued for a public nuisance. On December 13, 2011, there were 11 verified complaints in the evening. There seems to be a pattern of morning trash odors and evening gas odors. There are inspection visits to the landfill at least twice a week, to monitor the installation of the 35-inch gas collector line, and of the flaring equipment. He is in the neighborhood several times a week. There were significant winds last week, and still there were a number of verified odors. The hearings focused on landfill gas, but he agrees with comments made by the audience that there is a substantial number of trash odors.

Question (Ms. Armoudian): There are lots of complaints and NOV's. What are the consequences? Answer (Larry Israel): This was addressed in detail at the last meeting by the AQMD attorney, Mr. Sanchez. (Mr. Jones): In summary, the inspectors issue an NOV; that goes to the legal division. They decide whether to reject it, keep it and settle it; file a civil

suit; or refer it to the City Attorney for criminal prosecution. The State of California sets out the penalties. The maximum used to be \$25,000 or \$50,000 per NOV. It is not automatic. The District will try to settle, and get the facility to take action that helps the community. They have had recent success with putting in particulate filters at schools, for example. The District will be looking at all choices, but they are waiting to see if compliance can be achieved.

Question (Ms. Bendikson): On the average, how many years does that take? Answer (Ms. Wynot): Sometimes it takes weeks, but sometimes it can take a long time. Lots of things have been tried without achieving compliance, but the AQMD is now very hopeful. The philosophy of the prosecutors is to make sure that it is more painful for the operator to be out of compliance.

Comment (Mr. Michaels, audience): He is happy that the school can get filters, but what does that do for the rest of the residents? He was shocked when at the hearing the AQMD said it was not in their purview to limit the quantities and kinds of trash that can be accepted. It also seems that the inspectors are coming out less often. Answer (Ms. Wynot): If they limit the trash accepted there, that just moves the problem, it doesn't solve it. The trash then just spends more time on trucks. They handle lots of other kinds of complaints, not just landfill-related ones. They generally won't send an inspector unless they get a cluster of complaints – 3 or 4 per rolling hour. Public nuisance violations are kind of rare, and there are already a lot of them with SCL; this will eventually be settled.

Comment (Mr. Michaels, audience): People are losing faith in the system. It seems that the AQMD is making it harder and harder to file complaints..

Comments from the audience: Nothing changes. It just gets worse. Why should they call when it makes no difference?

Comment (Mr.Kroy): Some have been working on this problem for at least three years. Thankfully, at least now it seems they're getting some sort of response from government agencies.

Comment (Mr.Hunter): What he's hearing now is that the new Order of Abatement does not address trash odors. There were 7,000 tons a day in 2008 and now its about 10,000 tons a day. Reading from a report and addressing his comments to Mr. Cieply he stated that for November (2011), for example, days of 9,000, 9,400, 9,300, so that's not so far off. There has been a huge increase in daily tonnage. How can you tell what's working he asked, when the quantities are increasing so much?

Motion: (Hunter/Kienholz) Letter to SCAQMD, County Public Works, SCL-LEA, SCL-TAC, City & County Planning recognizing that the Amended Abatement Order addresses “gas”but does not address “garbage odor” issues, and asking them to take additional action including considering such remedies as monitoring trash from all MRFs, and restricting the inflow of trash/recycle to not more than 7000 tons per day.

Discussion ensued resulting in friendly amendments being accepted by Mr. Hunter and Ms. Keinholz.

Amended Motion: Letter to SCAQMD, County Public Works, SCL-LEA, SCL-TAC, City & County Planning asking that they pursue/initiate a plan of corrective action in concert with (the above named agencies) to specifically address the “**garbage odor**” issues.

Note: The following language was removed from the body of the original motion but was instead to be included in the body of the letter: “(r)ecognizing that the Amended Abatement Order addresses “gas” but does not address “garbage odor” issues”, and “(i)ncluding considering such remedies as monitoring trash from all MRFs, and restricting the inflow of trash/recycle to not more than 7000 tons per day”.

Carried (5-0-1 abstention).

Comment (Ms. Armoudian): Trash odors not addressed at all? Answer: (Mr. Jones): As the level of the landfill rises, some gas forces odors up and out, so controlling the gas will help, but that does not directly address trash odors.

Comment (Mr. Hunter): The CAC can ask that they experimentally limit tonnage. The community asked the EPA to get involved, but they referred them back to the AQMD.

Motion: (Armoudian/Kienholz) To write a letter to the EPA expressing the SCL-CAC’s desire to have them get involved and ask that they consider limiting the tonnage. **Carried (5-0-1 abstention).**

Note: Committee voiced intent to have Mr. Hunter compose appropriate language.

Comment (Mr. Cieply): The stipulated amendment to the Order of Abatement just adds to the standing AO; the requirements still stand. There are required measures like the 9-inches of soil cover, the misting system, neutralizers, and minimizing the working face. They are planning to increase activities at the site on tonnage net of recyclables. Almost all of the difference is in asphalt. On the contrary, tonnage has decreased. At Puente Hills and others, decreasing tonnage from 12-13,000 tons/day to 5-6,000 tons/day made no difference in odors.

Comment (Mr. Hunter): Not a good example, because a bad month at Puente Hills may have 5 complaints, compared to the hundreds at SCL.

Question (Mr. Michaels, audience): Why are other area landfills decreasing in tonnage, but this one keeps increasing? Answer (Mr. Villalobos): They are different wastesheds. They are restricted from accepting trash from other wastesheds. All of the Los Angeles City trash goes to Sunshine Canyon.

Comment (Mr. Thompson, SCL-LEA): The LEA does not have jurisdiction to tell where the trash goes, just to regulate the facilities where it goes. Puente Hills is closing in 2013, so other companies are trying to get long-term contracts with other landfills.

3. **SCL-LEA Report (Gerry Villalobos):** He said he is the County's counterpart to Mr. Thompson. He has four items this month: 1) a summary of violations since November (2011) – an NOV for gas exceedance (over 5%) on the week of December 16, 2011. They required a plan of corrective action; that was submitted and met requirements. Since then they have completed the installation of a gas extraction well. 2) There were very high winds in December, and they issued an "area of concern" notice. 3) As of January 1, 2012ⁱ, Ms. Cindy Chen takes over Wayne Tsuda's responsibilities at the SCL-LEA. Mr. Tsuda will continue to help. 4) There will be a meeting of the Board of Directors of the SCL-LEA on February 2, 2012, from 2:00 – 4:00 p.m. at City Hall.

Question (Mr. Michaels, audience): Who has the authority to force the dump to pay for a health study on the effects of the landfill on area residents? Answer (Mr. Villalobos): Ten years ago the LA County Health Services did a study and determined that the frequencies of cancer in Granada Hills were no higher than in other parts of the County.

Comment (Ms. Kienholz): That study was flawed, because they only interviewed 100 people. They found a higher incidence of asthma.

Comment (Mr. Kroy): They also compared to an area in Chatsworth, which itself has health problems due to nuclear issues. There was a suggestion from the audience that the CAC get the Center for Disease Control to do a study, and that perhaps the SCL-LEA and the SCAQMD can make the request.

Motion: (Armoudian/Kienholz): That Mr .Hunter write a letter to the CDC to ask them to assess the health impact of this landfill. There was discussion about who would pay for the study; it was decided to let the CDC respond with that information. **Carried** (5-0-1 abstention).

4. **City and County Departments:** (Iris Chi, County Planning): On the issue of reducing tonnage, the CUP (Conditional Use Permit) allows 12,000 tons per day (*sic*), 6,600 of which is on the County side. The County cannot ask Republic to reduce that; they would have to agree on their own to do that. There is a process to amend a permit, but it is very long. There would be a series of hearings and there would need to be a proven direct correlation between tonnage and the number of complaints.

Question (Mr.Michaels) If is is a Conditional Use Permit, does that not mean that they cannot harm people? Answer (Ms Chi): The tonnage allowed is not arbitrary. They are working toward compliance. The other agencies have not been able to give a direct correlation between tonnage and complaints.

Comment (Ms. Kienholz): When was the tonnage increased to 12,000? It used to be 9,000. Answer (Mr. Hunter): There are 6,600 tons allowed at the County, and 5,500 at the City, which adds to 12,100 combined. The trash can be distributed anywhere in the landfill, not necessarily segregated between County and City. Because of the public nuisance NOVs,

they have violated their Conditional Use Permit, and they should not be permitted to increase the tonnage. The County should temporarily restrict the tonnage until they solve the problem. This is within the power of the County.

Comment (Ms.Ziliak): The City side had a zone change. What rises to the level of a revocation of the CUP? Answer (Ms. Chi): You can definitely try to do it, but changing the permit would probably be a last resort. The Board of Supervisors would likely not be willing to change it at this point, until experts are willing to say that there is a direct correlation. County Planning relies on the LEA and the SCAQMD for their expertise.

Comment (Mr. Bertrand SCL): There is no violation of the CUP at this time.

Comment (Mr. Hunter) Not correct; there is a public nuisance, so that is a violation of the CUP.

Comment (Mr. Bratton, SCL): For many, many years that landfill took in more tons of trash. The change occurred in 2007 when they were allowed to deposit it on a single workface. Depositing on a smaller area means more concentration.

- 5. Other Persons from City or County of Los Angeles:** No one identified themselves, and there were no additional reports.

D. Public Comment:

Comment (Mr. Kroy): Both the City and the County are in dire need of money, and the tipping fees are significant. It is highly unlikely that any politician will limit the tonnage. Will need a court order.

Question (Audience): Question directed to the LEA and SCAQMD: Is the trash in direct correlation to the trash odors? Answer (Mr. Jones): They can't give a definitive answer. There was more tonnage in the past. The original Order of Abatement put in steps to address the odor problems. The most dramatic correlation is to wind conditions. When the wind is a North wind at less than 15 mph, they have to limit tonnage. That has not had much of an impact, and it's a disappointment. Then evening complaints started, when the workface is covered. That is a clear indication of a gas problem. Landfill gas temperature at the surface is about 110 degrees, hotter than air, so it rises. Other landfills don't get these kinds of complaints. It's possible that the gas lifts other trash odors up and out of the landfill. This is a complex case, hard to diagnose. But there are fewer complaints on Sundays, which is a contra-indication that there may be a correlation to the workface. Maybe, in a bowl effect, the odors overflow faster than in the past.

Question (Ms. Kienholz): If there is more tonnage, is there more gas? Answer (Mr. Jones): Ultimately, yes, but it can be controlled. The flare that will be operational in February (2012) may have a big effect.

Comment (Ms. Bernson, CD12 office): The AQMD has done a lot of work on this, but the trash is now closer to homes than at any time in the past. It is proven that more tons produce more odors. Ms. Bernson then addressed her comment to Iris Chi saying that the County Supervisors should be asked to consider the matter. It is within their purview to open up the CUP, and the Waste Board should step in.

Comment (Mr. Mohajer): Finally, the TAC got their consultant, who presented their observations of the landfill operations. They may be of help in the future. The maximum tonnage at SCL at any time was 6,600 (tpd) ; now the combined tonnage is much more, the largest ever. Puente Hills has 13,000 tons per day and no odor problem. SCL is trying to address the issue. It will not happen overnight. Even if they were to close the landfill, the odor problem would continue because of what is already there.

Adjourned at 5:05, to reconvene later.

6. Special Overtime for Discussion of Budget, Banking, and Financial Matters:

Reconvened at 5:17 a.m. Ms .Armoudian left, but quorum was maintained with five.

Mr. Jordahl to try again to have bank fees removed from the checking accounts, as the CAC has a sizable savings account at the bank.

Ms. Bendikson asked whether CAC members would be interested in obtaining a transcript of the December 3rd AQMD hearing. There was a discussion of costs, and a general agreement that interested parties would instead get a CD of the oral proceedings.

Mr. Hunter discussed whether an audit is needed of the CAC books. That was discussed, and the general agreement was that it is not needed at this time.

There was a discussion of how the books are maintained – in QuickBooks. Mr.Hunter commented that it isn't always clear which expenses should be paid from which accounts. There was a discussion of using the funds in the consultant account to fund a possible health study. The County funded the study ten years ago, which originally cost about \$20,000 and was not nearly extensive enough. The fatal flaw was that they compared cancer incidences to Chatsworth, which has its own problems because of the Santa Susanna radiation problem. There was a discussion of 14 cancers on one street in Granada Hills, and a discussion of the death of Mary Edwards and five neighbors of cancer.

Mr.Hunter discussed the new SCL-CAC website, which is now up. There is lots of material there that is not easily obtainable elsewhere. He asked that if CAC members see any relevant material, they forward it to him for inclusion. The website is not as "sanitized" as the AQMD, SCL-CAC and other agency sites are.

The CAC adjourned at 5:40 p.m.

Minutes by Agnes Lewis, Notetaker. Approved by Committee May 3, 2012.