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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460

www.lacountyiswmtf.org

April 2, 2014

Ms. Mary Nichols, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Ms. Nichols:

**COMMENTS ON PROPOSED FIRST UPDATE TO THE CLIMATE CHANGE
SCOPING PLAN: BUILDING ON THE FRAMEWORK
(RELEASED FEBRUARY 10, 2014)**

We have reviewed the Proposed First Update to the Climate Change Scoping Plan (Proposed Update) prepared by the California Air Resources Board (CARB) and appreciate this opportunity to provide our comments. One of the stated objectives of the Proposed Update is to initiate a coordinated effort between the State and stakeholders to identify the most economically feasible and environmentally beneficial way to reduce greenhouse gas emissions (GHG) from all sectors of our economy.

We support many of the waste sector recommendations, as summarized on page 78 of the Proposed Update, including streamlining permitting processes, enhancing interagency cooperation and collaboration, providing additional funding for anaerobic digestion (AD) and organics management, and improving green purchasing policies. The Task Force also supports and promotes establishing GHG reduction factors for recycling and remanufacturing activities, providing such reduction factors are established by thorough life-cycle analysis. Additionally, we would appreciate your consideration of the following:

- **Phasing Out Organics at Landfills:** Our main concern is with the recommended action that CARB and CalRecycle “will initiate regulatory action(s) to prohibit/phase out landfilling of organic materials with the goal of requiring initial compliance actions in 2016” if legislation requiring organic generating businesses to arrange for recycling services is not enacted in 2014.

For the jurisdictions of Los Angeles County, diverting organic waste from landfill disposal means that as much as **5.5 million tons** of organic waste per year will need to be collected and managed through an alternative method such as AD.

Based on this volume of waste, jurisdictions in Los Angeles County would need over 70 facilities with a processing capability of 250 tons per day. A similarly sized facility in San Jose cost \$40 million; therefore, the total cost to build this infrastructure in Los Angeles County could be as much as **\$2.8 billion** or potentially significantly more. This is essentially a new industry for Los Angeles County, and there are currently no AD facilities in the County that are open to the public.

- **Grant and Loan Funding:** In light of this fact and as we have stated in previous letters, we believe that a robust state-administered grant and loan program is critical to helping this industry get off the ground and be successful. We appreciate the Greenhouse Gas Reduction Grant and Loan Program that CalRecycle introduced last month that will provide \$30 million to the Organics Grant Program; Fiber, Plastic, & Glass Grant Program; and the GHG Reduction Revolving Loan Program. However, this level of funding is simply inadequate to facilitate development of sufficient infrastructure. We strongly recommend the proposed allocation of \$30 million be increased and/or additional funding sources be identified. Moreover, in order to encourage development near California's largest urban centers, we recommend consideration of regional provisions for the distribution of the funding.
- **Definition of "Organics":** We would appreciate a definition of "organics", "compostable organics", "organic waste", and "organic materials" in the Proposed Update. These terms are used interchangeably in the Proposed Update, which we believe is problematic given that "compostable organics" represents 30 percent of the wastestream and "Organics" (carbon-containing materials) could represent as much as 80 percent. A proposed ban of organics at landfills could have two very different meanings in terms of cost and time to roll out infrastructure.
- **Non Organic Materials:** While the focus of these proposals is centered on the organic fraction of the wastestream, we encourage the State to look at the larger component of the wastestream, which is non-compostable organics (emphasis added). Many thermal, chemical, and mechanical conversion technologies could be used to produce a wide spectrum of resources including synthetic gas - a product of gasification that can be used to produce electricity and steam, petroleum replacements produced from unrecyclable municipal and industrial plastic, and inert materials (e.g. rock, glass, metals) that can be used in road base and building products. We believe that by diversifying its approach to organics management, the State will be in a stronger position to achieve its goal to divert organics from landfills and decrease greenhouse gas emissions. We encourage the State to take a technology neutral position or, at a minimum, not prohibit technologies that can provide equal or greater GHG reductions than AD

and composting. Although AD is at present the favored technology in California to convert compostable organic waste to energy, biomass gasification and other conversion technologies can manage a broader array of organic waste and have much less residual waste in need of disposal while providing comparable or greater greenhouse gas emissions reductions, which must be the primary emphasis of the State's effort to divert organics from landfills (emphasis added)¹. These innovative technologies, when combined with CalRecycle's proposals to advance the development of organics infrastructure, could be an effective way to reduce the disposal of waste in landfills and the greenhouse gases those facilities emit into the atmosphere.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force appreciates the extensive work CARB has done to encourage a variety of GHG reduction measures over the past five years. We concur with efforts to reduce GHG emissions at landfills to help achieve the State's goals established pursuant to AB 32. To this end, we encourage the State to consider all options available. Additionally, we believe that given more time, funding, tax incentives, purchasing preferences, and alternative management options, there will be even greater opportunities to facilitate GHG emission reductions in the waste sector in a way that is practical, feasible, and financially sustainable.

¹ California Energy Commission, *Lifecycle Assessment of Existing and Emerging Distributed Generation Technologies in California* <http://www.energy.ca.gov/2011publications/CEC-500-2011-001/CEC-500-2011-001.pdf>

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We look forward to working with CARB and CalRecycle to further refine the objectives of the waste sector. Should you have any questions regarding these comments, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147 or MikeMohajer@yahoo.com.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task

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cc: The Honorable Edmund G. Brown, Governor of California
Caroll Mortensen, CalRecycle
David Mallory, California Air Resources Board
League of California Cities
League of California Cities, Los Angeles Division
California State Association of Counties
Each Member of the Los Angeles County Board of Supervisors
Each City Mayor/Manager in the County of Los Angeles
South Coast Air Quality Management District
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
Southern California Association of Governments (Carl Morehouse and Huasha Liu)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Alternative Technology Advisory Subcommittee
Each Member of the Facility Plan Review Subcommittee