

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: April 10, 2025

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso  for Council File No. 25-0002-S18
Chief Legislative Analyst Assignment No: 25-04-0280

SUBJECT: Resolution to Oppose legislation and or administrative action that would weaken the California Department of Toxic Substances Control's rules for hazardous waste disposal.

CLA RECOMMENDATION: Adopt Resolution (Lee – Padilla) to include in the City's 2025-2026 State Legislative Program, opposition to legislation and/or administrative action which would weaken the California Department of Toxic Substances Control's hazardous waste disposal rules, potentially allowing municipal landfills to accept contaminated soil from heavily polluted areas, thereby affecting the health and welfare of the public and the environment.

SUMMARY

The Resolution (Lee – Padilla), introduced on March 28, 2025, states that the California Department of Toxic Substances Control (DTSC) is considering a proposal to roll back California's hazardous waste disposal rules, potentially permitting some municipal landfills to accept more contaminated soil from heavily polluted areas. The Resolution notes that the Sunshine Canyon Landfill, which is a major waste management facility located in Sylmar, Los Angeles, has been a regular source of concern for residents of neighboring communities because of the landfill's close proximity to residential areas and schools.

Therefore, the Resolution requests that the City oppose any legislation or administrative action which would weaken the DTSC's hazardous waste disposal rules, potentially allowing municipal landfills to accept contaminated soil from heavily polluted areas, thereby affecting the health and welfare of the public and the environment.

BACKGROUND

The California Department of Toxic Substances Control (DTSC) is a state agency under the California Environmental Protection Agency (CalEPA) tasked with protecting public health and the environment from the harmful effects of toxic substances. DTSC is responsible for regulating the generation, storage, transportation, treatment, and disposal of hazardous waste; which includes overseeing permitted facilities and enforcing strict regulations to minimize risks to public health and the environment.

The DTSC is considering a proposal—which is part of California’s upcoming 2025 Hazardous Waste Management Plan—to weaken the state’s hazardous waste disposal rules. This proposal includes: loosening hazardous waste rules for contaminated soil; allowing contaminated soil that fails the state’s leakage test to be dumped at nonhazardous waste landfills, as long as it passes two other toxicity tests; and potentially permitting soil contaminated with heavy metals to be disposed of at California landfills, subject to cooperation from other state agencies and landfill owners.

California currently has only two operational hazardous waste landfills, one in Kern County and one in Kings County, leading to limited disposal options within the state. DTSC argues that their proposal would lower disposal costs by increasing disposal options and potentially reducing trucking distances. The DTSC also argues that shorter trucking distance would lead to less air pollution from transportation.

Conversely, environmental groups argue that allowing nonhazardous waste landfills to accept contaminated soil could increase the likelihood of chemicals leaking into groundwater or becoming airborne dust—which poses public health risks to nearby communities and ecosystems. Liner systems in landfills can fail due to earthquakes or extreme heat, and such failures could lead to long-term contamination of groundwater near landfills.

The Sunshine Canyon Landfill (SCL) was established in 1958 and it handles approximately one-third of the daily waste produced by the City and surrounding cities. The SCL is classified as a Class III municipal landfill operating under a Solid Waste Facility Permit and a Title V Operating Permit issued by the South Coast Air Quality Management District, meaning it cannot accept hazardous waste.

While the SCL plays a crucial role in waste management for the City (and the County), it has faced complaints over the years regarding noxious odors, diesel truck traffic, and dust. The SCL is located very near to residential areas and schools; such as the Van Gogh charter school about 1 mile from the landfill, which had to install an air monitor due to odor issues. In 2023, nearly 1,000 odor complaints were filed by those living near the landfill. There is also a currently ongoing class action lawsuit against the operator of the SCL, alleging that negligent and reckless operation of the landfill has led to the emission of harmful levels of methane and hydrogen sulfide gases.

Should the DTSC weaken its hazardous waste disposal rules, local issues surrounding the SCL would only become further exacerbated. Reduced regulations could lead to increased risk of long-term environmental damage to the Sylmar area. It could also make it harder for any resident to seek legal recourse for issues.

DEPARTMENTS NOTIFIED

Bureau of Sanitation
Emergency Management Department

CD Fields

Christopher Fields
Analyst

Attachment: 1. Resolution (Lee – Padilla)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal government body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, the California Department of Toxic Substances Control (DTSC) is considering a proposal to roll back California's hazardous waste disposal rules, potentially permitting some municipal landfills to accept more contaminated soil from heavily polluted areas; and

WHEREAS, the DTSC proposal includes loosening state hazardous waste rules, allowing contaminated soil even if it fails the state's leakage test, and potentially permitting soil contaminated with heavy metals, to be dumped at nonhazardous waste landfills; and

WHEREAS, allowing nonhazardous waste landfills to accept chemical-laced soil would be a mistake, and dumping more toxic substances into municipal landfills increases the risk of chemicals leaking into groundwater or becoming airborne dust; and

WHEREAS, liner systems in landfills can fail due to earthquakes or extreme heat, and sending contaminated soil into such systems would also eventually imperil groundwater near landfills and could lead to long-term contamination risks; and

WHEREAS, the Sunshine Canyon Landfill (SCL) is a major waste management facility—listed as a Class III municipal landfill operating under a solid waste permit, meaning it cannot accept hazardous waste—located in Sylmar, Los Angeles, which serves Los Angeles County and handles approximately one-third of the County's daily waste; and

WHEREAS, because the facility is in such close proximity to residential areas and schools, the SCL has already been a regular source of concern for residents of neighboring communities, with complaints rising significantly in recent years involving the facility's odors and emissions of methane and hydrogen sulfide gases; and

WHEREAS, should the DTSC weaken its hazardous waste rules, local issues surrounding the SCL would only become more exacerbated;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-2026 State Legislative Program opposition to legislation and/or administrative action which would weaken the California Department of Toxic Substances Control's hazardous waste disposal rules, potentially allowing municipal landfills to accept contaminated soil from heavily polluted areas, thereby affecting the health and welfare of the public and the environment.

MR

MAR 28 2025

PRESENTED BY: *[Signature]*
JOHN S. LEE
Councilmember, 12th District

SECONDED BY: *[Signature]*

ORIGINAL