



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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GAIL FARBER, CHAIR
MARGARET CLARK, VICE -CHAIR

October 28, 2015

Ms. Debra M. Cornez, Director
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814-4339

Dear Ms. Cornez:

**CALRECYCLE'S PROPOSED NEGATIVE DECLARATION/INITIAL STUDY FOR
REGULATORY TEXT AMENDING TITLE 14 AND 27 OF THE CCR –
COMPOSTABLE MATERIALS TRANSFER/ PROCESSING REGULATIONS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) believes that the Initial Study and the proposed Negative Declaration of CalRecycle's Proposed Regulatory Text Amending Title 14 and 27 are deficient in evaluating potential environmental impacts while failing to address significant impacts of odor resulting from the operation of open-air composting on the quality of life and health of neighboring communities. The Task Force appreciated the opportunity to comment on The Notice of Intent to Adopt a Negative Declaration and Initial Study of CalRecycle's consolidated regulatory revisions to Title 14 and 27 of the California Code of Regulations, released in June 2015. The Task Force also recognizes and appreciates CalRecycle's efforts to revise and adopt new regulations in order to manage "compostable materials" within the State in a manner that protects the public's health and safety. However, we have reviewed the subject Initial Study/Negative Declaration and repeatedly offered the following comments to CalRecycle to no avail. Our goal is that the comments and concerns will be addressed by preparation of an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) for the proposed regulatory revisions in order to ensure public health and safety as well as protection of our environment; this must be the number one priority of CalRecycle (emphasis added). For these reason, the Task Force hereby protests the submission of the regulatory amendments to the Office of Administrative Law (OAL).

Considering that odor nuisances are also hazardous to public health and safety, it is imperative that potential mitigation measures be clearly established to ensure such nuisances are addressed in an efficient and timely manner. This becomes an issue especially for open-air composting operations located in the urbanized area.

Numerous occurrences of tension between composting operations and communities have been reported. These projects have the potential to expose our citizens to odor emissions from composting operations such as volatile organic compounds, possible carcinogens, and criteria pollutants, all of which contribute to long term health risks. An EIR or a MND would identify the potential negative impacts of these types of projects and would enlist potential mitigating measures that when implemented may reduce the negative impact to insignificant. To this end, the proposed regulations' Best Management Practice Feasibility Report does not go far enough in addressing the negative impact of odor on the air quality and the health and safety of neighboring communities.

The State Water Resources Control Board (Water Board) has recently succeeded in identifying impacts and mitigating measures, when possible, in the Draft EIR of their Proposed General Waste Discharge Requirements for Composting Operations dated May 29, 2015 (Water Board Draft EIR). In the enclosed document, Response to Comments, CalRecycle specifies that the Water Board's Draft EIR was considered in the development of the Proposed Composting Regulations as stated in comment CEQA C3. However, CalRecycle determined an EIR is not required for the Proposed Composting Regulation analysis although acting as a complementary document to the Water Board's Proposed Waste Discharge Requirements. The Task Force agrees with the Water Board that the impacts of odor on air quality are significant before implementation of any mitigation, and in some cases significant and unavoidable after implementation of mitigation measures as listed on Pages ES-7 through ES-11 of the Water Board's Draft EIR.

Accordingly, CalRecycle should revise the subject Initial Study/Negative Declaration through preparation of an EIR or a MND to take into consideration the aforementioned Water Board Draft EIR and its analysis by fully evaluating potential environmental impacts of the proposal in re to open-air composting and identify potential mitigating measures to ensure the quality of life and health of neighboring communities and residents. Further, the Water Board analysis affirms our concerns with the regulatory amendments to the Compostable Materials Transfer/Processing Regulations as communicated to CalRecycle in our letter dated April 29, 2015, (enclosed) and are enumerated in Comments 115C01 through 115C26, with emphasis on 115C05, 6, 9, 12, 13, 19, 21, 22, 23, and 26 located in the Summary of Written Stakeholder Comments released by CalRecycle on May 27, 2015.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended) and Chapter 3.67 of the Los Angeles County Code, 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,

Ms. Debra M. Cornez, Director
October 28, 2015
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the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives from 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 general public, and a number of other governmental agencies.

The Task Force respectfully requests that CalRecycle appropriately contest the above comments and make appropriate changes to the subject Initial Study/Negative Declaration to address public health and safety and protection of our environment prior to the review and approval of the proposal by the OAL (emphasis added). If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor, City of Rosemead

MH:kk

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Enc.

cc: CalEPA (Matt Rodriguez)
CalRecycle (Scott Smithline, Ken DaRosa, Mark De Bie, Robert Holmes, and Ken Decio)
California Air Resources Board (Mary Nichols)
California Department of Food and Agriculture (Annette Whitford)
Each Member of the Los Angeles County Integrated Waste Management Task Force



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April 29, 2015

Mr. Ken Decio
Waste Permitting, Compliance, and Mitigation Division
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812-4025

Dear Mr. Decio:

**CALRECYCLE'S PROPOSED REGULATION TEXT AMENDING TITLE 14 AND 27
OF THE CCR - COMPOSTABLE MATERIALS/TRANSFER PROCESSING
REGULATIONS DATED APRIL 2015**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to comment on CalRecycle's consolidated regulatory revisions to Title 14 and 27 of the California Code of Regulations, which were released for a 15-day comment period on April 21, 2015. The proposed regulatory revisions address (1) Compostable Materials Handling Operations and Facilities Regulatory Requirements; (2) In-Vessel Digestion Operations and Facilities Regulatory Requirements; (3) Enforcement of Solid Waste Standards and Administration of Solid Waste Facility Permits, Loan Guarantees; and (4) Joint Permit Application Form. The Task Force recognizes and appreciates CalRecycle's efforts to revise and adopt new regulations in order to manage "compostable materials" within the State in a manner that protects the public's health and safety. The Task Force continues to firmly believe that an integrated approach is necessary to reduce our dependence on landfilling while considering the health and safety of the public and environment. In order to facilitate an integrated approach, the proposed regulations must be applied uniformly to all technologies (emphasis added). This would help create a level playing field for all landfill diversion technologies to be successful in the future and help compliance with AB 341 (2011) and implementation of AB 1594 (2014) and AB 1826 (2014) (emphasis added).

We had previously reviewed the proposed regulations and would like to offer the following comments on the revised proposal with the goal that our comments and concerns will be addressed prior to submittal of the proposed regulations to the State Office of Administrative Law (OAL) in order to ensure public health and safety as well as protection of our environment which must be the number one priority of CalRecycle (emphasis added).

General Comments:

1. As previously indicated by the Task Force on several occasions starting with our letters of August 13, 2008, December 8, 2008, June 14, 2011, May 15, 2012, November 21, 2012, March 28, 2013, October 10, 2013, and October 30, 2014, there is a clear need for CalRecycle to define the terms “organic”, “organic material,” “non-organics” and “non-compostable organic,” such as plastic material [e.g. Sections 17850(c), 17852(a) (13.5), (26), etc. (emphasis added)]. These terms are being used by CalRecycle throughout the Draft Regulation Text without having defined their terminology. The Task Force respectfully requests CalRecycle to (1) define these terms through the regulatory process, or (2) avoid further use of these undefined terms.
2. In general, the California Environmental Quality Act (CEQA) document is used by the appropriate Local Enforcement Agency (LEA) and CalRecycle to issue a Solid Waste Facility Permit and/or the State Regional Water Quality Control Board (Water Board) to issue Waste Discharge Requirements. In many cases, the LEA, CalRecycle, and/or Water Board use the CEQA document prepared by another entity (the “Lead Agency”) as a tool in the issuance of the Solid Waste Facility Permit/Waste Discharge Requirements. Thus the LEA, CalRecycle, and/or Water Board become the “Responsible Agency” pursuant to CEQA. In some cases, the LEA, CalRecycle, and/or Water Board are identified as the entities to monitor and enforce some of the mitigating measures adopted to address negative impact(s) of the project as identified in the project’s CEQA document even though they may be outside the State minimum standards adopted for solid waste facilities. Unfortunately, this fact may not be known by these agencies’ field personnel resulting in the lack of monitoring and enforcement of the appropriate mitigating measures (emphasis added).

As such, the proposed “Joint Permit Application Form” should be modified to indicate if the LEA, CalRecycle, and/or Water Board are the “Responsible Agency” pursuant to the requirements of CEQA and enumerate mitigating measures that these agencies are responsible for monitoring and enforcing (emphasis added).

Specific Comments:

1. Section 17852, Subsection (a), Paragraph (12), “Compostable Materials Handling Operation” or “Facility” - The proposed expansion of “compostable materials handling operation or facility” definition to include “*vegetative food material composting facilities*” may not be allowable since it expands the requirements of AB 1826 (Chapter 727 of the 2014 State Statutes) as stipulated in its Section 42649.82, Subsection (d), Paragraphs (1) (B) and (2). AB 1826 was chaptered using the existing “compostable materials handling operation or facility” definition and does not incorporate any future addition and/or deletion. This issue needs to be addressed prior to promulgation of the proposed regulations.
2. Section 17852, Subsection (a) (26), “Mixed Material.” – The existing definition refers to “non-organics” and “plastics” (emphasis added). As previously indicated, these terms need to be clearly defined for the purpose of “Compostable Materials Handling Operations and Facilities Regulatory Requirements,” and “In-Vessel Digestion Operations and Facilities Regulatory Requirements.” (Title 14 of the CCR, Division 7).
3. Section 17852, Subsection (a) (27.5) (A) and (B), “Nuisance.” – Based on the proposed definition, “nuisance” may be anything that is injurious to human health and affects at the same time an “entire community” (emphasis added). Please expand the definition to specifically define the term “entire community” and factors considered to define the term. For cases such as surface and ground water contamination or “odor” what criteria are to be used to establish the boundaries of the entire affected community?

Based on the proposal, it is next to impossible for a regulatory agency to substantiate the existence of any nuisance within the entire community based on the tools currently available to regulatory agencies. Secondly, it makes it financially impossible for a private citizen to substantiate the existence of any type of nuisance.

It is strongly recommended the proposed definition be revised by deleting Subparagraph “B” and deleting the word “and” at the end of the Subparagraph “A.”

The foregoing is also applicable to Section 17896.2, Subsection (a) (20).

4. Sections 17854.1 and 17857.1 – Please provide a list of criterion used for establishing a threshold limit of 12,500 cubic yards for “Green Material Composting Operations” under the “EA Notification Tier” and “Registration Permit Tier.”

5. Section 17855.2, Subsection (a), "Prohibitions" – It has been indicated that composting residential food materials and residuals that may contain unprocessed mammalian tissues, including but not limited to, flesh, organs, hide, bone and marrow do not constitute "compostable material handling operation or facilities." Prior to granting such an exemption, the impact on public health and the environment needs to be addressed.
6. Section 17856 – Agricultural Material Composting Operations.
 - Subsection (c) – This Subsection indicates that an Agricultural Materials Composting Operation may handle unlimited quantities of agricultural waste materials of plant and animal origin as feedstock on the site. It has been further stated that such an operation is subject to inspection by LEA on annual basis. Considering that such an operation may be a nuisance to adjacent properties due to potential odor generation, there is a need for more frequent and inspection by the LEA (i.e. at least on a quarterly basis).
 - To assist local governments with the effectiveness of their diversion programs, this Section needs to be expanded to include the following new subsection:

"Subsection (e) – These sites shall record the quantities of agricultural materials received, by jurisdiction of origin, and submit the data to the appropriate jurisdictions on a calendar quarterly basis."
7. Section 17857.1 – Green Material Composting Operations and Facilities. To assist local governments with the effectiveness of their diversion programs, this Section needs to be expanded to include the following new subsection:
 - "Subsection (d) - These sites shall record the quantities of green materials received by jurisdiction of origin and submit the data to the appropriate jurisdictions on a calendar quarterly basis."
8. Section 17862 – Research Composting Operations. Please expand to (a) require surface and ground water protection, (b) prohibit any surface water from leaving the property without a NPDES Permit, and (c) control and mitigate any odor nuisances and obtain a permit from the appropriate local air pollution control district/air quality management district.
9. Section 17863.4, Subsection (f) – Odor Impact Minimization Plan. We strongly recommend specifying a timeframe by which the Enforcement Agency (EA) is to direct the operator to prepare and implement a Best Management Practice Feasibility Report (Report) as specified in Section 17863.4.1. We also strongly recommend specifying a timeframe (possibly a week) within which the EA would review the results of the Report in order to reduce and eliminate the time the public

is exposed to the odor nuisance. If the foregoing measures are ineffective in addressing the odor nuisance then alternatives should be considered such as enclosing operations within a structure that operates under negative pressure. As an alternative, the facility's permitted daily waste intake can be incrementally reduced until such time the nuisance is eliminated or reduced to a level that is no longer a nuisance to the public. Considering odor nuisances are hazardous to public health and safety, it is imperative that mitigation measures be clearly established to ensure such nuisances are addressed in an efficient and timely manner.

10. Section 17868.5, Subsection (a) (1) – It is next to impossible to visually measure the level of physical contaminant to 1.0 percent or less by weight. It is recommended that (1) a minimum of 5% of daily incoming feedstock, (b) a percentage established based on a 90% confidence level of the incoming feedstock, or (c) at least one truck load, whichever is the greatest, shall be tested. Each sample shall first be weighed followed by collecting and weighing the physical contaminants. The percentage of physical contaminants shall be determined. The load shall be rejected if physical contaminants are greater than 1.0 percent of total weight or if the load contains materials that do not meet the definitions of green material in Section 17852(a)(21) or vegetative food materials in Section 17852(a)(20)(A).
11. Section 17896.1 (c) - It has been stated that digestion of organic materials (both “compostable” such as green materials and “non-compostable” such as landfill plastic liners) can occur naturally. Please refer to the General Comment #1 and Section 17896.2(a)(7), and verify the accuracy of the said statement.
12. Section 17896.1, Subsection (d) – In part, this Subsection states “.....However, no city or county may promulgate or enforce laws which otherwise conflict with the provisions of this Chapter (emphasis added).” Such an authority is far reaching and it is limited to the State Legislative body and not the State Administrative body because the proposal would negatively impact a local jurisdiction's land use decision. As such, the term “conflict” needs to be defined or the statement should be revised to read “.....However, no city, county, or special district may promulgate or enforce laws which are less restrictive than the provision of this Chapter.”
13. Section 17896.2, Subsection (a), Definitions – Please expand this Subsection to provide definition for the processed mammalian tissue, flesh, organs, hide, blood, bones and marrow.
14. Section 17896.2, Subsection (a) (20) – Nuisance. Please refer to the Specific Comment #2 for concerns and recommendations.
15. Section 17896.21, Drainage and Spill Control. – The proposed requirements need to be expanded to prohibit any off-site drainage without a NPDES Permit.

16. Section 17896.30, Odor Best Management Practice Feasibility Report – Pursuant to Sections 17852 (a) (27.5) and 17896.2 (a) (20), please identify/describe the boundaries of the community that may potentially be affected.
17. Section 17896.45, Record Keeping Requirements – Please expand to require each operator to record the quantities/tonnages of incoming waste received and outgoing residual waste, by jurisdiction of origin, and submit the data to the appropriate jurisdictions on a calendar quarterly basis.”
18. Section 18302, Subsection (c), Written Complaints of Alleged Violations – Please revise this Subsection to require the EA investigate any odor complaint by the next business day instead of the stated 15 days.
19. Section 18302, Subsection (d). – Please expand Line # 1 to insert the phrase “but not later than one business day” after “...as soon as practical,”
20. Section 18302, Subsection (d) (2). - Please expand the Paragraph to require the EA to also collect weather related data for the time that the odor complaint was received.
21. Instructions for Completing the Application for Solid Waste Facility Permit And Waste Discharge Requirements.
 - Part 2. Item E.12, MSW- Please expand to define the term “commercial sources” to be consistent with the definition provided by AB 341 (2011), as amended.
 - Part 3. Item A.1.a.2 – Please expand Line 8 to also include “compost.”
 - Part 3. Items A.4. “I” and “J” – Please expand to describe the disposal footprint by latitude and longitude and expressed in degrees, minutes, and seconds, or decimal degrees identifying the boundaries of the waste footprint for existing and/or proposed new areas.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended) and Chapter 3.67 of the Los Angeles County Code, 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

Mr. Ken Decio
April 29, 2015
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Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force respectfully requests that CalRecycle consider the above comments and make appropriate changes to the revised regulations to address public health and safety as well as the land use authority of cities and counties prior to submittal of the proposal to the OAL (emphasis added). If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste management Task Force and
Mayor, City of Rosemead

KV:

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cc: CalEPA (Matt Rodriguez)
CalRecycle (Caroll Mortensen, Ken DaRosa, Mark De Bie, Howard Levenson,
Brenda Smyth, Robert Holmes, and Georgjan Turner)
California Air Resources Board (Mary Nichols)
California Department of Food and Agriculture (Annette Whitford)
State Water Resources Control Board (Charles Hoppin, Thomas Howard, Leslie Graves,
Scott Couch and Roger Mitchell)
Each Member of the Los Angeles County Integrated Waste Management Task Force

CalRecycle Responses to CEQA Negative Declaration, Proposed Regulation on Compostable Materials, and Transfer/Processing Regulations

Comment Number	Commenter Affiliation	First name	Last name	Summary of Comment	CalRecycle Response
CEQA A1	Self	Kathy	Housel	Page 12, III. Air Quality: Amend standards under III. Air Quality - each and every - to “No Impact”. Reasoning: Page 11 - each and every item for Aesthetics specifies “ <u>No</u> Impact”; yet a lower standard continues to apply for Air Quality on Page 12. Air Quality must be a higher priority - at least equal to aesthetics.	The comment addresses the wording of the CEQA Initial Study checklist rather than addressing environmental effects of the project. The checklist language is the standard model language in Appendix G of the CEQA Guidelines. Changing the wording of this language would not alter the conclusions of the Initial Study for this project.
CEQA A2	Self	Kathy	Housel	Page 12, III. Air Quality, reword these items: b. Violate any air quality standard or contribute substantially to an existing or projected air quality standard? d. Expose sensitive receptors to substantial the increase of identifiable pollution concentrations? e. Create objectionable odors and dust affecting a substantial number of sensitive receptors? Reasoning: Self-explanatory based on prior discussions, my belief.	The comment addresses the wording of the CEQA Initial Study checklist rather than addressing environmental effects of the project. The checklist language is the standard model language in Appendix G of the CEQA Guidelines. Changing the wording of this language would not alter the conclusions of the Initial Study for this project.
CEQA A3	Self	Kathy	Housel	Please revisit and strengthen Air Quality standards related to odor (dust too) because state agency AQMD has limited jurisdiction over odor. “No Impact” is a clear standard, and that’s what is needed.	The comment addresses the wording of the CEQA Initial Study checklist rather than addressing environmental effects of the project. The checklist language is the standard model language in Appendix G of the CEQA Guidelines. Changing the wording of this language would not alter the conclusions of the Initial Study for this project.
CEQA B1	Self	Joyce	Dillard	We disagree that a Negative Declaration can be issued.	In accordance with California Environmental Quality Act Guidelines, a Negative Declaration should be prepared if the proposed project will not have a significant effect on the environment. Based on the available evidence in the record and the environmental analysis presented in the Initial Study/Negative Declaration, CalRecycle determined there is no substantial evidence that the proposed project would have a significant effect on the environment. The comment letter provides no substantial evidence to alter this determination.
CEQA B2	Self	Joyce	Dillard	<u>You state under Greenhouse Gas Emissions:</u> <i>Furthermore, these regulations will help ensure the continued effective operation of compostable material handling operations and facilities which are an important organics management alternative to landfilling that results in significant greenhouse gas emission reductions (0.42 MTCO_{2e} per ton of material composted) and avoided methane emissions at landfills. ...</i> <i>The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.</i>	The statements made in the Initial Study/Negative Declaration are accurate statements about the potential impacts of the project on greenhouse gas emissions.
CEQA B3	Self	Joyce	Dillard	Methane and its related gases become HAZARDS AND HAZARDOUS MATERIALS. You make to reference and/or mitigation measure for methane emissions at the operation site or facility site level.	Although it does not change the conclusions in the Initial Study, CalRecycle will add the following language to the explanations in response to VIII. Hazards and Hazardous Materials, subsections a) and b): “The in-vessel digestion portion of the regulations require operators to take adequate measures to prevent the uncontrolled release of biogas.”
CEQA B4	Self	Joyce	Dillard	Hydrology and Water Quality could be affected. Degradation issues have not been addressed. LA Regional Water Quality Control Board issued Municipal Separate Storm Sewer Systems Permit ORDER NO. R4-2012-0175 NPDES PERMIT NO. C. Each sub-watershed has compliance requirements for TOTAL	The proposed project (Compostable Materials and Transfer/Processing regulations) cannot and do not address water quality issues as it is not within CalRecycle’s authority to address water quality concerns as these are within the authority of the State Water Resources Control Board and Regional Water Quality Control Boards. Nothing in

CalRecycle Responses to CEQA Negative Declaration, Proposed Regulation on Compostable Materials, and Transfer/Processing Regulations

Comment Number	Commenter Affiliation	First name	Last name	Summary of Comment	CalRecycle Response
				DAILY MAXIMUM LOADS TMDLS. This permit is planned to be the initial sample for the Regional Boards in the rest of the State.	the regulations limits or restricts the State Water Resources Control Board and Regional Water Quality Control Board ability to fully address water quality issues associated with solid waste handling.
CEQA B5	Self	Joyce	Dillard	Air Quality is an issue in the SIP State Implementation Plan for the South Coast Air Quality Management District and compliance and mitigation and monitoring should be addressed. Other Air Quality districts in the SIP should be addressed.	The Initial Study/Negative Declaration evaluates the potential for environmental effects directly attributable to compliance with the project (proposed Compostable Materials and Transfer/Processing regulations). It is not a document meant to evaluate environmental effects attributable to the general design, operation, geographic siting, feedstock, and other attributes of individual compostable material handling operations and facilities or in-vessel digestion operations and facilities throughout the State. Such projects will foreseeably be subject to project-specific California Environmental Quality Act analysis. With that in mind, nothing in the proposed regulations obligates compostable material handling operations and facilities or in-vessel digestion operations and facilities to have a particular design or operational parameters that would cause air quality impacts other than the indirect effects described in the Initial Study/Negative Declaration. Further, nothing in the proposed regulations relieves owners or operators of compostable material handling operations and facilities or in-vessel digestion operations and facilities from the obligation to obtain all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports, or other requirements of an Air Quality Management District/Air Pollution Control District permit.
CEQA C1	LA County SWMC	Mike	Mohajer	An EIR or Mitigated Negative Declaration would identify the potential negative impacts of these types of projects and would enlist potential mitigating measures that when implemented may reduce the negative impact to insignificant.	Based on the available evidence in the record and the environmental analysis presented in the Initial Study/Negative Declaration, CalRecycle determined there is no substantial evidence that the regulations would have a significant effect on the environment. The comment letter provides no substantial evidence to alter this determination.
CEQA C2	LA County SWMC	Mike	Mohajer	The Task Force also feels than any open-air composting operation should require a full Environmental Impact Report and/or at minimum a Mitigated Negative Declaration.	The project would not have an effect on CEQA determinations for proposed composting operations. The determination on the appropriate level of CEQA review is the responsibility of the lead agency for the proposed composting project.
CEQA C3	LA County SWMC	Mike	Mohajer	CalRecycle should revise the subject Initial Study/Negative Declaration to take into consideration the Water Board Draft EIR and its analysis.	The draft EIR developed by the State Water Resources Control Board to support the Board's approval of the General Order for composting sites was considered in developing the draft initial study.
CEQA D1	CASA	Greg	Kester	CASA concurs with CalRecycle's conclusion that the proposed regulations will not have a significant adverse impact on the environment.	CalRecycle staff has noted the comment.
CEQA D2	CASA	Greg	Kester	Section 2.3 in the Regulatory Coordination section the paragraph on the POTW exemption is mis-stated. We believe in the first sentence "exempt" should be used instead of "define". The paragraph seems generally confusing and we recommend replacing it with the following language for clarity: ...	The comment does not address environmental effects of the project. However, for clarity, CalRecycle staff replaced the description of the Publically Owned Treatment Works exclusion in Section 2.3 with the language consistent with language suggested by the commenter.
CEQA D3	CASA	Greg	Kester	Section 2.3 in the Max Metals section –It is stated that requirements now match federal standards, but this is not true unless Molybdenum is added, as we have suggested in previous comments. Please add the limit of 75 mg/kg dry weight for molybdenum to the regulations, which will make this statement valid.	The comments does not address environmental effects of the proposed project. Nevertheless, CalRecycle notes that §§17862.2 and 17896.59 of the proposed regulations do not match but are consistent with Code of Federal Regulations, Title 40, Table 3 of §503.13–Pollutant Concentrations. Molybdenum is not listed in 40 CFR, Table 3 of §503.13.