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INTEGRATED WASTE MANAGEMENT TASK FORCE  
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July 12, 2010

Honorable Dick Lugar  
United States Senator, Indiana  
306 Hart Senate Office Building  
Washington, DC 20510-1401

Honorable Lindsey Graham  
United States Senator, South Carolina  
290 Russell Senate Office Building  
Washington, DC 20510

Honorable Lisa Murkowski  
United States Senator, Alaska  
709 Hart Senate Office Building  
Washington, DC 20510

Dear Senators:

**SENATE BILL 3464 – COMMENTS REGARDING SECTION 610 – FEDERAL  
DIVERSE ENERGY STANDARD**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to express our concerns regarding Senate Bill 3464 (S. 3464), which was introduced on June 9, 2010. Specifically, we urge you to include “non-combustion conversion technologies” under the definition of diverse energy, establish a consistent national definition of renewable biomass that acknowledges the vast quantities of renewable biomass within the post-recycled municipal solid waste (MSW) stream, and clarify how the 80 percent greenhouse gas (GHG) emissions reduction will be quantified under the definition of diverse energy.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989, 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 and 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, waste management industry, environmental groups, the public, and a number of other governmental agencies.

We appreciate your consideration of the following specific comments regarding Section 610 – Federal Diverse Energy Standard on pages 90-91 of the June 9, 2010, version of the bill:

- **Include conversion technologies in the definition of diverse energy**

The definition of diverse energy includes a broad spectrum of energy sources including waste-to-energy, biogas, and landfills; however, the definition fails to recognize non-combustion conversion technologies.

Non-combustion conversion technologies utilizing biological, thermal, and chemical or mechanical processes are a beneficial way of diverting waste from landfills and generating renewable electricity and biofuels. In February 2008, California Air Resources Board's Economic and Technology Advancement Advisory Committee (ETAAC) released its report entitled "*Technologies and Policies to Consider for Reducing Greenhouse Gas Emissions in California.*" The ETAAC Report noted that by conservative estimates, conversion technologies have the potential to reduce annual greenhouse gas (GHG) emissions by approximately five million metric tons of CO<sub>2</sub> equivalent in California. In fact, the Task Force estimates the potential GHG reduction of conversion technologies may be three times greater, since conversion technologies have a simultaneous triple benefit to the environment: (1) reduction of transportation emissions resulting from long distance shipping of waste, (2) elimination of methane production from waste that would otherwise be landfilled, and (3) displacement of the use of fossil fuels by net energy (fuel and electricity) produced by conversion technologies.

- **Define the term biomass**

The definition of biomass is not currently listed in the bill. We are aware that pending legislation, Senate Bill 3381 (Baucas), is attempting to create a federal definition of renewable biomass that is consistent with the 2008 Farm Bill. Should any federal definition of biomass or renewable biomass be adopted, we believe it is crucial for the bill to acknowledge the vast quantities of renewable biomass within post-recycled municipal solid waste (MSW).

According to the US Environmental Protection Agency, our country sends over 135 million tons of solid waste to landfills each year with over 50 percent of that material being organic. This represents a plentiful resource that can be utilized to significantly diversify transportation fuels and energy resources.

- **Clarify how 80 percent greenhouse gas emissions reduction will be quantified under definition of diverse energy**

The definition of diverse energy includes “any other energy source that will result in 80 percent reduction in greenhouse gas emissions compared to average emissions of freely emitting sources in the calendar year prior to certification of the Secretary.”

Please clarify the definitions “any other energy source” and “freely emitting sources.” Please also clarify how the 80 percent greenhouse gas emission reduction will be quantified and if this will be applied to technologies already implementing extensive air emissions controls.

Non-incineration technologies, such as conversion technologies capable of converting MSW into renewable energy and biofuels, have made significant strides in development over the last decade. The February 2010 edition of *BioCycle Magazine* reported that 17 European countries will be using conversion technologies to convert about 6 million tons of MSW into renewable energy. Despite these developments abroad, the United States still does not have a commercial conversion technology facility.

Jurisdictions from New York City to Los Angeles County have evaluated various conversion technologies and concluded that these technologies can fundamentally change the way we manage waste, diverting up to 100 percent of the waste from landfill disposal; producing significant quantities of renewable energy and biofuels from that waste; preventing emissions, including greenhouse gas emissions, that otherwise would have been produced; and most significantly, creating high-tech green collar jobs. While these jurisdictions are attempting to move forward with successful projects, streamlined regulations and consistent definitions among state statutes and federal law will further incentivize the development of these innovative technologies.

Senators Lugar, Graham, and Murkowski

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Thank you for considering our comments on this important issue. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



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

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cc: U.S. Senator Max Baucus, Montana  
U.S. Senator Mike Crapo, Idaho  
U.S. Senator Jon Testor, Montana  
U.S. Senator Barbara Boxer  
U.S. Senator Diane Feinstein  
Lisa Jackson, U.S. Environmental Protection Agency  
Each Member of the California Federal Legislative Delegation  
Each Member of the Los Angeles County Integrated Waste Management Task Force  
Each Member of the Los Angeles County Alternative Technology Advisory Subcommittee