

Enforcement Advisory Council

Solid Waste Management through Partnership

Meeting Minutes

November 8, 2023

9:00am – 1:00pm

Virtual Platform: TEAMS

I. **Introductions:**

Kim Haas	Chair, Northern Roundtable
Dorcas (Dee) Hanson-Lugo	Co-Vice Chair, Southwestern Roundtable
Arthur Surdilla	Co-Vice Chair, Bay Area Roundtable
Norma Campos Bernal	Southwestern
Suzie Dawley	North Central Roundtable
Esther Canal	South Central Roundtable
Paul Harden	Northern City LEAs
Daron Warkentin	Southern City LEAs
Absent (Kimberly Tra)	Southern Roundtable
Jeffrey Marshal	CCDEH
Absent (Dr. Sara Levin)	CCLHO
Angeline Hsu	Monterey County LEA

Mark de Bie	CalRecycle
Paulina Lawrence	CalRecycle
Mary Kay Shafer	CalRecycle
Stephanie Becker	CalRecycle
Sheyenne Lewis	CalRecycle
Wes Mindermann	CalRecycle
Martin Perez	CalRecycle
Lea Gibson	CalRecycle
Carley Bartlett	CalRecycle
Catherine Blair	CalRecycle
Maryam Khosravifard	CalRecycle
Jeff Hackett	CalRecycle
Nevin Yeates	CalRecycle
Cordero Rychard	CalRecycle
Blake Sequeira	CalRecycle

II. Agenda Review (late additions):

- A. Post-closure Maintenance – When does it end (Wes/Daron/Paul)
 - Wes will follow up with Daron and Paul directly.
 - Daron is requesting for a guidance document and/or Technical Training Series (TTS) training in the future.
- B. Enforcement Program Plan (EPP) Training/Refresher (Esther)
 - LEA's may be transitioning away from Envision Connect

III. Approval of Previous EAC Meeting Minutes:

- A. Meeting Minutes from August 8, 2023
 - Motion: Surdilla
 - 2nd: Haas
 - Motion to approve minutes passed by majority vote.

IV. EAC Resolutions, Status, and Updates:

- A. Ralph Hunter Memorial Award
 - Seven (7) sheets have been received and reviewed by Kim confirming that Dee is the Ralph Hunter Memorial Award winning recipient with John Lewis finishing second.
 - Jeffrey – Based on the review of the rating sheets and how close the results for the award recipient was, John should be re-nominated for the award during the next nomination period.
 - Suzie – (Question) Would retirees be allowed to be nominated for the Ralph Hunter Memorial Award?
 - Lea – Yes, retired individuals are able to be nominated again.
 - Jeffrey – Also brought it up in the past to allow nominees that are retired to be nominated. In addition, there has been a year where two (2) recipients were awarded the Ralph Hunter Memorial Award. 2015 was a split because the EAC at that time had a group stalemate for the two candidates. In this case one candidate has extremely good accolades and the other candidate on another.
 - Daron – (Question) Would having two recipients degrade the value of the award?
 - Kim – Presented the scoring tally of the sheets to the EAC. Scores were as follows: Dee 133 / John 129.
 - Motion to award Ralph Hunter Memorial Award to Dorcas (Dee) Hanson-Lugo:
 - Motion: Haas
 - 2nd: Harden

- Motion to approve award passed by unanimous vote.
 - EAC Resolution 2023-03

B. Election of New EAC Chair and Co-Vice Chair

- Dee – Would like to nominate Daron Warkentin (Southern City LEAs) as Chair/Co-Vice Chair.
- Daron – Honored to be nominated but had question whether he would need to be renominated as the Chair for Southern City LEAs first as his term is ending. Would accept position as Co-Vice Chair at this time.
- Motion to vote Daron as Co-Vice Chair
 - Motion: Haas
 - 2nd: Paul
- Motion to approve Daron Warkentin as EAC Co-Vice Chair passed by unanimous vote.
- Kim – Does anyone have any questions?
 - Arthur – Sent out EAC Chair Binder for reference to allow EAC members to decide if they want to become Chair.
- Tabled election of EAC Chair until later in the meeting.

C. EPP Training / Refresher

- Esther – Would like to have a refresher training for the EPP. LEAs are having challenges with estimating time tasks for the EPP with the transition from Envision Connect (phasing out) to ACCELA. Would like an in-person training if possible.
- Mary Kay – Indicated that EPP Training was conducted at last TTS and is available online.
- Jeffrey – ACCELA does not have the function for time management. ACCELA does not record time for the Time Task Analysis portion of the EPP. This may become an issue as more LEAs move away from Envision Connect.
- Paul – (We) submitted our EPP. Only need to submit changes to the EPP?
- Mary Kay – Some documents are required but if there are no changes on other documents, then there is no need to submit them as a part of the EPP.

D. Jurisdictional Updates

- Northern Roundtable (Kim):
 - Raw meat at local transfer station. Working with consumer protection division to talk with the operators about separating meat scraps and to use licensed haulers to remove these materials.
 - Chico State is hosting a 1 day compost training.
- North Central Roundtable (Suzie):
 - Hybrid LEA Roundtable took place. Nothing else to report
- South Central Roundtable (Lindsay):
 - Virtual LEA Roundtable took place.

- LEA emergency waiver at poultry ranch – Issues with Avian Flu
- Bay Area Roundtable (Arthur):
 - City of Pittsburg hosted last Hybrid LEA Roundtable
 - Discussed AB592 (Commercial Non-Franchise Haulers)
 - Seeking individual to volunteer as new Training Liaison for Bay Area RT
- Southern City LEAs (Daron):
 - Waste tire VS LEA responsibilities and jurisdiction.
 - Hybrid LEA Roundtable took place.
 - Next meeting to take place in February 2024 (Hybrid) – Dee
 - Post-closure maintenance questions (discussion with Wes).
- Northern Cities (Paul):
 - Had to leave meeting. No update

V. CalRecycle Discussion Items (Talking Points Notes w/ EAC Co-Chair comments):

A. Deputy Director's Report (Paulina Lawrence and Shyenne Lewis)

- You may have heard at recent CalRecycle Monthly Meetings about applications that have been submitted for the Article 2 Process (*sharing the process within CalRecycle monthly meetings*). The Article 2 process allows CalRecycle to evaluate and determine whether the permanent lifecycle emissions of an operation or technology that is not expressly identified in 14 CCR Section 18983.1 constitutes disposal or a reduction in landfill disposal under SB 1383. (*what is disposal/what not is disposal – 939 can still be considered as disposed*) For a technology or process to constitute a reduction in landfill disposal, the permanent lifecycle greenhouse gas (GHG) emission reductions must be equal to or greater than the emission reductions from composting organic waste (0.30 MTCO₂e/short ton organic waste).
- CalRecycle accepts applications exclusively for operations or technologies not already listed in 14 CCR Section 18983.1(b) as recovery or 14 CCR Section 18983.1(a)(1)-(2) as landfill disposal. As per regulation, CalRecycle in coordination with CARB determine if the technology meets this threshold for recovery. As of today, CalRecycle, has received Article 2 application from one proponent HCycle and are working in draft with another proponent. The next monthly meeting will provide an update on HCycle's application submission determination (*CalRecycle is not approving technology but making a finding that the technology is viewed as consistent w/1383 requirements*). LEAs are encouraged to keep abreast of applications for the Article 2 determination, and if are contacted by an Article 2 proponents to reach out to their PAB POC.
- As you heard just recently in the last set of LEA Roundtables, Shyenne Lewis is our new EJ Enforcement Liaison. She is currently working with CalEPA in implementing the EJ Enforcement Initiative in two areas within the State. (PROMPT) Shyenne to provide overview of CalEPA's EJ Initiatives and current outreach.
- Shyenne: I want to provide you all with an update regarding the Memorandum of Understanding (MOU) between U.S. EPA Region 9 (USEPA) and CalEPA that went into

effect on September 10, 2021. The purpose of this MOU is to strengthen environmental enforcement in communities overburdened by pollution.

- The MOU established a strategic framework and formalized a collaborative alliance between state and federal governments with the primary focus on three key areas:
 - Strategic Targeting of Inspections: To achieve this, the objective is to boost joint inspections, share new data sources and metrics, and collaborate on staff training.
 - Enforcement Actions: The objective involves coordinating enforcement responses, pursuing joint actions, and providing staff training.
 - Community engagement: The objective is to empower overburdened communities by involving them in enforcement, increase transparency, and offer training to both staff and community members.
- Currently staff from both USEPA and CalEPA take the lead in these forums and address community complaints, collaborate across government levels to find solutions, and maintain regular communication with forum participants to update them on progress and challenges within the context of Five Pilot Communities:
 - Los Angeles Environmental Justice Network
 - Fresno IVAN *IVAN stands for Identifying Violations Affecting Neighborhoods (IVAN)
 - Kern IVAN
 - Coachella Valley
 - Bayview Hunters Point
- In my role, I have been charged with overseeing the Fresno IVAN group and I also assist with the Kern IVAN group. Questions?
- *Jeffrey – Involved with IVAN but was wondering if there were clear lines of communication with CalEPA. Should the LEA reach out to EPA contacts?*
- *Mark – Linking and communicating with folks who are already engaged to prevent duplication.*
- *Shyenne – Relay discussion points to the group at the monthly check in meeting. Will also relay to Trevor Anderson at CalEPA to ensure effective communication.*

B. Legislation & Regulation Update (Paulina Lawrence)

- Summary of the final update on actions the Governor has taken on the bills for this year.
- *Paulina – Webpages are constantly being changed and improved. Please reach out to your point of contact to go over bills. Search “legislation” on the CalRecycle website.*
- The following bills have been vetoed:

- [AB 1489](#) (Exempt compostable products from SB 54 source reduction requirements)
- [AB 1628](#) (Microfiber filtration)
- [SB 303](#) (Substantive changes to SB 54)
- [SB 665](#) (Single use plastics working group)
- [SB 728](#) (Plastic gift cards)
- [SB 777](#) (Reusable grocery bags)

- The following bills have been signed into law:
- [AB 1548](#) (Allows organics infrastructure funding in GGRF Program) - Chaptered
- [SB 244](#) (Right to Repair Act) – Chaptered
- [SB 568](#) (E-waste export) – Chaptered
- [SB 806](#) (Trash Receptacles and storage containers) – Chaptered
- [AB 1526](#) (Add aerosol spray paint to Paint EPR. Non-substantive changes to SB 54) – Chaptered
- [SB 353](#) (BCRP changes) – Chaptered
- [SB 613](#) (Organics: Low population waiver) – Chaptered

C. Illegal Dumping Update (Stephanie Becker)

- Illegal Dumping Technical Advisory Committee (IDTAC) had their quarterly meeting on Wednesday – thank you to those able to attend. We heard from two Co-Founders of National Cleanup Day that happens in September. They are connected on a global scale with cleanups throughout all of September. They are also in partnership with Keep America Beautiful. In April for Earth Day/Earth month (cleanups) the theme this year is Planet vs Plastics. They have cleanup guidance available and a map to capture cleanups and litter/illegal dumping data. We’re exploring data capturing systems through the Standards subcommittee.
- The abandoned vehicle, RV, trailer, and boat issue continues to be discussed with resources being compiled and forthcoming. The Towing Regulatory Oversight Council (T-ROC) presented on the issue around RV and trailers, that the process is broken: problems with towing, storage and end-of-life. One solution proposed was partnering with Counties for disposal. Discussion continues and some IDTAC members may be meeting separately with this group. The Outreach Subcommittee plans to look at education strategies around the issue and what other responses may be feasible to implement in their capacity.
- The Enforcement Subcommittee will meet next week to discuss community caretaking and “shelter” as it relates to abandoned vehicles and impound authority.
- Strategy Subcommittee continues to work on the statewide Abandoned Vehicle Abatement program – putting together a survey for program participants to take on how the program is doing, have analyzed program stats, and have discussed any changes that should be made to improve the program. An additional general survey regarding the abandoned vehicle issue to also be sent to our available network.

State Lands Commission just presented to the group who is open to a variety of cleanup projects and may have resources. A general map was shared of where their lands are located. They have an abandoned vessel cleanup program. *Maps shared with State Lands on Monday, November 6, 2024.*

- During the general IDTAC meeting CalEPA Environmental Justice Enforcement Liaisons presented (thank you Shyenne) regarding their MOU with US EPA titled 'Collaborative Efforts on Enforcement and Compliance Assurance in Overburdened Communities'. Through this effort community engagement is being done in Fresno and Kern regions with illegal dumping working groups in beginning stages – environmental issues these communities choose to work on. We all know getting all parties to the table on this “illegal dumping” issue can be difficult. *IDTAC will work with regional task forces.*
 - With that said, more focus may be placed on regional illegal dumping task forces.
 - Clean CA continues to be engaged with the group, provided an update, and just announced their second cycle of grant awards.
 - A legislative update was also provided including acknowledging the passing of AB 592; commercial nonfranchise solid waste haulers pilot program (Alameda, Contra Costa, Solano). IDTAC plans to track this.
 - CalRecycle Cleanup Grant Manager updates provided, as these resources continue to be available.
 - Planning has started for the 2024 Illegal Dumping Conference to be hosted again through the Alameda County/Illegal Dumping Task Force, expected in end of April/beginning May.
 - Will post links and contact info in the chat. Questions?
 - Illegal Dumping Technical Advisory Committee (IDTAC) Nov 1 Meeting Material: GDrive link. Qs/inquiries: IllegalDumping@calrecycle.ca.gov. Illegal Dumping Listserv messages/subscribe.
- D. Archiving Closed Sites & Reduced Inspection Frequency (Wes Mindermann)
- *Cautionary tale: 20 + years of going through pre-1988 closed sites. Still over 2500 sites in California.*
 - *Very complex nature of legacy sites. Information for these sites may be limited.*
 - *(Big 4) areas that may be issues at these legacy sites:*
 - *Leachate*
 - *Groundwater Quality*
 - *Landfill Gas Generation and Migration*
 - *Landfill Cap Performance*
 - *What are the cases to consider archiving sites?*
 - *Based on understanding on a site and its threat to public health*
 - *Investigation of site and determine whether it is considered a site or not*
 - *Clean closure of a site*
 - *There should be a high bar to archive a site*
 - *Dee – Is there a possibility that some archived sites need to be revisited?*

- Daron – Archived site was “clean closed” but during construction activities waste was found. The LEA has the ability to ask for certain reports (trenching/landfill gas)
- Wes – The LEA has independent authority on specific regulations.
 - No further action is not the same as “clean close.” Archiving can happen only if the site is free of other public health concerns.
 - Need more information to make an informed decision (regarding archiving or reducing frequency of inspection at a site).
- Wes – Zero inspection frequency is unlikely in the future. This is similar to an archived site.
- Mark – Issues arise if some closed sites go through post closure land use without LEA knowledge.
- Dee – Our LEA does not like archiving sites because it “goes away” in SWIS. Prefer to use zero frequency/inactive so that it doesn’t go away from the LEA user side in SWIS.
- Wes – Annual inspections should be the minimum frequency rather than archiving sites.
- Jeff Hackett – The site is still within the system when Archived but it needs to be requested when information is needed. A discussion will be made to have archived sites viewable in SWIS
- (PCLU question) Wes – 1000’ only affects parcels where waste is located on the parcel. LEA has no authority on development off the parcel but should be able to provide input on PCLU through CEQA.

E. Battery Fires & Battery Extended Producer Responsibility (Maryam Khosravifard)

- AB2440 repeals the 2006 act
- SB1215

F. Technical Training Series Update (Lea Gibson)

- LEA Scholarships are now being accepted, an LEA-All email went out on Monday and they will be reviewed weekly.
- We have requested that CSUS open the Registration website next week, we are awaiting confirmation on a couple of sessions before that will go live.

The Ralph Hunter Award announcement is on the agenda for the in-person portion of the Technical Training Series during lunch on April 16. It could be presented during the virtual sessions if that is the award winner’s preference. *It is up to Dee if she would like to receive the award in person.*

- We would also like to invite the EAC to provide a 5-10 minute welcome to attendees of the in-person portion of the TTS during breakfast on April 16. The suggested theme for opening speakers is the history & benefits of the EAC since there are many new LEAs and CalRecycle staff who may not know about the EAC’s work. We will reach out to the new EAC chair and co-chairs with more information.

- Finally, there is time set aside on the agenda for the EAC/CCDEH meeting from 10:00AM-11:30AM on the first day of the in-person TTS, though that could be extended to noon if requested.
- *Please note that if you applied for scholarship and saw the sessions listed, this is a glitch and not the final session list at this time. The final session list will be updated later. Will check with Tomi (CSUS) on this.*

VI. Public Comment Period:

- No public comment submitted.

VII. Schedule Next EAC Meeting and Close Meeting:

***NOTE: Backtracked to previous items at this point of the meeting:**

- A. EAC Chair:**
 - Lea – Co-Vice Chairs would make next meeting if there is no current Chair.
 - Mark – Suggest that the Co-Vice Chairs work together with CalRecycle in setting this up. Co-Vice Chairs can facilitate vote between meetings.
 - Norma – Will check with supervisor if she is able to step up. Will notify Daron/Arthur/Kim on decision prior to scheduling the next meeting.
 - Next meeting TBD.
- B. Motion to adjourn meeting:**
 - Motion: Surdilla
 - 2nd: Warkentin
- Motion to adjourn meeting passes. 11:57AM is end of meeting.