

# MEMORANDUM

Engineering Department



**DATE:** August 30, 2018  
**TO:** Mayor and City Council  
**THROUGH:** Julie Edmonds-Mares, City Manager *Julie Edmonds-Mares*  
**FROM:** Steven Erickson, Engineering Director/City Engineer  
**SUBJECT:** Odor Update & Coordination with BAAQMD & LEA

At the August 7, 2018 City Council meeting, the Council expressed concerns that odors around Milpitas have increased recently and directed staff to bring forward an odor status report to City Council in September. As outlined in the informational memo dated August 14, 2018, staff is pursuing several actions to address odor issues in Milpitas. In order to allow additional time for staff to follow up on the various actions noted in the informational memo, staff will bring an odor status report to Council at the October 2<sup>ND</sup> meeting. The following is a summary of the various staff efforts underway related to this topic.

#### **Enforcement:**

Staff has contacted both Bay Area Air Quality Management District (BAAQMD) and the City of San Jose Local Enforcement Agency (LEA) with regard to the recent increase in odor complaints. Many recent odor complaints have been confirmed by BAAQMD and tracked to Republic Services Newby Island composting and Materials Recycling Facility (MRF). This has led to additional enforcement efforts by San Jose LEA and issuance of a citation to Republic. BAAQMD has stated they are working more closely with the LEA and partnering to strengthen enforcement activities. BAAQMD is in the process of conducting a thorough compliance inspection of the Newby Island composting CASP system and green waste operations, and have also issued a notice of violation in August.

#### **Meetings with BAAQMD & San Jose LEA:**

City staff will be requesting ongoing meetings with BAAQMD and San Jose LEA with the purpose of better agency coordination on enforcement. Staff understands a Memorandum of Understanding (MOU) is underway between the two agencies for the sharing of odor inspection data with the purpose of providing more effective enforcement.

#### **Community Monitoring Stations:**

City staff is evaluating the purchase of gas analyzing equipment for deployment at key locations around the City to monitor and classify compounds present in the air. Depending on equipment cost and effectiveness, staff is also evaluating the use of a professional consultant that could provide on-going air monitoring and analysis.

#### **South Bay Odor Group Meeting & Regional Odor Study:**

The next meeting of the South Bay Odor Group (SBOSG) will be October 18, 2018. City Staff will seek a follow-up on the Regional Odor Study that is to be funded by Republic Services. The outstanding issue is reaching agreement as to which public agency will manage the administration of the professional odor consultant.

#### **BAAQMD Board Representation:**

The BAAQMD Board is comprised of 24 Directors across the nine Bay Area counties. Santa Clara County is allowed four representatives, two of which have terms ending in 2018. Staff will be advocating to have representation from Milpitas on this Board, given its critical role with regards to odor issues.