



NEWS



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What are the ‘bio-solids’ burning in toxic Mojave Desert inferno? You may not want to know

By Charlie McGee, VVDAILYPRESS.COM

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Inspectors have been documenting smolder fires, contamination and far more in mudlike piles of sewage at the rural High Desert site of Synagro.

The end of 2020 marked an ominous shift in the inspection record of an open-air compost factory less than eight miles downwind of the Mojave Desert town of Hinkley.

Now, an inferno has been raging for three weeks in the guts of Synagro Technologies Inc.’s 80-acre pit of waste — human feces, grass clippings, brewery muck and potentially far more trucked in from across Southern California — and shows little sign of slowing as mass complaints of new health problems, animal deaths and noxious air persist for dozens of miles in the rural High Desert.

A nearly universal silence for the scale of the situation has continued among taxpayer-funded agencies tasked with regulating composters like Synagro on behalf of the people and environment.

The existence of the massive fire was first reported on May 31 by the Daily Press, at least three days after it began, with no public acknowledgment of the blaze having been made by any government agency or private entity to that point.

But according to a Daily Press analysis of CalRecycle disclosures, public agencies for nearly two years have been documenting myriad problems unique to the site of Synagro, a Maryland-based firm acquired in late 2020 by an investing arm of Wall Street giant Goldman Sachs Group Inc. A propensity for letting its sludge piles smolder, smoke and catch fire is one. The problems go far beyond that.

Unresolved findings by inspectors raise further questions as to what may be in the air for High Desert residents, and in the compost Synagro sends to farms that feed America: “Unacceptable” forms of waste being trucked in, processed and misreported; excessive levels of pathogens and contamination in ready-to-go loads, including more than five times the legal limit of film-plastic contamination; multiple “continued violations” of California code dating back to 2020

Rather than take enforcement action as the facility has repeated violations and missed deadlines, though, regulators have given Synagro a continuous stream of informal finger wags and deadline extensions leading up to the eruption of its waste-pit fire last month.

A nasty outlier

There are 12 actively-operating sites in California whose permits classify them as a “Composting Facility (Other),” according to CalRecycle data.

Synagro's composting site in the High Desert is permitted to hold the second-largest capacity of solid waste in this group: up to 1 million cubic yards of waste at any one time.

It's also the only one of these 12 facilities that's been cited for a code violation in 2022 — and not just one blemish.

Inspectors have logged a total of 12 violations in five visits to Synagro's Hinkley site this year, with the latest publicly-disclosed report covering a routine monthly inspection on April 20.

Throughout 2021, all except for two of the 12 composting facilities in this group maintained a violation-free record.

One is El Corazon Compost Facility in Oceanside, which got its only violation last year after a test sample came back to San Diego County inspectors showing excessive fecal-coliform levels in a sample of its compost.

Synagro's High Desert facility is the other exception. It racked up 24 violations last year.

Every inspection at the Hinkley composting facility since mid-2013 has been handled solely by the San Bernardino County Department of Public Health's environmental services division.

The county division hasn't responded to requests for comment in recent weeks on the waste-pit fire and Synagro's activities at the Hinkley facility. The California Environmental Protection Agency also hasn't respond to requests from comment.

A spokesperson for CalRecycle, a division of CalEPA, asked the Daily Press if it has contacted the county-level agency when reached for comment. He didn't respond when told in an email that it had, and asked about the level of involvement the state has had in responding to the Synagro fire and facility activities.

The Mojave Desert Air Quality Management District issued a nuisance violation against the Synagro site for its fire earlier this month, spokesman Martial Haprov previously told the Daily Press. The local air regulator says its ability to crack down on the facility is limited, though, because its jurisdiction is strictly air-related activities. There's a key ingredient that sets Synagro's site in the sparse but storied town of Hinkley apart from most composters in California: Biosolids.

An industry term for what can also be called sewage sludge, biosolids are a mix of organic material that wastewater treatment plants separate from liquids and non-organic solids, like pharmaceuticals, in raw sewage streams. Plants are supposed to treat the raw material to certain standards and smush it into brown, mud-like mounds before composters like Synagro can process and report it as a biosolid, rather than as a rawer form of sewage solids known as "mixed waste."

Aside from Synagro, only four compost facilities in California have a permit to process biosolids, though these sites also take in a few other kinds of waste that Synagro isn't permitted to use:

Liberty Composting Inc. in Lost Hills (capacity: 1.31 million cubic yards)

Tulare Lake Compost in Kettleman City (capacity: 912,000 cubic yards)

South Kern Industrial Center Compost in Taft (capacity: 670,000 cubic yards)

Griffith Park Composting Facility in Los Angeles, operated by the City of LA (capacity: 200 cubic yards)

Aside from biosolids, Synagro's permit allows it to compost only one other kind of waste, green materials, which essentially covers things that grow in nature like yard clippings.

The existence of sites like Synagro's in the High Desert is driven by a diverse — and to a degree, experimental — nature of the modern composting industry.

One of the 12 "(Other)" composters, the UC Davis Cooperation Extension Siskiyou in Tulelake, is proof of this. It launched in 2020 with a permit for only one form of waste: "Dead Animals."

"They've had a total of 5 animal carcasses go through the pile without any issues with wildlife in the area," its last inspection report reads. "In the 2nd year they are compiling notes on how long of a process it is to have the bones break down fully."

The specific kinds of waste covered by a permit are central to the way composters design their facilities to meet standards. A site that only takes biosolids can spend less money than if it takes mixed waste, for example, because the latter requires more machinery and steps in the composting process before it can be shipped out to farmers.

‘Some smoldering can be seen’

The High Desert composting facility now run by Synagro kept a relatively clean on-paper record for its first eight years of operation. Then came November 2020.

The so-called Nursery Products Hawes Composting Facility in Hinkley faced 101 official inspections from June 2012 to October 2020. It got only one violation in that more than eight-year period, according to a Daily Press analysis of CalRecycle data.

But in every routine monthly inspection from that month to the current day — and in the facility’s first “focused” inspection in nearly nine years, just a few months ago — regulators have cited at least one violation against the Synagro site.

The result: a total of 39 violations found in the last 18 visits at the Hinkley facility, with the latest publicly disclosed inspection report covering an April 20 visit.

The violations have piled up at an accelerated rate with concerning implications for the ongoing waste-pit blaze that’s fueling reports of health problems and rancid air as far as 33 miles east of the Synagro site, in Yermo, and nearly 60 miles north of it, at Fort Irwin.

On at least nine routine monthly visits since October 2020, inspectors have either witnessed smoke emanating from smoldering solid-waste piles at Synagro’s Nursery Products site, or learned of smolder fires having recently occurred from internal facility records.

San Bernardino County inspector Brad Larson wrote that “smoke was observed rising from a pre-mix pile” on Oct. 28, 2020, when he was joined on an inspection by Riverside County senior environmental health specialist Fritz Devera. Synagro’s site manager, Venny Vasquez, told the inspectors “the smoldering is addressed with sand-like material being placed, and observed, on the affected area.”

A few months later, on Jan. 19, 2021, county inspector Rodney Tolosa noted that “some smoldering can be seen” from a private western access road to the Hinkley facility “with white smoke emanating at a section of the site.”

“Premix materials were smoldering...at the southwest section of the site,” Tolosa wrote, and an employee was “mixing biosolids with high moisture content into the smolder to help reduce the temperature.”

Tolosa marked two “areas of concern” just short of violations that day: Insufficient testing for contamination of finished compost, and insufficient documentation of “special occurrences” such as “when smoldering occurs and how it was resolved.”

A probe of one zone of Synagro’s pit found its waste piles heating at temperatures between 142 and 175 degrees Fahrenheit. A Cornell University publication by agriculture doctorate Tom Richard says compost temperatures of 160 degrees can “start the chemical process of spontaneous combustion, which might lead to the outbreak of a fire.”

Tolosa separately noted in January 2021 that the Synagro site had cut back on windrow composting, which means organizing waste in long rows and rotating them periodically to keep a properly high temperature without overheating the piles.

“Windrows used to be present throughout the site, but currently this site accumulates large quantities of material into static piles,” Tolosa wrote. “The operator stated that quantities have been prioritized due to the amount of material being received.”

Tolosa led the county’s next routine inspection in February 2021, and again noted that waste piles were burning. “Burnt material can be smelled in the south and southwestern portion of the site,” he wrote.

The inspector restated his area of concern about insufficient documentation, and added a new area of concern.

“The smolder fires are not being recorded in any special occurrence log ... Currently there are little to no activities in the prevention of smolder fires indicated by the lack of temperature monitoring of static piles (premix) that are not undergoing controlled PFRP,” Tolosa wrote, using an acronym for Processes to Further Reduce Pathogens.

“This accumulation of large amounts of compost feedstock may be affecting (Nursery Products’) ability to conduct fire prevention measures,” he continued.

Inspection reports in following months identified facility records of smolder fires when inspectors weren't around. On his monthly visit last November, Larson pointed out "smoke from a small smolder" of pre-mixed waste to the site manager, Vasquez, who "made a note of the smolder."

A month later, driving on Helendale Road to conduct its next inspection on Dec. 17, Larson again saw "steam or white smoke" emanating at the Synagro facility from about two miles away.

When he arrived and asked about it, according to Larson's report, Vasquez told him that he must have been seeing steam caused by "the calm, cold weather conditions," rather than a smolder fire, because "there was no smoke odor and no hint of blue color." Larson then identified a smoke odor, and its source: "a compost pile near the scales," where "a front loader and a water truck ... were actively addressing the smolder."

From there, Larson "discussed the monitoring and recording of 'pre-mix,' pile temperatures so as to prevent smolders" with Vasquez. The Dec. 17 inspection report separately cites the facility's special occurrences log, which hadn't yet been filled out for the prior day, as showing "incidents of equipment breakdown, weather conditions and smolder fires" in the month since Larson's last visit.

Early this year, "the Mojave Desert Air Quality Management District visited NP due to flare up on Jan 5, resulting in smoke visible from great distance," per Larson's January inspection report. "Safety training recently completed covered the subject of fire hose safety."

At the most recent publicly-disclosed inspection on April 20, inspector Rebecca Koo reported being joined by a larger group than usual: Three other county health department employees — Tolosa, George Gonzales, and Andrew Matei — and two site representatives — Vasquez and Lonnie Terrell, who joined Synagro as regional safety manager of its West and Southwest facilities in February this year.

Upon arrival at the facility, "a water truck was observed actively operating along the main access road near the scales and front office building," Koo wrote, though she didn't elaborate further.

The report separately cites facility records of "notable events including equipment breakdowns, high wind events, and smoldering of piles" that occurred since inspectors had last visited.

"The facility is maintaining a record of measures taken to address special occurrences such as equipment repair progress and noting when the water truck is used to suppress dust or hot spot smolders," Koo noted.

The April 20 inspection report made no further mention of smoldering.

Fuel to the fire

None of the smolders and fires observed by inspectors at the Hinkley facility have been marked as the cause of any actual violations on Synagro's official record. Other problems appear to have struck them as more urgent.

The Hinkley facility just a few months ago had its first "focused" inspection since 2013. All other visits have been standard monthly inspections.

The focus of this March 23 inspection was "to collect samples from piles of completed compost" and "observe a waste characterization" for specific pathogens and physical contaminants that operators are required to check for in their compost under the California Code of Regulations.

"This is the first characterization of this degree done for this site so there was a small learning curve and the process could be different next time if an easier way is discovered," the inspection report states.

The sample of Synagro's compost failed on multiple fronts, resulting in two violations for illegally high levels of both a pathogen — salmonella — and physical contaminants — both plastics in general, and film plastic in specific.

The latter point is jarring: A seemingly first-of-its-kind test at the Hinkley facility found more than five times the maximum legal amount of film plastic in Synagro's compost.

California law limits the amount of physical contaminants allowed in compost to no more than 0.5% of the compost's dry weight.

"Physical contaminants," in this case, means all forms of plastics, glass, metal and sharps that are greater than 4 millimeters in length.

Within that, a separate limit states that no more than 0.1% of the compost's dry weight can be specifically made up of film plastic, which is the thin, sheet-like form of plastic that's near omnipresent in today's world via plastic bags, labels inside shirts and pants, shrink wraps that keep food fresh at home and much more.

The March 23 test showed 0.56% of the dry weight of Synagro's compost being made up of plastics, and 0.55% of it being specifically made up of film plastic.

That was the newest addition to a list of problems inspectors have been citing at the Hinkley cite. A few others have persisted far longer as "continued violation" mark-ups against Synagro.

On Feb. 19, 2021, county inspector Tolosa noted the facility was accepting, composting and shipping out "unacceptable feedstock" and recording it as green waste, which the inspector "verified through the permitted transfer station that supplies NP the material." The specific feedstock in this case was mixed material, which Tolosa noted as meaning sewage solids that include "non-organics, processed industrial materials, mixed demolition or mixed construction debris, or plastics."

"The facility made a significant change (accepting and composting mixed material) to the operation that is not authorized by the existing Solid Waste Facility Permit," the inspector wrote in the report.

Tolosa noted the material "had an odorous scent of municipal solid waste," "appears different than the other green material received," "had small physical contaminants," and "was finer material, almost fluffy and dirt-like."

He then said this violation had been occurring far longer than the day of the inspection. "The station began to send this material to NP on December 2019," Tolosa wrote.

"Immediately cease accepting mixed material," the inspector declared, "and all mixed material shall be rejected beginning at the issuance of this inspection report."

In the February 2021 inspection report and after subsequent monthly visits, inspectors have repeatedly noted a few options for the facility to correct for on-site piles already contaminated by mixed waste:

Dispose of the piles at a permitted landfill

Transport the piles to a different facility that's permitted to compost mixed waste

Apply for a permit change that would allow Synagro to legally compost mixed waste

Immediately begin testing every 5,000 cubic yards of compost produced at the site, and reprocess it instead of shipping it out if a sample doesn't meet the terms of Synagro's permit

Synagro chose the fourth option of testing, according to the reports, rather than shipping the contaminated piles elsewhere.

Subsequent inspector reports say the Synagro site stopped accepting new loads of this rawer form of solid waste a month after the violation was first discovered, but that it has remained in "continued violation" because the contaminated material still hadn't been removed from its waste pit more than a year later.

The facility's latest inspection report says that on March 29 this year, Synagro informed the county that "all of the mixed material has been composted and shipped off site." It requested an end to further monitoring of the issue, which the latest inspection report says was still under review as of April.

Separately, on its March 2021 inspection, Larson discovered Synagro has been accepting "brewery waste" — which "typically consists of spent barley or rice malt" and "is considered food material," a form of waste the Hinkley site isn't permitted to take — from a 1.7 million square-foot Anheuser-Busch plant in Van Nuys, just north of Los Angeles.

More than a year later, Synagro "continues to accept brewery waste from AB-Van Nuys and labels this material as 'other residuals,'" according to its April inspection report.

Regulators have been pushing for "Nursery Products (to) demonstrate the brewery waste received meets sub-class B biosolids requirements," or the bare-minimum standard of waste Synagro is allowed to accept at the site.

“Synagro provided some information but it was deficient,” the Lahontan Regional Water Quality Control Board told the county in February, according to the latest report. “Additional information is needed for Water Board staff to make a determination on whether brewery waste would be a permitted feedstock.”

The Hinkley facility has also been in “continued violation” for failing “to prevent offsite migration of litter” since November 2020.

Film plastic is the most prevalent form of litter blowing into natural habitats outside Synagro’s facility, per the reports, and the area in which Synagro has persistently failed to clean up litter is the desert northeast of its property. The heavy winds of the High Desert usually blow in this direction, which also happens to be a direct trajectory toward the homes of Hinkley residents.

Synagro first told regulators that the litter surrounding its site “will be cleaned by the end of March 2021.”

Then it requested a two-month extension, which the county and Lahontan water board granted “with a new expected date to be May 31, 2021.”

Six days before that deadline, on its May 2021 inspection, Larson found “large pieces of new litter (paper or sheet plastic) and bottles (both plastic and glass) is evident on the main entry road.”

So the county gave Synagro an extension and a new goal of removing 95% of off-site litter. “NP requested and the (law enforcement agency) has granted an extension for litter removal to October 31, 2021,” its June inspection report said. Larson did the monthly inspection on Oct. 20, 2021, where he “walked the native habitat area Northeast of NP and found some remaining litter and three trash bags containing litter.”

He noted “significant improvements had been noticed in the outlying areas,” so the county “offered another time extension for completion, if needed.” Synagro took that offer, and a new deadline was set for Jan. 31 this year.

At its January inspection, Larson said the northeast and southeast areas outside Synagro’s property were still littered, including plastics attached to vegetation in the northeast. He also noted “small amounts of recent litter ... along the tortoise fence on the south side of the entry road.”

So, the county gave another extension, with a new litter clean-up deadline of March 31.

Two days before that deadline, Synagro requested another two-month extension. The county granted it. That set a new deadline for the facility of May 31 — just a few days before its ongoing waste-pit fire erupted.

‘Less than significant’

The lone pre-2020 violation on the Nursery Products facility’s record came in April 2018 due to “significant amounts of litter” blowing off site as “plastic film that still remains in the open desert area and within the desert plants on North East side of facility.”

Synagro operated the Hinkley facility when this violation occurred, but it hadn’t been running things for very long up to that point. It bought the firm that previously ran things, Nursery Products LLC, in November 2016.

Steve Cole, who was Synagro’s CEO from 2014 to 2017, noted at the time that California law gave the Nursery Products deal a unique appeal for his company’s profit potential.

“It positions Synagro as the leading solution provider in the burgeoning state-mandated diversion of organic waste from landfills,” Cole said in a press release at the time.

Cole was speaking in reference to State Bill 1383: a sweeping policy introduced and implemented in 2016 that took effect this year, mandating that all jurisdictions in California redirect all trash designated as “organic waste” — food, wood, paper, green waste, and the Synagro specialties of “biosolids, digestate, and sludges” — from the usual path of landfill dumping to recycling efforts like composting.

Synagro solidified its purchase of the Nursery Products facility in Hinkley about two months after former Gov. Jerry Brown signed the organic-waste mandate into law.

The 2016 bill gave jurisdictions a five-year grace period to prepare for the new waste-disposal complex, which took effect this year.

The former Nursery Products LLC operators fought more than five years of courtroom setbacks and opposition from a coalition of High Desert residents and environmental groups before its plans for an open-air composting facility in Hinkley were greenlit.

One judge sent the former Nursery Products operators back to the drawing board in 2010 by spiking their initial argument that putting a roof on the facility would be “economically unfeasible,” saying they’d deemed an open-air facility the only affordable option without enough evidence.

“The proposed project’s impact on air quality is substantial, and the most detrimental aspect of the project,” the ruling stated.

Nursery Products ultimately won the battle by dismissing the likelihood of unforeseen risks at the Hinkley facility — like a waste-pit fire affecting nearby residents.

“The propensity for the windrows to spontaneously ignite is minimal,” its 2006 draft environmental report stated. If biosolids did catch fire, it added, the site “will limit the hazard to the subject property and reduce impacts to less than significant.”

<https://www.vvdailynews.com/story/news/2022/06/19/regulators-let-synagro-hazards-build-years-before-hinkley-waste-fire/7654220001/>

Red Brennan president makes the case for Measure Z

By Tom Murphy, HIDEDESERTSTAR.COM

Posted: June 22, 2022



Letters to the editor and guest commentary are the opinion of their writers.

Is Measure Z, the effort to repeal the Fire Protection Service Zone (FP-5) special tax, really and truly dead as reported? Not hardly!

The fight against the FP-5 special tax has always been anchored in the text of our state's governing document. "No local government may impose, extend or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote." For proponents of Measure Z, and apparently a majority of the citizens, this is clear and unambiguous language. To put it simply, "you gotta ask us before you tax us."

However, given that over one million county residents are subject to the FP-5 tax, and only 1,022 voters ever actually approved the tax, it is also clear that between the protections of the Constitution and the voracious appetite of county government, something has gone entirely awry. This must be changed via the political process.

From the legal perspective, Measure Z remains very much alive. Judge Cohn's ruling was in no way a coup de grace. This is because there is both a legal path and a legal argument for Measure Z to stand.

With respect to the legal path, attorneys for Measure Z immediately filed an appeal to Cohn's ruling. Should the appeal court choose to overturn Cohn's initial ruling, and the "Yes" vote hold, Measure Z will stand and the tax will be repealed.

With respect to the legal argument, Judge Cohn's decision must prove out against two claims. First, the petition must actually contain false and misleading information. Second, the proponents' must have intended to deceive the voters via that misleading information. Judge Cohn decision ignores both of these requirements and thereby creates a path for his decision to be overturned.

Measure Z's proponents are often accused of wanting to destroy **San Bernardino County Fire** Protection services by repealing the FP-5 special tax. Opponents of Measure Z claim the loss of tax revenue will decimate the finances of the district. This accusation is utter nonsense. Measure Z's proponents have one goal in mind - to hold elected officials responsible and accountable for reading, understanding, and adhering to California's Constitution.

However, to respond to the financial "gloom and doom" predictions sourced from County Fire and the fire unions, we offer the following arguments.

Claim 1: Repealing FP-5 will create a \$42.7 million loss of revenue for the fire department.

Prior to imposition of the FP-5 tax, County Fire's budget shortfalls were met via the county general fund. There is nothing to preclude a return to this arrangement. Not a single fire station need close, not a single first responder need find employment elsewhere.

Claim 2: 15 of 48 fire stations may be closed and a reduction of first responders by up to one-third.

This is a curious claim. How can a loss of 12.2% of County Fire's budget result in closing 31% of its fire stations? Or a concurrent loss of first responders? Regardless, a simple reprogramming from the general fund will cover any gaps created by the FP-5 repeal.

Claim 3: Increased response time. How can County Fire claim increased response times when they do not appear to know their current response times? Our organization has submitted multiple requests for response times. County Fire has responded to repeated inquiries by claiming they do not track response times.

EDITOR'S NOTE — This guest soapbox was edited to fall within the 600-word limit.

<https://hidesertstar.com/news/182863/red-brennan-president-makes-the-case-for-measure-z/>

UPDATE: Driver dies in traffic collision in northern Fontana on June 22

By Staff Writer, FONTANAHERALDNEWS.COM

Posted: June 21, 2022



The Fontana Police Department issued a traffic advisory after a fatal collision occurred in northern Fontana on June 22. The intersection was later reopened after the investigation was completed. (Contributed photo illustration by Fontana Police Department)

A driver was killed in a two-vehicle collision in northern Fontana on June 22, according to the Fontana Police Department.

At about 5:04 p.m., officers responded to the collision at Beech and South Highland avenues between a Mini Cooper and a Hyundai Elantra.

The two vehicles struck in the intersection, and the Mini Cooper then crashed into the signal light pole and an electrical box on the northeast corner. The Mini Cooper caught fire and became fully engulfed with the driver still inside.

Once the fire was extinguished, the driver was pronounced deceased by **San Bernardino County Fire**/Medics. The driver of the Elantra was not injured. The identity of the deceased was not immediately available pending the notification of the family.

The intersection was reopened at midnight after the investigation was completed.

https://www.fontanaheraldnews.com/news/update-driver-dies-in-traffic-collision-in-northern-fontana-on-june-22/article_e978e41c-f298-11ec-bc1e-6b820bcd2398.html