

**SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE
CITY AND COUNTY OF LOS ANGELES
DRAFT MINUTES OF MEETING
Thursday, May 3, 2012
Knollwood Country Club
12024 Balboa Boulevard, Granada Hills, CA 91344**

- A.** The meeting was called to order by Chair Becky Bendikson at 3:05 p.m.
Roll call was called by Agnes Lewis, Notetaker.

PRESENT: SUNSHINE CANYON LANDFILL – COMMUNITY ADVISORY COMMITTEE

members: Becky Bendikson, Gale Gundersen, Wayne Hunter, and Joe Vitti. Absent: Maria Armoudian, Jeanette Capaldi, and Josh Jordahl. Quorum established with four (7 seats filled w/2 seats open).

REPRESENTATIVES FROM THE CITY, COUNTY, AND REPUBLIC SERVICES:

SCL-LEA: David Thompson, Gerry Villalobos, Cindy Chen; SUPERVISOR ANTONOVICH'S OFFICE: Jarrod DeGonia; BFI/REPUBLIC SERVICES: David Cieply, Anthony Bertrand; SCAQMD: David Jones, Larry Israel; CD 12 OFFICE Nicole Bernson; LAUSD District 3: None Present; LOS ANGELES COUNTY REGIONAL PLANNING: Iris Chi; LOS ANGELES CITY PLANNING: Nicholas Hendricks; MEMBERS OF THE PUBLIC: Bill Hopkins, Ralph Kroy (GHNNC), Skye Michaels, Cherie Mann, Pat Strucke, Dean Michaels, Sara Dolley, Ryko Dolley, Mason Dolley, Rozendal, Roxy Deukmejian, Kim Thompson (GHNNC), and Anne Ziliak (GHNNC).

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.

B. Old Business:

- 1. Discussion of any outstanding administrative matters (Chair):** Ms. Bendikson declared that she, Mr. Hunter, and Ms. Ziliak of the Granada Hills North neighborhood Council had ex-parte communications with the Fire Department Captain Assizi regarding topics discussed at the last meeting – the problem with vegetation, which is exacerbated by the frequent Fire Department training flights; and the same flights disturb the neighbors as well. The Fire Department agreed to alter the route of helicopter approaches.
- 2. Treasurer's Report:** was deferred until later in the meeting.

C. New Business:

- 1. BFI/Republic Report: (Mr. Cieply, General Manager):**
Mr. Cieply stated that at the last meeting there was an extensive report that went over all the steps necessary to comply with the Order of Abatement, including a complete report from Mr. Bertrand, Area Environmental Manager. Mr. Cieply will concentrate during the next several meetings on highlighting just the changes. The good news is that the permit for Flare 9 was

issued May 2nd, and construction started immediately; it will be completed by August 12. Phase 3 on the header pipes will start this month. There have been 7,000-8,000 linear feet of upgrade from 24-inch to 36-inch on the header pipe. Lateral pipe upgrades are continuing, with about 14,000 linear feet left. On the Gas-To-Energy project (G2E), they are in the process of submitting a project description and siting requirements to the Local Enforcement Agency (LEA). On the issue of odor control and mitigation, they now have Corrective Action Managers (CAMs) on a 24/7 basis; they are gathering information relevant to identify what needs to be addressed. They are also training and evaluating staff at transfer stations. Patti Costa (environmental civil engineer) is going out to them and continually discussing odor mitigation steps with their Transfer Station managers and supervisors. She also met with City of Los Angeles Transfer Stations, looking at their processes to make sure that all loads received meet Republic's requirements for odiferous loads. Sunshine Canyon Landfill (SCL) staff will meet again with the LEA next week.

Question (Mr. Vitti): What exactly are they doing with odiferous loads? Answer (Mr. Cieply): If the supervisors identify very odorous loads, they separate them out for special handling. The training for the City staff just happened. They will be keeping a log to support other discussions going forward.

They are continuing with the misting system and using three Dust Bosses and orchard fans. Sunshine Canyon Landfill (SCL) hired three highly respected scientists to design, modify and continuously monitor all this, to be more effective. The ultimate goal is to not to lose focus on the gas systems; they expect to see the true benefit when all gas systems are up and operational.

Question (Skye Michaels): He sees all of this as being on the same track as last year, as concerns the odors and the suffering of the community. What will we do if this doesn't succeed? What will the remedy be then? Answer Mr. Cieply): Gas production increased about 40% year to year, and complaints dropped about 27%. The effort is having some effect. They are confident that this will be able to address complaints. It will be fully operational in August. They are doing all they can to mitigate problems.

Question (Bill Hopkins): What date in August will the flare installation be completed? Answer (Anthony Bertrand): August 3rd (2012).

Question (Cherie Mann): At the last meeting, someone said he would give her a list of odor-absorbing plants. Answer (Anthony Bertrand): There was a landscape architects meeting on May 2nd. A new one has been hired, to try something new and give an independent assessment on why the vegetation plan has fallen short. On May 17th there will be a presentation to the Task Force, then they will come up with a final vegetation plan. He will ask them for such a list.

Comment (Mr. Hunter): The LA (City) Fire Department has about 22-24 helicopter training flights a year, with touchdowns near the landfill. The draft from the rotor wash is hard on

young vegetation. They (Becky for SCL-CAC, Wayde for NVC and Anne Ziliak for GHNNC) met with the captain, who agreed to limit the number of flights over houses and to schedule fewer trips over the landfill. For comparison, the County Fire Department does only one training flight a year.

2. **SCAQMD Report – (Larry Israel):** In March there were 66 complaints total, and one NOV (Notice of Violation). Nine were verified as coming from nine different households. Some were in the morning, from 7:00 a.m. to 9:00 a.m., but some were also from the evening (8:30 p.m. to 9:15 p.m.). Evening ones are almost surely due to gas. In April there were 129 complaints and 2 NOVs. On April 9th, for example, there were 24 complaints from Van Gogh Elementary School, between the hours of 6:45 a.m. to 8:00 a.m., reporting “trash odor.” On May 1st and 2nd there were a few complaints citing “sickly sweet,” probably gas, around Lisette Street. In April and May there were almost weekly facility inspections; they also monitored 3 grids with equipment in areas close to the workforce.

Question (Mr. Hunter): He stated that 14 graders were working on a day with winds at 58 mph. How could Sunshine Canyon Landfill (SCL) operate under these conditions? Answer (Mr. Bertrand): The graders stop when the red light goes on at the site; but there may be a few minutes delay to notify the operators. (Mr. Israel): the Air Quality Management District (AQMD) focuses on “fugitive” dust that gets out of the landfill, not necessarily dust within the site. In April he saw equipment working, but also saw several water trucks, and the dust plume was less than 100-feet; he did not see any dust making its way out of the landfill. (Mr. Bertrand): They always prepare for windy days. The light has to be on whenever they are operating, and it turns yellow when it is getting close to 25 mph. There is some time between when the supervisors see the light turn on and when the operators are told. Mr. Cieply clarified that the SCL operators have radio contact, but the outside contractors do not, and the supervisors have to tell them in person. Mr. Hunter suggested they be proactive so as not to have a recurrence; Mr. Bertrand said that yes, they have meetings about these topics, and this was an unusual occurrence.

Question (Mr. Kroy): He wanted to know the difference to operations between steady wind and gusts. Answer (Mr. Villalobos): He responded to the question and answered that the observed 56 mph winds were in the Newhall Pass and not necessarily at the site.

SCAQMD Report (continued) – Mr. Jones, Senior Supervisor for Compliance (AQMD): He stated that most significantly since the last meeting, the Air Quality Management District (AQMD) held a public hearing for comments on the Gas-to-Energy (G2E) project and the Title V Permit for SCL. This meeting was held April 18th at the VAAS (Valley Academy of Arts & Sciences) school. The staff has reviewed the comments and responded; these were mailed out May 1st to people who commented. After review and analysis, the conclusion was that all rules and regulations were met. The AQMD issued the permit for the G2E project and renewed the Title V Permit. For more information, the contact person is Jay Chen, at 909-396-2664 or jaychen@aqmd.gov.

Comment (Ms. Bendikson): She pointed out that a recording of the hearing will be available at the CAC website imminently. Mr. Jones continued with his remarks, adding that he observed a downward trend of complaints in April, though still at a very high level; there is still a long way to go.

Comment (Mr. Vitti): He said that one of the main concerns was the particulate matter to be generated by the G2E project. Has that been fixed? Answer (Mr. Jones): Not to everyone's satisfaction. Any time there is combustion, there is some pollution created; it's a complex matter. The District felt that in spite of this, all rules and regulations were met, so the permits were issued. The analysis included techniques that would improve some aspects, but would worsen others. They will be using the best available technology. The operator of that project is not owned by BFI/Republic/SCL and is not under their control.

Question (Audience): What is the total number of comments at the hearing about G2E? And how many letters and emails were received by the Hearing Board? Answer (Mr. Jones): There is a transcript of all 29 comments made at the hearing, and all of those will receive a reply. These will also be addressed in the CEQA document. For further information, please contact Jay Chen as above.

Question (Dean Michaels): When will the AQMD propose *real* measures to address the problems, like reducing the volume allowed or shutting down the landfill? Answer (Mr. Jones): Shutting it down wouldn't necessarily fix the problem; the landfill would continue to generate gas for a long time. There must be an adequate gas system in place. If the District feels that the rate of progress isn't adequate, they will interject themselves. The AQMD is not the primary agency to address operations; Boards and courts will look to the primary agencies. SCL is devoting a lot of resources to fix this.

Comment (Mr. Bertrand): Sunshine Canyon Landfill (SCL) "has to" solve the problems. For the past two years they have been behind the curve on this, always trying to catch up. Now they are trying to get ahead of the curve. Getting the flare approved yesterday (May 2nd) is a big step. Unfortunately, it takes about one year to put all the infrastructure in place. Now they feel they have the right engineers and the right design, and that this will be solved within three or four months.

Comment (Ms. Ziliak): She and others didn't receive the environmental document until the very day of the consultation meeting. Why didn't they wait until people had a chance to examine and absorb the document? This was irresponsible from the agency, and she is very disappointed with them. They are still allowing the purchase of offsets to mitigate the additional pollution problems. Of what use is that to a neighborhood that is already suffering the effects of the landfill? And they have allowed the G2E project which will actually create worse pollution. This does not make sense. Answer (Mr. Jones): In terms of odor complaints, the G2E project is probably a net positive. In 1999 there was a decision that generated gas has to be handled either through a flare or through G2E projects. That die is cast.

Question (Audience): In the last 13 years, did the intake flow of trash change? Answer (Mr. Hunter): Yes. In 1996 the maximum permitted tonnage was 12,100 (6,600 for the County and 5,500 for the City). In 2008/2009, they combined and made one giant working face. In 2008 the actual tonnage was around 7,800; in 2011, it was near 10,000 tons per day. They had a plan for gas capture; but in 2011 they were at the level they were supposed to be in 2003.

Question (Ms. Deukmejian): Will the gas collection ever catch up to this doubling in volume? Every day or two she has to dust everything; the dust from the landfill keeps coming through attics, windows, under doors. Answer (Mr. Bertrand): Yes, they are confident they will get there and catch up to the curve. But they're not stopping there – they have started the project for the next flare (after the one being installed). Normally that wouldn't have to be installed until sometime in 2013 and will not be needed until later.

Comment (Mr. Jones): Also note that the permit says they can't exceed 16,000 cfm of methane.

Question (Skye Michaels): The AQMD has failed to solve the problem. What is the culpability of the AQMD in this, and who at the AQMD decided not to collect fines for the NOVs? Why is the company not being penalized? Comment (Mr. Bertrand): The problem is not wells, but not enough flares. Putting in more wells won't do any good. Answer (Mr. Jones): The NOVs carry the *potential* of fines, but it has not been determined that fines are applicable. Talk to the AQMD legal department.

Comment (Ms. Iversen): She believes that the technological problem will be able to be fixed. But this is not a technological problem, it's a political one. No one at the City really wants to solve it. More and more garbage will be dumped. This is very dysfunctional.

Comment (Mr. Kroy): If the volume of gas is a problem, why not leave the 24-inch pipe in addition to the new 36-inch pipe that is being installed? If despite all the efforts the problem is not solved, and the owners of the landfill walk away, who cleans up the mess? Answer (Mr. Thompson, LEA): As part of the land use decision, this is covered by a bond.

Question (Ms. Deukmejian): What prevents them from putting in more flares? Or why not decrease the allowed volume until more flares are installed? Answer (Mr. Bertrand): Permits govern the flares. Now they need 5 flares, and they have only 4 installed. The 6th one will be installed by 2013, and they probably won't need another one until around 2020. He is not speaking of the bottom line, but rather addressing compliance. They look at this every day, and they have 100% support from management. The Gas-to-Energy (G2E) project, he believes, is a big added way to burn gas, and will be a safety net for compliance.

3. **SCL-LEA Report (Gerry Villalobos):** Things have been pretty quiet since March. There was one NOV for gas exceedance at a perimeter probe on the County side on March 29.

This was re-read on April 3rd, and was cleared. The LEA has been working with the operator to amend the document of the recently approved G2E project.

- 4. City and County Planning Departments Report:** (Nick Hendricks, City Planning): Nothing new to report this month. (Iris Chi, County Regional Planning): There will be a meeting of the TAC on Tuesday, June 26th, 10:00 a.m. at City Hall. The agenda is not out yet.

Question (Dean Michaels): Was it the County that issued the Conditional Use Permit for the landfill? What would it take to revoke it? Answer (Ms Chi): Revocation is a very long process. The operator is trying to reach compliance. The County's position is to work with them.

Question (Mr. Michaels): Results don't count? Answer: (Ms. Chi): Yes, they count, but the operator is reaching results. They are putting in infrastructure to address the issues. She stated that her job is to enforce the permit, and she sees that they are trying to resolve the problems.

Question (Mr. Michaels): What would it take to revoke, as opposed to how long it takes? Answer (Ms Chi): She suggests that he voice his opinion to the Board of Supervisors. The County doesn't really gauge the matter by the number of complaints. They realize there is a problem. They rely on third party experts, as compliance monitors, to say whether the operator is in compliance.

Comment (Mr. Vitti): The CAC would like to get an explanation of what exactly is in the County's purview, preferably in writing.

Comment (Mr. Kroy): You (Ms. Chi) speak of time, but several of the people here have been working on this for the past thirty years. What does "a long time" mean to you? Answer (Ms. Chi): It may take a long time, but it's not possible to determine exactly how long.

Comment (Mr. Hendricks): In the City Planning Department, here is the process: permits have a number of conditions, and they issue an NOV if there is a failure to comply with any one of them. The flare is installed now, and they have to give it time to work.

Comment (Ms. Deukmejian): She feels she is essentially being evicted from her home. Answer (Mr. Hendricks): There is a legal process. The permit is for 12,100 tons a day capacity. They have averaged 8 tons for the last 3 months. They have to put in that technology to address the problem. The reason for the CUP is to help control the situation. That's why they're installing mitigation measures. The flare is going operational in August; then it has to be given a chance to work. He wants the facts to come out. That's why there is a court order. Now there has been a good faith effort, and we need to see it put in place. The landfill is legally permitted. Landfills are a necessary evil in our society. We can't just close it down and transfer the problem to some other community. There is some real tangible data to lead us to expect this to work. Regarding revocations: If the operator

doesn't make a good faith effort, City Planning can start revocation. Now they see a real good faith effort and they are confident that things will improve. They have to get to a point where they find common ground for everyone.

Comment (Mr. Hunter): He does not hear any discussion about making the residents whole. He hasn't heard anything from Republic or from the G2E project about putting aside a fund. He feels that the City and County should both be ashamed of themselves about the handling of this problem. He made the following motion:

Motion: *That the City and County representatives come to the next meeting in July 2012 to provide written guidance to residents about the necessary procedures to initiate revocations.* The discussion continued before there was a second to the motion.

Comment (Mr. Hendricks): The information is available on the website of Los Angeles City Planning under Revocation processes. Also the Department of Building and Safety has the information.

Comment (Mr. Hunter): He still wants the written information brought in. Mr. Hendricks and Ms. Chi agreed to provide it. Mr. Hunter withdrew his motion.

Mr. Vitti made another **Motion: *That the CAC send a letter to the City and County Planning Department heads requesting that they look into revocation of the permits. [Mr. Hendricks and Ms. Chi to provide the names of the proper people.]* Mr. Hunter seconded. Motion carried 3-0-1.**

D. Public Comment:

Harvey Abrams, a teacher at Van Gogh Elementary: He said this seems to be an interesting concept of time. He is a teacher at Van Gogh, and has been working on this for the past 20 years. Last day there was a day so bad that they had children getting sick, vomiting, recurrent nausea. They now have odor patrol people in yellow vests coming by, walking around with clip boards and instruments. Can he get access to the information from the instruments? They called it a "nasal ranger olfactometer," but he can't find a definition of that on Google. The odor patrol people should have some sort of jackets or badges or number so that they can be referred to at hearings. They need to be able to identify a specific person if they disagree with him. Does he have to be admitted to a hospital to complain? Or make a worker's compensation filing? Things sometimes get so bad that the teachers have to curtail the physical activities of the children.

Adjourned at 5:08 p.m. to reconvene in 5 minutes for the Special Overtime.

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

Reconvened at 5:20 p.m.

There was a discussion of the assets of the CAC, per the Treasurer's report as presented by Mr. Hunter for Josh Johrdal, the Treasurer . The total balance of all accounts was \$100,905.24. There were expenses of \$1,538.32 in this last period.

Mr. Vitti asked about the costs of the website. That cost was \$550, and it was accounted for in the previous report.

Mr. Hunter made a **Motion to approve the Minutes for the past two meetings (January and March) so that Ms. Lewis could be paid. They were approved unanimously.**

Ms. Bendikson indicated that we should consider a replacement Notetaker as Ms. Agnes Lewis our current Notetaker has resigned. Agnes will provide notes for the May meeting so we will need someone for the July meeting and asked if there was any person they could recommend. There were no suggestions.

The CAC adjourned at 5:25 p.m.

Minutes by Agnes Lewis, Notetaker. Not Approved by Committee July 12, 2012 (3-0-2 abstentions).

Approved September 6, 2012 as amended (7 – 0 – 0).