

South Bay Odor Stakeholders Group

Meeting Minutes

Date: January 18, 2024

Location: Microsoft Teams

Recorder: Republic Services

Attendees: Anurag Pal, Office of Asm. Alex Lee; Anthony Boccaleoni, Republic Services; Carmen Montano, Mayor, City of Milpitas; Chia Ling Kong, City of Milpitas; Elaine Ko, BAAQMD; Elaine Marshall, City of Milpitas; Eric Kiruja, CalRecycle; Gregory H. Nudd, BAAQMD; Jason Nettleton, City of San Jose; John Marvin, BAAQMD; Juan Ortellado, BAAQMD; Jose Guerrero, CSJ WWTP; Kathy Cote, City of Fremont; Michael Geiss, Republic Services; Paul Grazzini, BAAQMD; Rachelle Huber, Republic Services; Richard Elkins, Republic Services; Roberto Alonzo, City of Milpitas; Stanley Tom, BAAQMD; Tamiko Endow, BAAQMD; Tom Pyke, Office of Congressman Ro Khanna

Discussion

Enrique Perez	1. Call to Order 10:34 a.m.
SBOSG members	2. Overview of Meeting Minutes from October 19, 2023 No changes
Paul Grazzini Chia Ling Kong Enrique Perez Tamiko Endow	3. BAAQMD – Odor Complaints and Enforcement Activities Paul: There was a bit of a decrease in in complaints in August and September. 8 complaints. One was confirmed to ZWED. I believe they resolved that problem pretty quickly and in October we saw a slight uptick. There were 18 complaints in November and 15 in December, looks like one was confirmed. And then just to note, right now in January, we're a little bit more than 20 complaints with one confirmation. We've gotten more yesterday and there's a few other complaints that are pending confirmation. So and addition to that, just the only enforcement activities have been related to inspections and or investigations related to the gas control system. Chia: I'm wondering if that October uptake was related to the transfer of the bio solids that used to happened around that time frame and if not, what was it you know, did you guys have a has a an idea what was causing the uptick and whether it's related to the current uptake in December and January? Paul: Usually what coincides with those up-ticks in the fall and even in the spring is the meteorology of the Bay Area.You tend to get more of a cyclic nature of the onshore offshore breezes. And so when you get that onshore breeze, we definitely see an uptick in complaints. The wet weather has had some effect on the generation of odors at the landfill, but that's the information I have right now is it's been attributed to the wet weather. Enrique: In terms of Paul's comment on the rain and the

	<p>weather, in collection post collection facilities that generally attributes to a change in the odors. But in reference to the landfill itself, we haven't done any new activity or any activity out of our normal operations, which would have attributed to any of those odor complaints. Paul: I will say from year to year in the last few years we have seen a pretty significant decrease in complaints. That's not to say that the odors aren't still occurring, I believe that there's been some "complaint fatigue" in the community.</p> <p>Tamiko: just wanted to provide the comment that the addition of liquids to landfill waste does tend to increase decomposition activity and so it does make sense that wet weather would increase both the decomposition generation of landfill gas and odors and I agree that it's not acceptable to have, up ticks and odors that are plaguing the community during wet weather. So ideally there would be controls in place such that regardless of the weather, we would not be receiving a lot of complaints.</p>
<p>Greg Nudd Viet Tran Elaine Marshall</p>	<p>4. BAAQMD - Odor Study Update</p> <p>Greg: I want to introduce my new colleague Viet Tran, Deputy Executive Officer of External Affairs. Viet: My primary roles as the Deputy Executive Officer, Public Affairs are to manage our legislative government relations, external affairs with our Cities, County, state and federal government, also managing our communications and media relations. And then finally, managing our special projects. Greg: So that's going to be key in the release of this document and it is ready to release, apologize for the delay as part of the new management structure, we hired a new Deputy executive officer over engineering, which does permitting and enforcement and the new Deputy Executive Officer, Dr. Meredith Bauer, happens to have a PhD in atmospheric chemistry so we wanted to give her an opportunity to review and digest the document and see if she felt there are any changes that need to be made it before it was published. We've completed our internal reviews. It's ready to release, and then the next step is to figure out how to do that, set up the appropriate spot on our website to publish it. If you have seen the drafts, it will look almost identical to the draft you have already seen. Probably the only thing that's different is some responses to comments that we have received and really one of the reasons why I'm happy to have this group is we'd like to get input from y'all about what this rollout should look like, what coordination would the city of Milpitas like to do? But there are some things that Republic would like to see and kind of how this has rolled out, not that we're going to coordinate messaging with Republic, but happy to hear whatever concerns they might have regarding the release and include those in our considerations. So that's the main thing I hope to be able to report out to this group within a few weeks that it is available online, but if there are reasons to coordinate, say with the city or other local government entities, please reach out to myself and we'll rope in Viet and we'll figure out how to do this in a coordinated fashion. Elaine: I think from Milpitas's perspective, let me connect with our public Information Officer and our city manager's office. I think there is a heightened interest on from our community, so let me get their thoughts and get back to you in terms of publicizing the release, whether it's some social media and or a press release with links to the report on your website at the very least. But I'll see if there's any additional ideas and whether or not there's an interest in having a presentation at our City Council or one of our subcommittees. Greg: So as far as the air district's assessment of the final report, I really wanted to get Dr. Bauer's input and the broad consensus within the Air district is that the landfill gas is driving the majority of the community complaints and there are other sources that may be more intense up close, but out in the community, it's really the landfill gas that's bothering people the most. So</p>

we need to get those releases down to as close to zero as possible, so there's a kind of a A3 stage process for addressing this right now. So initially we will continue with our very aggressive enforcement posture and as Paul pointed out, there was 10 NOV's issued in 2023 to Republic and the majority of those were regarding the operation of the landfill gas system. We will continue along those lines. Now, the way those notices of violation work is they are a notice to the facility that we believe they are out of compliance. And then there's a process where work through with the facility to hold them accountable, and that can include fines. It can also include changes to their operations to reduce future noncompliance. So all of those are in process. We think that that the landfill can do better in reducing the emissions of this landfill gas. So we're also looking at permits as they come through, when there are sources identified that need permits, when there are new permits to be issued, this information will be taken into account and worked into those. Those discussions with Republic about the permit conditions. Chia: I was going to ask if the next steps also includes getting the information of the compounds from the study, because I think that's one of the original goals of the study is to know what the fingerprint is so that we can move forward to developing monitors that can be collecting this information in real time. So that way it doesn't become dependent on complaints from the public. It can be continuous improvement based on these monitors. Is that still a goal out of the study? Greg: The study did clearly identify some of the compounds that compose the fingerprint for the landfill gas. And in order to set up the kind of system you're talking about, we need to have a network of monitoring. Might be a combination of fence line and community monitoring to try and observe these compounds it one of the issues is that even though these compounds have been identified, they're detected at pretty low levels, so finding the right methodology to be able to monitor this in a reliable and continuous fashion might be a bit of a technical challenge. There's also a regulatory aspect to this in that in order to set up that kind of system, we'd have to change our landfill rule in order to require that monitoring and to set up that kind of automatic response and feedback loop that you're talking about. So right now, the state of California, the California Air Resources Board, is looking at updating their landfill methane rule and most of them are methane from landfills. I won't say most, but a lot, if not most of the methane from landfills is coming from the landfill gas system itself, whether it's leaks in the collection system or improvements needing to be made and capture efficiency in those sorts of things. So there's a lot of overlap with what the California Resources Board is trying to do for methane and what we would like to see happen both for methane and for odors. So we're tracking that state regulatory process right now and the lessons learned that we're finding in our compliance and permitting activities will be fed into that statewide process. And then when that statewide rule is complete, we'll look and see, OK, does this do everything that it needs to do or are there some things that we want to do locally here in the Bay Area that would be more stringent than what's required by the state? So that's kind of the big picture process of where we are on this. So the first step obviously is enforcement working with Republic to minimize the emissions as much as possible under the current regulatory structure. And then the next step would be more stringent rules. We don't want to be duplicative of the statewide effort at this point. So we want to support that statewide effort and then once that comes to a conclusion, if we determine it's not really sufficient to address the concerns that we have at Milpitas or at other areas, then we would put some additional requirements into our rules. So at the same time we're doing this regulatory process, we can also be addressing the scientific side of this and what would that look like to have some kind of automated system where

	<p>we can have that feedback loop that doesn't rely on the challenge that Paul has identified, which is trying to get an inspector out to verify a complaint in order to start that compliance process.</p>
<p>Benjamin Wade</p>	<p>5. Republic Services - Landfill Gas Collection System Update</p> <p>During the last meeting, there were comments that it would be helpful if we could have an update on the landfill gas collection system and I'm here with a few key points to relate to the team. I'm pleased to report that gas flows at the facility are up. We are capturing more landfill gas as we would expect as more gas is generated, comparing December of 2022 to December of 2023, there was roughly a 40% increase in flow rate at the flare. Additionally, we are taking continued efforts at the facility to expand the gas collection and control system and improve the performance of that system over time. We currently have a construction team onsite, and they are mobilizing, preparing to install an additional 14 collectors as we also look to potentially install more throughout the future. The system is dynamic. We look for continuous improvement, but the management of our 230 collectors plus the addition of more in the near future, I believe I'm optimistic in our ability to continue to capture additional flows and improve site conditions even more.</p>
<p>Tamiko Endow Enrique Perez Anurag Pal Elaine Marshall</p>	<p>6. Round-Table Update</p> <p>Tamiko: This group was convened as a result of the odor study requirements from the City of San Jose related to your landfill expansion.</p> <p>The district's completed a study and will be posting it. But what are the next steps regarding your permit? And with the city of San Jose, has it been decided if this study will serve as a study that San Jose required? Or do you have any other updates to give us about that process? Enrique: I'll have to get back to you on that. Anurag: When this study is completed does this mean your requirements are met by the City of San Jose? Should we continue to meet while these new policies are made at the air resources board? Maybe not 4 times a year maybe twice a year to get an update because odor is going to be slower issue in Milpitas? My understanding was this group was formed based on your permit - you had a permit condition that you have to have this group and have it do a study. It might be good for us to just meet twice a year to go over what's happening at your facility and what's happening with BAAQMD and everything we hear from constituents we can share. Enrique: If we'd like to set up a meeting for updates, that's something that we can facilitate to the Members and continue the communication based off of the results of the study and how we move forward with the district. Elaine: I think we'll need to go back to the conditions of the conditional use permit for the landfill expansion which triggered this, the stakeholder group establishment. I don't think it was limited to just the completion of the report. I believe it's an ongoing group that's supposed to be continuing even once the report is completed. I'm OK if we want to switch the frequency to twice a year as suggested by the representative from Representative Lee's office, but I believe this group continues to meet. Enrique: So once I get an update on that we'll move forward, pertaining to those conditions.</p>
<p>Enrique Perez</p>	<p>7. Suggested Next Meeting Date</p> <p>Next scheduled meeting April 18 at 10:30 am – 12 pm via Microsoft Teams</p>

Enrique Perez

8. Adjourn

11:09 a.m.