

## **Community Groups Look to the Future, But Glendale Officials Largely Cling to Tipping Fees and Fossil Fuels**

*By Mary Stewart Douglas*

Community groups and residents call upon Glendale to look to the future to consider the benefits of clean energy by asking Glendale officials to stop and rethink the plans for four polluting projects that are now under consideration. The projects are repowering the Grayson Power plant, the Scholl Canyon Power Plant, the anaerobic digester at Scholl and the expansion of Scholl Canyon Landfill.

In a February 28, 2018 article in the GOCHA (Glenoaks Canyon Homeowners Association) newsletter, the ECHO, Gerry Rankin, an 80-year resident of the Canyon, firmly linked the four projects, saying, “the draft Grayson EIR fails to cover three other elements – expansion of the landfill, the anaerobic digester, and the Scholl power plant – that must be included in any complete future changes at the Grayson Power Plant.”

Others questioning Glendale Water and Power’s plans are the Verdugo Woodland Homeowners Association, the Glendale Environmental Coalition, LA County Supervisor Hilda Solis, Los Angeles Councilman Jose Huizar from the 14<sup>th</sup> District, the Eagle Rock Neighborhood Council and Communities United. Also, national organizations such as Earthjustice and the Sierra Club have opposed the Grayson plan, and, by extension the failure of the City to thoroughly analyze the other three aspects of the plan and arrive at more environmentally beneficial alternatives

They all seriously doubt that Glendale will meet its goal of reducing the city’s waste by 75 percent by 2020 and 90 percent by 2030 if these projects proceed. Because landfill gases are necessary to fuel the proposed Scholl power plant, and an anaerobic digester processes organics to produce methane - both expensive, long-term investments – it is more likely that expansion and an increased lifespan for the landfill will follow from these projects.

The groups also have serious concerns about the earthquake dangers posed by the Verdugo Fault .3 miles away from the 56-year-old landfill, which rests on fractured granite. Risks are also posed, they say, by the network of electric lines above Scholl, the limited access to the site, and air and groundwater pollution problems.

As reported in the *Times Community News*, an Eagle Rock resident, David Greene, who is president of the community’s neighborhood council, said he believes Glendale is pursuing the so-called eco-measures not to cut down on environmental impacts but to extend a financial enterprise.

The landfill generates about \$7.5 million a year in tipping fees for the city of Glendale.

## **When There Are Potential Significant Adverse Effects, A Comprehensive EIR That Does Not Segment Different Parts of a Symbiotic Project Must Be Undertaken**

The California Environmental Quality Act (CEQA) requires that planners develop an Environmental Impact Report that analyzes the environmental impacts of a project that may have potential significant adverse consequences. An EIR also requires analysis of impacts that result from the reasonably foreseeable consequences of the project.

The construction of a power plant on the Scholl site will likely lead to expansion of the landfill. It would make little sense to spend millions to build a biogas-fueled power plant without fully utilizing it, increasing its lifespan, and, probably, expanding it.

Glendale released a draft EIR for an expansion of Scholl Landfill in 2014 but has not finalized it. The draft EIR proposed to either extend the life of the landfill approximately 13 years and allow an 180-foot vertical rise, or extend it 19 years and allow a 180-foot vertical rise and horizontal expansion as well.

In the wake of strongly negative comments, City officials now hedge. Glendale Director of Communications Tom Lorenz said, “Glendale has no immediate plans to proceed with any expansion and possibly may not for quite some time, if ever, depending on the success of the city’s aggressive waste-management alternatives.”

But the success, or lack of success of the waste-management alternatives – including the anaerobic digester – **can**, in fact, be quantified and analyzed in conjunction with expanding, not expanding, or closing the landfill, the community groups believe. Such reasoned analysis can lead to sound decision-making rather than vague pronouncements about the future, they believe.

GOCHA and others also strongly believe that the nearby repowering project at Grayson should be part of a Scholl Landfill analysis. Grayson is now powered in part by methane piped from the landfill. But part of the plan that would affect both Scholl and Grayson is to plug the pipe, using the methane that would have been transported to Grayson for a new power plant at Scholl.

Many suspect that this is being done in order for the City to achieve a higher level of so-called “offset credits” for the City, which are necessary to comply with both state and federal clean air requirements. The City will get greater credits from using the landfill methane in the new Scholl power plant than it gets from piping the methane to Scholl.

But, the groups ask, “Is this the best way to go?” GOCHA and the other groups seek straight answers from Glendale and a full, impartial environmental report that deals with the

cumulative impacts of all four projects of Grayson, expansion of the landfill, the anaerobic digester and the Scholl power plant.

### **An EIR Could Analyze Alternatives for Scholl, Posing Scenarios Involving Different Lifespans for the Landfill**

The Scholl power plant project did not receive the level of analysis of an EIR, but rather was analyzed in a “Mitigated Negative Declaration” (MND), which requires no alternatives to the project and involves little public input.

The “Project Overview” section of the MND developed by the engineering company Stantec sets a tone of uncertainty about the length and scope of the Scholl Landfill.

“At the current fill rate, the closing date of the landfills is **estimated** to be in the mid-2020’s. A proposed but not yet approved expansion of the landfill **may** increase the life...up to an additional 22 to 32 years...[But] the closing date of the landfill, including the request for increased life, **could be sooner or later** depending on disposal rates...”

Stantec, which not only authorized the MND but also would build the plant, asserts that unresolved issues about the landfill should not affect the power plant plans, which are “independent” of the expansion of the landfill.

GOCHA and others note, however, that the uncertainty about expansion of Scholl landfill makes it difficult to analyze the power plant to be placed on it. For example, what quantities of methane would be available for how long with and without expansion? If the Mitigated Negative Declaration is correct that the power plant is indeed independent of the landfill, could it be placed in a safer location and have methane transported to it by pipeline, just as the City has done with Grayson for years? And why build a separate power plant at all when the 12 MW electric power capacity could be included in the existing repowering plan at Grayson, with continued methane transport by pipeline from the landfill?

The Mitigated Negative Declaration’s hazy statements about Scholl’s lifespan raise questions that should be answered in a full EIR. In particular, what does Glendale really have in mind for the life of the landfill?

Different possible closure dates have been expressed both in terms of additional capacity and in terms of years.

Under the original Joint Powers Agreement with Los Angeles County, Scholl was supposed to close in the late 70’s. In the 2014 EIR, closure was proposed to the public for an additional 13 years or, alternatively, 19 years. Frequently, 2021 is cited as the closure date if 1400 tons of trash are hauled there every day. But 2030 was given as the closure date by the LA County Department of Public Health and Solid Waste Management Program in a November 2017 article in the Glendale News-Press.

Such all-over-the-map estimates about the landfill life do not lead to the kind of analysis of the power plant and AD system that should be done. The analytical framework required by a full EIR, however, would allow an independent contractor to address alternative scenarios depending on different landfill lifespans and other factors.

As it is, the Mitigated Negative Declaration appears to be a lengthy “check-the-box” exercise that, the community feels, analyzes a project of no particular time span in isolation that should rather be analyzed holistically in the context of the expansion of Scholl, the anaerobic digestion project, and the Grayson repowering project AND with alternative landfill lifespans.

### **The City Touts Scholl as a Regional Landfill That Should Expand – Despite Local and State Zero-Waste Requirements**

GOCHA and other groups think that Glendale’s planners need to do more to proactively plan for a sustainable future rather than taking a wait-and-see approach. At the Work Boot meeting in 2015, the General Manager of Glendale Water and Power, Stephen Zurn, said about the draft EIR on Scholl expansion, “When that EIR is done, it can go on a shelf and sit forever, and, if we were fortunate enough to reduce our waste to where we wouldn’t even need to expand, that would be great, but as we’ve said, this is looking toward the future and a lot of that is hard to predict.”

But is it really so hard to predict the future based on the data and trends of the last 10 or 20 years? And is it not the job of City planners to make reasoned calculations and predictions?

Or will the City delay landfill expansion until the power plant and AD have been constructed – and then bootstrap the landfill expansion onto the other projects, because, once the power plant and anaerobic digester are built, they will need a steady supply of “feed stock.” GOCHA believes that the expansion plans in the Scholl expansion EIR and the statements of public officials may be evidence of Glendale’s desire to have Scholl be the go-to, expanded regional landfill for the next “33 – 40 years,” as Mr. Ochoa, the former City Manager said. If this is the case, community groups believe they should know this, and their views must be heard in the public process in an EIR that comprehensively analyzes the landfill, power plant, AD, and Grayson.

### **The Mitigated Negative Declaration Brushes Aside Earthquake Danger, Including Groundwater Contamination and Damage to Structures at the Landfill**

Dr. Clarence Hall, Professor of Geology Emeritus at UCLA, addressed the danger caused by the landfill’s .3-mile proximity to the Verdugo fault in an October 19, 2017 Comment on the the Mitigated Negative Declaration. He strongly disagrees with the conclusion of Stantec Corporation that, “potential impacts related to rupture of a known earthquake fault (referring to the Verdugo fault) or strong seismic ground-shaking are considered **less than significant**, and no mitigation measures are required.”

On the contrary, Professor Hall asserted, “Scholl is currently an environmental hazard owing to: (a) the proximity to an active fault, (b) the presence of hazardous waste in the subsurface, and (c) the absence of a composite liner at the base of the landfill.”

An expansion of the landfill to 170-180 feet would add further contaminants to the landfill that escape detection, he added, noting that seismic activity could potentially rupture the present subsurface barrier, releasing contaminants into the groundwater.

Dr. Hall stated as well that there are over 200 chemical substances of concern leaking from Scholl, including trichloroethene, a commonly used solvent that is carcinogenic. The absence of a liner or impermeable membrane at the base of the landfill allows substances of concern to percolate down into the groundwater.

And, while Stantec found that ground shaking of 6.7 magnitude along the Verdugo fault would be less than significant, Dr. Hall stated that a magnitude 6.7 earthquake could rupture the underground barrier in the Scholl Canyon landfill and damage electric power facilities, and engineered structures. The 6.7 magnitude Verdugo earthquake would result in monetary loss estimated by FEMA to be \$23,751,000, and is the fifth most damaging scenario earthquake in southern California, he said.

Although Stantec did not flag the danger to the power plant in the MND document, Dr. Hall concludes that the power plant and other engineered structures – like the anaerobic digester and power plant – would be seriously damaged

Mr. Oillataguerre, Director of Safety and Environment at Glendale Water and Power, however, looks at earthquake danger as an opportunity for the landfill. In the 2015 Work Boot meeting at Scholl, he said, “Everyone in this room knows that we’re going to have an earthquake here. I don’t know when, but we will have a sizeable earthquake. That’s guaranteed. If this landfill is closed, we’re going to have hundreds of thousands of tons of material to take, and where? To Lancaster? To Mesquite in Imperial County?”

GOCHA and others question whether the City should maintain and, eventually, expand the landfill because of its usefulness in the event of a natural disaster, or should rather, shrink and eventually close the landfill as a safer course of action, and one that is consistent with the City and State Zero Waste goals.

Little was said about landfill profits at the 2015 Work Boot meeting, but David Greene, Eagle Rock resident, said to the *Times Community News* in an interview, “This project [landfill expansion] is about extending the life of the Scholl Canyon Landfill and extending the stream of revenue to which Glendale is addicted.

## The MND's Air Pollution Analysis Fails to Analyze Cumulative Impacts

The MND failed to analyze the cumulative impacts of air pollution from the operation of both the Grayson Repowering project and the landfill biogas power plant.

Natural gas power plants emit volatile organic compounds which, when mixed with sunlight, cause ground-level ozone, or smog. The ambient air in Glendale and the surrounding area is already classified as "nonattainment," for ozone, meaning that the air is not considered healthful under federal and state standards. Ozone damages the lungs, and, even in small quantities, can cause respiratory conditions and heart disease.

The MND says that new emissions from the Grayson project will not exceed the significance level. However, new emissions, combined with those of the Scholl power plant and the anaerobic facility, are likely to cause health problems.

CEQA requires that the **cumulative** impacts of air quality be analyzed. Both the total emissions of all criteria pollutants from Grayson, the Scholl power plant and Anaerobic digestion facility must be considered and aggregated to quantify the real impacts of the new levels of pollution. The California Court of Appeals held in a 1990 case, *Kings County Farm Bureau vs. City of Hanford*, that "One of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources...Perhaps the best example is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."

Also, although the City claims that the new Grayson plant will be cleaner than the old one, when an old power plant is refurbished or partially rebuilt, the result is an increase in emissions because plant operators run the new units for longer times due to their increased efficiency. This results in increases in emissions. Here, the Grayson EIR confirms that fact, stating that emissions from the repowered plant will be "greater than recent historic emissions from the existing plant...."

More emissions mean more pollution and greater public health problems.

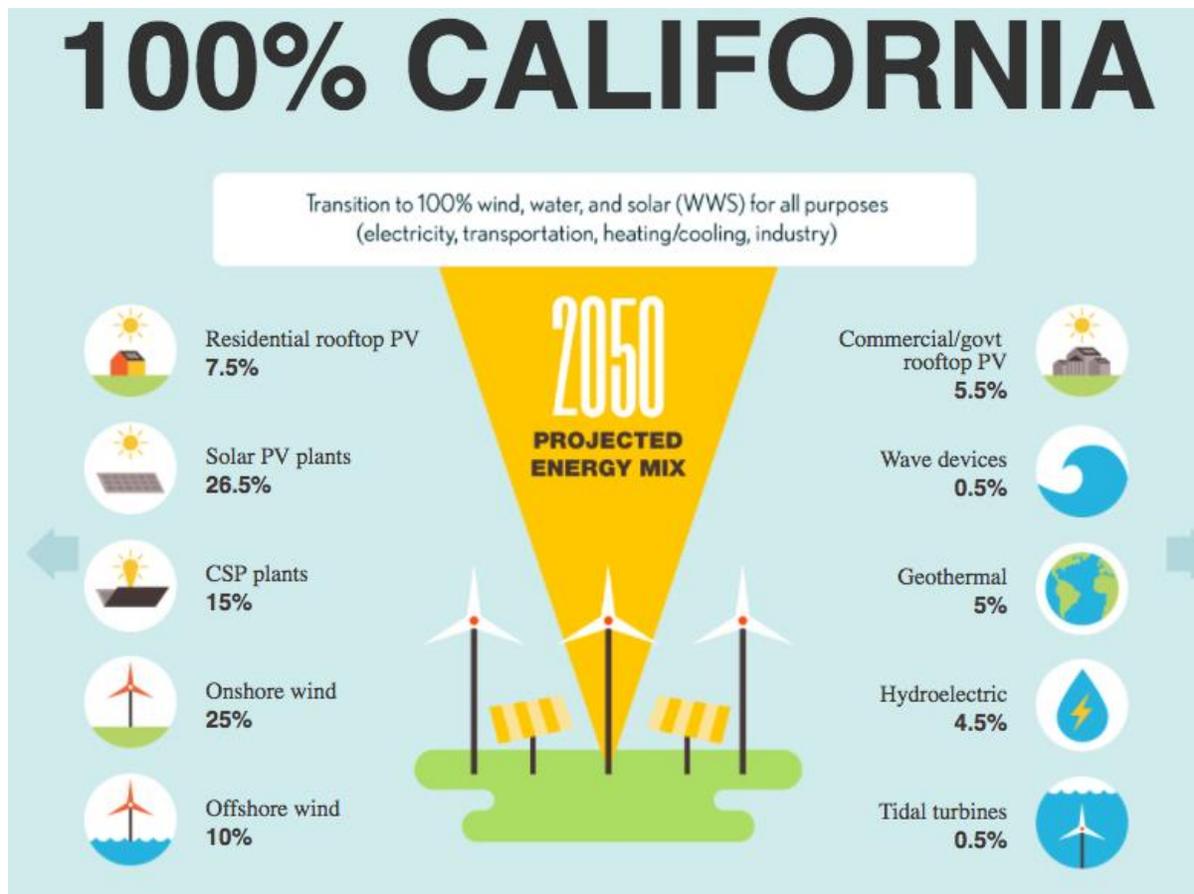
A new EIR that addresses all of the relevant projects should take into account the aggregated impact of emissions from the landfill, Grayson, the Scholl power plant, and the anaerobic digester.

GOCHA and other groups strongly advocate that a revised EIR be developed that presents alternatives for these projects. The groups point to legislation that has been introduced in the State legislature that would require 100 percent use of renewables. Under current State law, California must reach 50 percent renewable energy by 2030. Surely, they say, the repowering of Grayson with natural gas – which emits 117 lb. of CO<sub>2</sub> per million BTU as well as volatile organic compounds and other pollutants -- runs counter to the goals of the future.

Dr. Mark Z. Jacobson of Stanford University published a state-by-state roadmap to convert the country to 100 percent renewable energy by 2050. Last year, his team, called “The Solutions Project,” published a study explaining how each state can replace fossil fuels by tapping into renewable resources available in each state such as wind, solar, geothermal, hydroelectric, and even small amounts of tidal and wave power.

The United States Department of Energy released a comprehensive study with more conservative assumptions, “The Renewable Electricity Futures Study,” finding that an 80 percent renewables future is feasible with currently available technologies, including wind turbines, solar photovoltaics, concentrating solar power, biopower, geothermal, and hydropower.

Deploying a rebuilt fossil fuel power plant is swimming against the tide, these studies suggest. Many Glendale, Eagle Rock, Pasadena and other community groups believe that the EIR for Grayson and the related projects must include alternatives that better recognize the rapidly evolving state and federal trend toward renewables.



## Hazardous Materials at Scholl Landfill Must Be Addressed in a Comprehensive EIR

GOCHA members have raised a number of questions about hazardous materials at Scholl landfill that an EIR should address:

More than 1000 vehicles per day enter the landfill, carrying approximately 800 tons of waste per day. Although Scholl is not classified as a hazardous waste facility, hazardous materials invariably enter the landfill. The loads of fewer than 10 trucks a day are spot-checked for hazardous materials.

When they are found, hazardous materials are placed in a holding area awaiting transfer to a designated hazardous waste facility. GOCHA asks where the holding areas are in relation to the proposed power station. If there were a fire or an earthquake, how would the power plant and Cal Edison's high-tension wires (which run above part of the landfill) be shielded from the hazardous materials? How will the facility ensure that toxic spills do not occur?

GOCHA's leadership also notes that power plants, power lines, methane, and flaring bring the risk of fire and explosion. The landfill is included in the California Fair Plan for insurance purposes as an area designated as having the greatest risk of fire. The surrounding hills around the landfill are covered with flammable grasses, and dry brush and trees are everywhere in the adjacent canyons and neighborhoods. What precautions should be taken? The MND for the power plant is silent on this question. A 60,000-gallon tank of water to be used for multiple purposes – does not adequately reduce the risk of a fast-spreading fire, GOCHA points out.

Glendale would be well advised to listen to the community and make course corrections about the four proposed projects.

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