

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: March 4, 2015

TO: Honorable Felipe Fuentes, Chair
Honorable Bob Blumenfield, Vice Chair
Honorable Tom LaBonge, Member
Honorable José Huizar, Member
Honorable Paul Koretz, Member
Energy & Environment Committee

FROM: Enrique C. Zaldivar, Director
LA Sanitation



SUBJECT: CITY CERTIFICATION OF FACILITIES THROUGH FRANCHISE AGREEMENTS (COUNCIL FILE NUMBER 14-0925)

This letter is in response to a City Council motion dated July 1, 2014 (Martinez-Krekorian) directing Bureau of Sanitation (LASAN) to engage the Sun Valley Working Group for requirement, terms, objectives, and definitions to be considered in the development of the Certification Program for the Exclusive Franchise System. Further, LASAN was directed to prepare a report on the concerns and recommendations obtained from the Sun Valley Working Group, indicating which recommendations were incorporated into the Certification Program and the reasons for any recommendations not being included.

Sun Valley Working Group

Community Feedback and Participation

On August 14, 2014, LASAN staff met with members of the Sun Valley Working Group to gather input and understand their concerns with operation of local facilities. During this meeting working group members voiced their concerns with the daily operations of local facilities and the perception of a lack of oversight and enforcement from regulatory agencies. Many working group members provided written comments following the meeting, see attached. Staff summarized the written comments received and comments noted during the meeting with the Working Group. The following summarizes key comments expressed by community members:

- Facilities after obtaining city land use approvals do not comply with terms and conditions.
- State certified facilities do not meet community standards. The City requirement shall be more stringent.
- Facilities shall be fully enclosed with a negative air system and scrubbers.
- The City shall have the right to inspect any certified facilities without notices and unannounced.
- Phone numbers and e-mail address for addressing complaints shall be available at all times.

- Facilities shall have digital scales and information shall be available on a real time basis to address trucks being overloaded and weight standards for roads.
- Priorities shall be given to companies that are going to build facilities in other parts of the City and build facilities that are 15 miles from where any present facilities are located.
- Operating hours shall be limited to 5 am to 8 pm during weekdays. Weekends shall be cleaning of the facility and transferring recycled goods. Shipping shall occur during weekdays.
- Facility shall handle a maximum of 1,500 tons of waste per day.
- Community members also commented on facility sizes and its features.

Zero Waste LA Facility Certification

City Council adopted ordinance #182986 which established an exclusive waste hauling and recycling franchise system for commercial and multi-family properties within the City. The adopted ordinance codified the requirement for Franchise Waste Haulers to use City certified facilities.

Section 66.33.6(d) of the Los Angeles Municipal Code (LAMC) states:

A Franchisee shall deliver all recyclables and organics collected from commercial establishments and multifamily dwellings exclusively to facilities certified by the City pursuant to Section 66.33.8.

Section 66.33.8, of the LAMC states:

(a) The Board may certify for a five-year period facilities to accept solid waste collected by franchisee's providing collection services under a franchise agreement under criteria established by the Bureau and approved by the Board. Facilities shall be inspected by the City prior to certification, and each certification shall be conditioned on the facility granting the City the right to inspect the facility during the period of certification to verify compliance with the terms of certification.

(b) The City may suspend or revoke certification of a facility upon 30 days notice by issuance of a notice of suspension or notice of revocation, if the facility fails to comply with any of the terms and conditions specified in the certification or in this Code, under the process set forth in Section 66.32.3(d).

In accordance with the City Ordinance and considering the comments received from the community LASAN developed the proposed requirements for the Certification Program. The robust Certification Program, as detailed below, will address many of the concerns of the community members. All facilities used by franchised contractors for transfer, disposal, and processing of solid waste, commingled recyclables and organics shall be subject to City Certification, performed by LASAN staff. The Certification Program staff will monitor facility requirements, collect required data, and perform audits and inspections as needed to document facilities' compliance with certification criteria. The requirements will include minimum

standards for operation, compliance with laws, regulation and standards, material tracking, safety and training program, compliance with state minimum standards, and management of materials on-site.

Key components of the Certification Program are the City's ability to audit and inspect facilities on a regular and as-needed basis. On February 3, 2015, the City Council approved the Zero Waste LA Commercial and Multifamily Franchise System Staff Resources Plan. Included in this plan is the development of a new Facility Certification Section, within LASAN. This new section is responsible for the development of the Certification Program to be approved by the Board of Public Works, implementation of the Program, and inspection and annual certification of the anticipated 50-70 facilities in the Zero Waste system. Staff will provide scheduled and unscheduled inspections, and facilities will have quarterly and annual reporting requirements to maintain certification. A total of 8 full time staff are identified for this function on an ongoing basis, with an additional 5 staff for initial certification during contract award.

Facility Certification staff will provide a variety of technical and field inspection work in order to monitor compliance with the Certification requirements and franchise agreements. Staff will be responsible for issuing violation notices and making recommendation for gaining compliance and other related tasks. The essential functions of the certification staff will include:

- Inspecting facilities to ensure compliance with: Franchise agreement terms, diversion requirements, health and safety requirements, and compliance with other operating permit conditions
- Issuing violation notices and if necessary prepare follow-up reports concerning which violations have not been corrected
- Transmitting inspection findings to other permitting agencies
- Maintaining inspection records and preparing reports for supervisors and regulatory agencies.
- Preparing supporting documentation and reports relevant to inspections, prior to and following inspections
- Calculating and tracking diversion
- Verification of downstream diversion

Annual Certification Process

Facilities will be certified through an application process. Contractors will be required to insert language in their contracts with all facilities they use which will ensure that the Facility Certification requirements are met by the facility, whether or not the facility is located within the City. Each facility applying for certification shall submit a Certified Processor Application/Renewal Form and quarterly diversion Reports, and will have to renew their

certification by submitting a renewal form annually. LASAN Facility Certification staff will perform site visits to verify information in the application.

Violations of the Facility Certification requirements may result in the loss of City Certification.

Compliance with Laws, Regulation and Standards

City Certified facilities may have permits or operating conditions issued by other governing agencies. These agencies include for example, CalRecycle, SCAQMD, RWQCB, and local planning departments. Certified Facilities utilized by the Franchise contractors are responsible for meeting all pertinent local, state and federal health and environmental laws, regulations, and standards applying to collection and processing of solid resources. Certified Facilities will be required to maintain compliance records from other compliance agencies, such as Cal OSHA. Potential safety or permit violations observed by the facility inspection staff will be reported to the appropriate agency. Repeat violations including, but not limited to, workplace safety requirements, may result in decertification.

Material Tracking Requirements

Reporting requirements include but are not limited to:

- Scales to track all incoming and outgoing material
- Documenting tonnage of all incoming solid resources by material type
- Documenting incoming solid resources delivered under the agreement by material type
- Detailing processing procedures, as necessary for processing facilities
- Documenting tonnage of all outgoing solid resources by commodities
- Documenting destination of all solid resources by commodities

Training Program Required

At minimum, the facilities shall have a training program in place for their worker that includes:

- Injury and illness Prevention,
- Basic safety introduction,
- Personal protective equipment
- Lock-out/Tag-out
- Confined space

- Ergonomics
- Hazardous waste identification
- Vector and disease awareness
- Emergency response/Fire-Safety
- Accident Investigation

Cal OSHA Requirements

Certified Facilities shall be required to obtain and maintain certification from CAL/OSHA's Voluntary Protection Program at the level of SHARP or higher.

While facilities are awaiting approval from CAL/OSHA on the Voluntary Protection Program certification the City will require facilities to submit annual health and safety audit reports from a reputable safety audit firm. The report shall include conditions that present safety and health hazards for the workers. Also, the report shall include how safety and health hazards have been addressed and corrected if problems are identified. If the audit did not find any safety and health hazards or violations, the report shall state as such, but shall include recommendations to enhance its current practices.

Compliance with State Minimum Standards

All Certified Facilities, including Disposal, Transfer and Processing facilities, shall possess and maintain a Solid Waste Facility Permit issued by CalRecycle.

Management of Materials On-Site

All Certified Facilities that transfer or process solid waste shall be enclosed. Solid waste shall not be handled or stored outside the enclosed facility.

All Certified Facilities that transfer or process source separated organic waste (excluding yard trimmings) shall be enclosed. Organic waste (excluding yard trimmings) shall not be handled or stored outside the enclosed facility. This requirement does not include organic composting facilities.

Specific Requirements (in addition to the above)

- Certified Facilities shall have the dust control measures in place to ensure dust does not leave the site.
- Certified Facilities shall have odor control measures in place.

- Certified Facilities shall have litter control measures in place to ensure no litter leaves the site.
- Certified Facilities shall have noise control measures in place. All equipment and vehicles shall be maintained to control excessive noise.
- Certified Facilities shall be in compliance with Federal, State and Local storm water runoff requirements.
- Certified Facilities shall maintain a logbook, on site, of complaints. The logbook shall be kept updated and shall include the details of complaints, responses, and corrective actions. All complaints shall be addressed and responded to within 24 hours.
- Certified Facilities shall be in compliance with local entitlements.

Response to Community Concerns and Recommendations

As detailed above, the proposed Certification Program addresses many of the concerns from the community. The proposed program requirements will include: frequent and detailed inspections; enclosure of solid waste handling facilities; dust, odor, litter, noise control mitigation plans; compliance with storm water runoff requirements; compliance with laws, regulations and standards; more stringent permitting standards; material tracking including weighing of material on site; safety and training; and a log of all complaints with corrective actions. These program requirements, as well as those detailed above, will help ensure well run facilities and provide a safe working place for employees.

The new Certification Program has some specific limitation to its authority. Staff has worked closely with the City Attorney's office in establishing the authority and enforcement actions allowed under the new program. Certification staff will have the ability to note, track, and report potential violations of permit conditions issued by other agencies. However, the enforcement of those permit conditions must remain the authority of issuing agency. Maintaining all necessary permits will be required under the new program. Revocation or suspension of a required permit, by another agency, will be grounds for decertification.

Certification staff will be able to assist other agencies. Enforcement by other agencies is often limited by available resources. Many permitting agencies do not have the staff to perform frequent and regular inspections, leaving many potential violations undocumented. Under the new program there will be sufficient staffing to ensure facilities are inspected on a frequent basis and staff will stay in close contact with other permitting agencies. All potential violations will be documented and reported immediately to the appropriate agency.

Solid waste handling and processing facilities will be required to be enclosed under the proposed certification program. However, the air handling requirement within an enclosed facility cannot be established through the certification program. The State of California Air Quality Management Districts has jurisdiction for controlling air quality and air pollution for facilities

located in the Los Angeles area within the South Coast Air Basin. Facilities within the South Coast Air Basin would have to comply with South Coast Air Quality Management District (SCAQMD)'s rules and regulations.

A few of the suggested recommendations are dependent on the location of the facility. Limiting the facility operating hours, for example, may result in more facilities. Many commercial accounts are collected during non-peak hours to avoid congestions on City streets, and often require multiple trips to a facility. Facilities may require operating multiple shifts to process the material required to be diverted through the franchise. It is important to note that many of Certified Facilities will be existing facilities. Other recommendations pertain to the planning process rather than operations include specifying minimum lot size, use of permeable pavement, requiring minimum offsets, and requiring installation of CGN or LNG fueling facilities.

Next Steps

LASAN will finalize franchise facility requirements and develop inspection and enforcement procedures including certification, de-certification, and appeal processes.

ECZ:kc

Attachment

c: City of Los Angeles Councilmembers
Herb J. Wesson, Jr.
Mitchell Englander
Gilbert Cedillo
Paul Krekorian
Nury Martinez
Bernard Parks
Curren D. Price, Jr.
Mike Bonin
Mitch O'Farrell
Joe Buscaino
Greg B. Good, Office of the Mayor
Kevin James, BPW
Barbara Romero, BPW
Rafael E. Prieto, CLA
John A. Carvalho, City Attorney
Holly L. Wolcott, City Clerk
Alex E. Helou, LASAN
Karen A. Coca, LASAN
Daniel K. Meyers, LASAN

Attachment

Communications from Community Members

Emails from William Eick:

Dear Ms. Coca,

Thank you for meeting with members of the community to discuss what requirements should be imposed on material recovery facilities as part of the Franchising process. Some of my comments will contain a narrative to describe the background of the concerns. Let me start out by explaining why the bifurcated nature of prior approval processes have lead to high levels of community frustration. Cal Recycle now approves disposal/recycling sites, but refuses to take into consideration the truck traffic that goes to and from the proposed facilities or the types of trucks which deliver material to the site. City land use approvals cannot take those matters into consideration and any agreement by the applicant to volunteer conditions about the types of collection vehicles or other off site requirements are considered unenforceable. Thus truck conversion requirements are mere unenforceable promises. For instance, one facility in the area made such promises and after obtaining the approvals just said sorry we are not going to comply. There is no enforcement mechanism. Thus at a minimum I would urge that all of the promised, but unenforceable conditions placed on any current or future transfer /waste site be made mandatory under the franchise agreement. Franchisees should not be allowed to dispose of material at sites which have failed to live up to their heretofore unenforceable promises. The City has an interest in making sure that the facilities to which the material is taken provide the cleanest possible environment even if some of the material collected at that facility or the trucks which dump at those sites are not exclusively for franchisee collected material. The more specific comments are as follows:

1. Transfer facilities to which franchisee material is sent must be fully enclosed with a negative air system and scrubbers. In the past some operators agreed to "fully enclosed" facilities, but the doors are never closed and there is no negative air. The garbage spills out onto the surface outside the structure. Structures enclosed on three sides are not fully enclosed and even if they have doors which are never closed, the real need is for a negative air system. Also these facilities must not permit cuing of trucks on the streets and must have clarifiers to prevent storm water run off pollution. You might want to take a look at the proposed conditions for Community Recycling which will be before the Planning Commission August 28, 2014 for additional items.

2. In the meeting I thought that the City might be thinking about allowing Franchisees to have four or five years to find and or build a facility that meets that standards similar to those described above. That is not acceptable. They must agree to place the material in a facility which currently meets the requirements. Allowing a franchisee five years to acquire and permit a facility is merely an invitation for endless requests for extensions of time. Additionally, it is highly unlikely that the Franchisee would also own the disposal/mrf facility. The ownership of these facilities is often segregated. For instance Crown Disposal will likely be a Franchise applicant, while the waste stream will be deposited into a site owned by Community Recycling. The companies are related, but not the same. This is the same type of bifurcation described above. There will be a big incentive to build and operate qualifying facilities if the Franchisees are required to dispose of the waste stream in a proper facility from day one.

3. Cal Recycle has certified facilities in the past which, despite community input, do not meet community standards. It is imperative that just because, there is a Cal Recycle permit that fact does not automatically allow for the certification of the facility. The City should impose its own standards on these facilities even if they are more stringent than the Cal Recycle permits require. Those permits may have been issued years before, at a point in time where current technology was not available. Also some operators have parsed the words to mean something other than what was intended. As an example I refer you to the words "fully enclosed". The certification standards should be a race to the top and not a race to the bottom.

4. The City should require that each Franchisee must require in writing that the City has the right to inspect any certified facility without notice to such facility. There must be a mechanism to enforce the certification requirements, even if that means that such facility which fails to meet those standards will be disqualified from receiving a waste stream from a Franchisee until the defect is remedied.

5. One of the issues relates to the weighing of the waste stream. The scales must be digital in nature and the information must be accessible on a real time basis to the City. From a community basis the biggest issue is to make sure that the trucks are not overloaded and in violation of the weight standards for roads. Our streets are torn up and enforcing weight standards is important. There should be a fine system or some mandatory reporting requirement whereby the Franchise system reports the violations to the portion of the City that levees these fines. At some point the Franchisee must be made to comply with these weight standards.

In summary, this is an opportunity for the City adopt a unified system of collection between the Cal Recycle standards which vary and often times are merely a rubber stamp for the industry and the collection vehicle standards. This is the only chance for the City to fully regulate the waste stream process. While I have other issues which might be relevant, I am mindful that the purpose of the meeting last Thursday was to collect some thoughts from the community concerning the certification of end of the waste stream processing facilities.

Thank you for the opportunity to participate.

Bill Eick

Karen,

Thank you for reading my e-mail on the subject. I look forward to seeing a draft of the city requirements. I prepared that email so that you would have it prior to your meeting the following Monday with the City Attorney. Some of my comments were more specific than others. The biggest point is that this is the only opportunity the City, or anybody else, has to have unifying regulations which cover both the pick-up and deposit of waste. In every other process the agency in charge states that it has no jurisdiction over the entirety of the process. Allowing one franchisee to deposit the garbage in a facility without uniformly high standards is a competitive advantage to the least compliant facility. This is a race to the bottom.

Thank you,

Bill Eick

Karen,

I need to make you aware of what happened today before the planning commission regarding Community Recycling. The City attorney opined that the volunteered conditions by Community Recycling, such as the host fee, were not enforceable because the project was limited to recycling and all of the recycling impacts allegedly had been mitigated. The planning commission voted for the volunteered conditions, but it is apparent that the City does not think that it can enforce them. This is due to the bifurcation of the waste business where the transportation and the the recycling/processing are separated. The franchise process is in a truly unique position to tie the two together. The City can require that the Franchisees CANNOT deliver any portion of the collected material to a facility, unless that facility agrees in writing to comply with all of its conditions of operation including volunteered conditions which might other not be enforceable including but not limited to tipping/host fees. The failure of any such facility to comply will then automatically disqualify it from receiving franchise waste. This can be enforced against the franchisee. This would not solve all problems, but would certainly create an enforcement mechanism for any facility which wanted to accept franchisee trash, and my guess is that would include everybody. The franchise system is the last best hope for an integrated system.

Thank you,
Bill Eick

Karen,

I would appreciate it if you send me a copy of the proposed franchisee regulations which we have been discussing. I would like to see them before they are finalized as part of the bidding process.

Thanks,
Bill Eick

Email from Mike O'Gara (letter attached)

My ToDo list is two pages long and everything is a Necessary NOW item. It grows each day.

This has been Gnawing at me since our meeting and now I am rushed to do it But I very much wish to contribute some of what we have learned from dealing with Waste Management, Athens Services and Crown Disposal.

I am mostly concerned that we don't have anymore of these facilities forced into Sun Valley and its surrounds and also on the affects on the neighborhood where these types of facilities are located. We have been told that ALL these trucks as Much as possible shall be powered by LNG/CNG same as the Cities Fleet and those that cannot be powered by CNG?LNG because we have not yet developed the technology to power the weight loads necessary SHALL BE powered by the cleanest fuel at the time.

I have quickly jotted down the requirements that I think are important for a new facility. If I think of more I shall contact you. If there are any questions about my list please contact me

Thank You for reaching out to us.

PLEASE SEE ATTACHMENT

Mike O'Gara
Sun Valley Area Neighborhood Council
[818-767-6766](tel:818-767-6766)
Mikeogarasvanc@aol.com

Attachment from Mike O'Gara

I would like to Comment on the physical part of the Transfer Stations

First is that priority for a Waste Franchise should be given to those Companies that are going to build facilities in other parts of the City that do not presently have any kind of Waste Facility. Priority should also be given to companies that are going to build facilities in parts of the City that are 15 miles away from where any present facility is located. Hopefully this should spread them out throughout the City and keep down on distances that haulers have to drive to use them.

These facilities should be built to handle a minimum of 1500 tons of waste per day.

That waste would include green waste, Source separated cardboard, Blue Bins, Municipal solid waste, Construction&Demolition debris, Plastics, Glass, Food Waste, and Animal Manure

They should be located on a minimum five acre parcel. The company providing the services shall be able to park all their mobile vehicles in close proximity to the Transfer station.

As soon as a Facility has been approved the Gas Company shall be contacted to build a CHG or LNG Re-fueling facility in the area that may be used by area residents as well as the Waste facility.

Buildings shall be FULLY ENCLOSED that is a four sided building with a roof with Negative Air Pressure and scrubbers to treat the air before releasing it to the Neighborhood.

Ingress and Egress for trucks shall be thru doors that only allow one truck at a time to enter or leave the facility. There shall be separate entrances and exits for transfer trucks and collection trucks

The "Sorting Racks" shall be isolated from the main floor of the area where waste is dumped on the floor by incoming waste vehicles. This area shall have a separate AIR source for breathing of the Employees working there. They should not have to breathe the air untreated from the odor that prevails in the area where waste is separated.

All waste vehicles shall be washed every day this will necessitate a truck washing facility on-site that uses recycled water.

All Stormwater shall be captured and treated before being stored in cisterns that allow it to be used to irrigate landscaping before being allowed to percolate down into the groundwater or flow to a plant that recycles the water. All paving surfaces shall be concrete

All or as much processing equipment as possible that is used to process the waste shall be powered by Electric Power supplied by the local Electric Company. As much Solar Power as deemed possible shall be installed to lessen this load to the "Grid". Mobile devices and vehicles used in the facility shall be powered by CNG/LNG fuel.

The roof of the building will have panels spaced throughout that allow natural lighting into the facility

As much as Possible the hours of operation shall be confined to 5am to 8Pm Weekends shall be reserved for cleaning the facility and hopefully transferring Recycled goods to the PORT if necessary. My understanding at this time is that much of our recycled goods are being reused in California, so it should be possible to ship these during daylight hours during the week Monday to Friday.

All baled materials will be stored in an enclosed building.

The facility shall be completely walled in with a minimum five foot landscape bed around it with Sidewalks and Street tress in the Parkway.

Parking shall be provided for all employees. The parking are shall be landscaped with shade trees per Los Angeles Muni –code. Paving shall be Permeable to allow Stormwater to percolate into the ground.

Email from Nancy Woodruff

Dear Karen,

Thank you so much for allowing us to contribute our thoughts to this important step to achieving the Los Angeles goal of becoming a Zero Waste City by 2030.

Shortly after I became a member of the Foothill Trails District Neighborhood Council 7 years ago, I attended several Zero Waste presentations given by the Bureau of Sanitation. At that time we were introduced to the proposals which included recycling whatever was recyclable and then either chemically or thermally reducing the balance of waste into energy. We were shown examples of such plants in Europe and Asia. The plan involved construction of these facilities on minimum 10 to 15 acre lots, I believe, and in industrial zoning. I went home to explore where such lots existed throughout the City as my immediate thought at the time was that they would all be coming to Sun Valley, not far from where I live and have raised my family with the odors of trash from local dumps, which now continues coming from trash recycling companies which have been built on top of the same dumps when they closed.

I viewed the City Master Plan which has very few areas with the required size and zoning and these, as expected, are not in the 'better' parts of town. As a matter of fact, as I am sure the Bureau and the City are aware, Sun Valley has 100's of acres of bare Industrial or similar zoned private, public and City owned properties existing on closed and active dumps left over from rock and gravel mining operations. Four recycling businesses have been built within a couple of blocks of each other close to where I live. The community has fought hard for environmental quality standards for these businesses. The reluctance of the City Planning Commission yesterday, to take action on agreed to conditions, after years of planning by the company and the community, only goes to show what a challenge lies ahead. The Commission repeatedly advanced their unanimity in wanting the neighbors, environment and

workers to be protected as much as possible from the obvious negative side effects of such nearby businesses however their concern for political and litigious consequences won out. The reality is, Sun Valley and its available land is surely going to be the site for Zero Waste's location in the future.

With that in mind, as well as Section 66.33 of Ordinance 182986, "The City has a responsibility under State law to insure effective and efficient waste and recycling service for its businesses and residences. It will most successfully fulfill that responsibility, and also meet its own Zero Waste policy goals, by ensuring that its solid waste, including recyclables and organics, are collected, transported and processed in a manner that reduces environmental and social impacts on the City and the region....(v) "increasing the City's ability to ensure diversion quality in the processing facilities handling its waste and recyclables"

How to do that? The immediate answer is rules and enforcement.

As have been proffered by other members of "the Working Committee":

1) When conditions in a CUP have been agreed to by the developer, whether deemed voluntary or not, they need to be considered as an agreed to Condition that runs with the land. That needs to be accepted by the Franchise hauler and when it is being violated or neglected that Franchisee is required not to use that processing plant.

2) A five year window for a Franchisee to utilize a processing facility closer to their Franchise location is too long and not an incentive to build a plant anywhere beyond Sun Valley. That needs to be reduced and perhaps given an incentive beyond just reducing the travel time and cost. Examples might include reduction in Franchise Fees and business tax credit to the new processing facility, or additional franchise fees for any trip that is longer than 15 miles (or something comparable).

3) The positive improvements that have been agreed to by processing facilities in Sun Valley, such as totally enclosed buildings utilizing negative air flow and filtration, efficient movement of vehicles within sufficient space, on site truck washing facilities using recycled water, clean air conversion to stationary as well as haul vehicles as soon as available within a reasonable time frame, etc. need to be incorporated across the City so that no business has an advantage over another.

4) Because violations to operating conditions happen and immediately affect workers and the community, inspections should be unannounced when a number of complaints have been made. A call to AQMD may result in an inspection 6 to more hours later due to their schedules and home location being so far away. Each operator needs to have a 24/7 call number that is clearly indicated at their property, on their web site and on a Bureau of Sanitation Web Site. B of S should have a call/email format for complaints as well. In addition there needs to be public access to complaints on a quarterly, or similar schedule. (Think TED as a concept - Time Sensitive Enforcement with Disclosure)

5) Franchisees should be informed by the City about operating conditions agreed to by the Processors and when the latter are in noncompliance there should be consequences for the Franchisees, as well, such as a short time frame to comply or face shutdown.

It is imperative that each step of the Zero Waste process be as forward-looking, socially and environmentally professional as possible. There apparently are a number of good examples to refer to. This City can set the example for the rest of the country but it will take strength and determination to creatively encourage best practices over greed.

Respectfully submitted,

Nancy Woodruff

Summary of Comments

COMMUNITY COMMENTS
Proposed facilities after obtaining city approvals do not comply with approval conditions. When facility is non-compliant with operating conditions, there should be consequences. There should be mechanism that facilities that do not meet certification requirement get disqualified from receiving franchise waste.
Allowing franchises to have four or five years to find and build a facility that meets standards would end up with endless requests of time extensions.
CalRecycle certified facilities do not meet community standards. The City requirement shall be more stringent.
Due to bifurcation of waste business where transportation and the recycling/processing are separated, the City nor the State cannot impose conditions to address types of collection vehicles and off-site requirement.
Facilities shall be fully enclosed with a negative air system and scrubbers.
The City shall have the right to inspect any certified facilities without notices and unannounced.
24/7 call numbers shall be available at franchisee properties, on their website, and Bureau of Sanitation website. Bureau of Sanitation shall have a phone number and e-mail address for complaints. Public shall have access to complaints on a quarterly or similar schedule.
Facilities shall have digital scales and information shall be accessible on a real time basis due to community concerns over trucks being overloaded and weight standards for roads. There shall be mandatory fine system for trucks violating city street weight standards.
Priorities shall be given to companies that are going to build facilities in other parts of the City and build facilities that are 15 miles away from where any present facilities are located. There shall be incentive to build and operate facilities that meet community standards.
Provide an incentive for reducing travel time and cost such as reduction in franchise fees and business tax credit to new processing facility.
Operating hours shall be limited to 5 am to 8 pm. Weekend shall be cleaning of the facility and transferring recycled goods. Shipping shall occur during weekdays.
Facilities shall have sufficient space for vehicle movement and no cuing on the street. Ingress and egress for trucks shall be thru doors that only allow one truck at a time to enter or leave the facility and separate entrance and exits.
Facilities shall have clarifiers to prevent storm water run-off pollution. All stormwater shall be captured, treated, and stored to be used to irrigate landscape before allowed into groundwater or a plant that recycles the water.
All paving surfaces shall be concrete. Paving shall be permeable to allow stormwater to percolate into the ground.
Facilities shall handle a maximum of 1500 tons of waste per day. If sometime after they have time to be up and running for a number of years and wish to expand the facility, they can apply for an increase in the intake of their waste by following usual channels.
Facilities shall be built on a minimum of five acre parcel and park their vehicle close to proximity to transfer station.

Facilities approved for franchise shall build a CNG or LNG re-fueling facility in the area that can be also be used by area resident.
Sorting racks shall be isolated from the main floor of the area and have a separate air source of the employee working at the facility.
All waste vehicles shall be washed every day and there shall be truck washing facility on-site that used recycled water.
All baler shall be within enclosed building.
Facility shall be completely walled in with minimum of five foot landscaping around with sidewalks and street trees in the parkway.
Parking shall be provided for all employees. Parking shall be landscaped with shade trees per City of Los Angeles Municipal Code.
Roof of the building to have a skylight to allow natural lighting.
Power shall come from local electric company and as much solar power shall be installed and utilized. Mobile devices and vehicles shall be powered by CNG/LNG fuel.
The City should be able to impose conditions regarding what types of fuel trucks and stationary equipment are powered by.