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August 12, 2009

Ms. Margo Reid Brown, Chair
California Integrated Waste Management Board
1001 I Street
Sacramento, CA 95812-2815
Dear Ms. Brown:

COMMENTS REGARDING THE *DRAFT FINAL PROJECT REPORT: LIFE CYCLE ASSESSMENT AND ECONOMIC ANALYSIS OF ORGANIC WASTE MANAGEMENT AND GREENHOUSE GAS REDUCTION OPTIONS* (JUNE 2009)

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to thank the California Integrated Waste Management Board (Waste Board) for the opportunity to comment on the *Draft Final Project: Life Cycle Assessment and Economic Analysis of Organic Waste Management and Greenhouse Gas Reduction Options* (Report). The following comments are offered.

General Comments

- The Report did not evaluate key options, such as conversion technologies, despite the availability of performance data. This omission suggests a decision not to consider all viable waste management options, but rather a few pre-selected options.
- In addition to greenhouse gas (GHG) emissions, there are other environmental impacts associated with waste and resource management. To our knowledge the Report did not address the following: surface and ground water pollution, wildlife impacts, litter, noise pollution, odor, discharges to public wastewater treatment facilities, or criteria air pollutant emissions. We urge you to consider this full gamut of impacts in order to get a better understanding of the most beneficial alternatives to landfilling.
- This Report will be considered definitive by many stakeholders and decision makers. As Stated in Figure 1-1 of the Report, the goal is to “enable local jurisdictions and industries to make informed decisions and to prioritize diversion activities to achieve GHG emission reduction.” Incorrect or skewed assumptions in this Report (see below) may create a bias towards specific management scenarios and poor policy decisions that ultimately adversely impact the environment. For these reasons, it is critical to “get this right” or at a minimum, clearly spell out the limitations of the data and assumptions so decisions are well-informed.

Specific Comments

1. Conversion Technologies as a Diversion Alternative

The Report includes combustion technologies such as biomass-to-energy and waste-to-energy, and biological conversion technologies such as anaerobic digestion as viable waste management options. Unfortunately it continues to exclude the full range of conversion technologies that include thermal, chemical, biological and mechanical processes. Numerous studies, including Waste Board-sponsored *New and Emerging Conversion Technologies: Report to the Legislature* (2005), confirm the viability of these technologies and their ability to process municipal solid waste. Key findings of the Report include:

- a. Based on life cycle analyses, the production of fuels and chemicals from the conversion of materials that would otherwise be landfilled can provide environmental benefits by displacing the extraction of non-renewable petroleum resources such as crude oil and natural gas.
- b. The development of conversion technologies in California is projected to result in a large net energy savings.
- c. The development of conversion technologies in California is projected to result in the lowest net levels of NOx emissions among the alternatives evaluated, and resulted in a significant net NOx emissions avoidance.
- d. There are lower CO2 emissions from conversion technologies than other alternatives, which would result in important climate change benefits.

Most recently, the University of California at Riverside, in coordination with the BioEnergy Producers Association, released a report entitled *Evaluation of Emissions from Thermal Conversion Technologies Processing Municipal Solid Waste (June 2009)* identifying 100 gasification/pyrolysis facilities operating around the world. Detailed emissions profiles of 16 facilities (four of which are operating in the United States) indicate that most of them already meet emissions standards in California, while meeting standards of their host country.

It is important that studies such as this create a level playing field for conversion technologies that have the potential to play a significant role in organics management in California. Not doing so limits the development of our green economy and is in direct contradiction to many of the State's progressive environmental goals.

2. Lack of Composting Facilities in Greater Los Angeles Region

As a part of its analysis, the Report assumes that organic waste generated within each Region will be managed within that Region. This assumption is not realistic and legally unachievable unless the statute is changed for the State to take over the cities and counties land use jurisdiction. Further, unlike other parts of the State, the Los Angeles region has no commercial or regional composting facilities. The Report acknowledges this, but does not take into consideration the added environmental impacts from long distance shipping to such a facility. The Report estimates that the distance from the Los Angeles area to a composting or green waste facility is 50 miles each way; however, based on our experience, the estimate needs to be increased to approximately 150 each way. For the Los Angeles region, impacts such as increased traffic congestion, air pollution, and greenhouse gas emissions as a result of transporting organic waste to out-

of-region composting facilities; and transportation impacts as a result of transporting the compost to end users must be considered. This is in addition to the environmental impacts from the composting facilities themselves, which have resulted in strict environmental regulations by the regional air and water quality agencies covering the greater Los Angeles region that have made the siting of new composting facilities very difficult.

3. Export of Recyclable Materials to Foreign Markets

The Report acknowledges that a large portion of recyclables generated in California are shipped to East Asia and Mexico. The Report accounts for transportation emissions resulting from the actual shipping distances to East Asia and Mexico; however, it was not clear if the Report accounts for the type of fuel used in the trucks and barges. Bunker fuels are often the cheapest and therefore dirtiest fuels available and needs to be accounted for in this Report.

The Report also indicates the data characterizing the energy and emissions for the manufacturing operation in East Asia are not readily available. As such, the Report assumes the energy and emissions standards of manufacturing facilities in those countries are similar to those in North America. Without any technical substantiation, this assumption will have a significant impact on the Report's findings and conclusion which is contradictory to the purpose and the goal of the Report as Stated in Figure 1-1 of the Report. It is essential that the said data be collected and analyzed prior to the Report finalization.

4. Closed-loop Recycling

Several of the scenarios described in the Report assume exclusive closed-loop recycling, meaning a product will be recycled into exactly the same product at the end of its useful life. While this may be true for select materials, a blanket assumption cannot be applied to accurately reflect current market conditions. The Report must acknowledge that many materials are recycled in an open-loop process and the impacts of this difference must be considered.

The proposed Report and its GHG Tool are critical to decision-makers, both in California and around the Country, who will rely on it for guidance in organics management. It is crucial that it fully addresses all potential waste management scenarios and provides accurate life cycle assumptions. Once finalized, it is unlikely that assumptions in the Report and its GHG Tool will be questioned or modified; adding a greater responsibility to ensure these assumptions are corrected now or educated estimates have been made when data is unavailable.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (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 its 88 cities in Los Angeles County with a combined population in excess of 10 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, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

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We appreciate your consideration of our comments on the Report and look forward to reviewing the prototype GHG Tool when it is released. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

TM/CS:kp

cc: Governor Arnold Schwarzenegger
Cal EPA Secretary, Linda Adams
Mary Nichols, Chair of the California Air Resources Board
Each Member of the California Integrated Waste Management Board
California Integrated Waste Management Board (Mark Leary, Clark Williams, Teri Wion)
Gary Gero, President of the California Climate Action Registry
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor in the County of Los Angeles
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Council of Governments
Southern California Association of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force