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December 15, 2009

Ms. Nancy Sutley, Chair
White House Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503-0002

Dear Ms. Sutley:

COMMENTS REGARDING EXECUTIVE ORDER - FEDERAL LEADERSHIP IN ENVIRONMENTAL, ENERGY, AND ECONOMIC PERFORMANCE (RELEASED OCTOBER 5, 2009)

On behalf of the Los Angeles County Integrated Waste Management Committee/Task Force (Task Force), I would like to express our appreciation to President Obama for his stand on environmental issues. We have reviewed the October 5, 2009, President's Executive Order entitled "Federal Leadership in Environmental, Energy, and Economic Performance" and are encouraged that the Executive Order set meaningful goals in waste reduction and recycling; however, we would like clarity on the following issues:

- **Define waste-to-energy**

Section 19(e) states that to divert means "redirecting materials that might otherwise be placed in the waste stream to recycling or recovery, excluding diversion to waste-to-energy facilities". We would appreciate clarification on the definition of waste-to-energy.

Waste-to-energy is used successfully around the world to manage post-recycled residual solid waste. It has been shown that countries who manage their waste through waste-to-energy have higher recycling rates than those who primarily landfill their waste.

Other types of technologies, such as conversion technologies, utilizing biological, thermal, chemical, and/or mechanical processes are also being used to divert waste from landfills. Currently, over 130 commercial conversion technology facilities, processing a wide variety of municipal solid waste streams, operate in Europe and Asia. Further, Denmark, this year host Country for the United Nations climate change conference and one of the most recognized eco-friendly nation in the world, has been able

to divert 95 percent of solid waste being generated by its citizens and businesses from landfills mostly through the utilization of conversion technology facilities.

Both waste-to-energy and conversion technologies have the ability to divert the amount of input waste by up to 100 percent, depending on the technology. The solid byproducts of these technologies may have beneficial uses as soil amendments or road base. The heat captured from waste-to-energy processes is primarily used in electricity generation and the gases from conversion technologies may be used for renewable energy and biofuels production.

We recommend that a definition similar to that in the H.R. 2454: The American Clean Energy and Security Act of 2009 be considered in this Executive Order. H.R. 2454 identifies "qualified waste-to-energy" as a renewable energy source, subject to certain provisions. H.R. 2454 defines qualified waste-to-energy as "energy from the combustion of municipal solid waste or construction, demolition, or disaster debris, or from the gasification or pyrolyzation of such waste or debris and the combustion of the resulting gas at the same facility", subject to meeting specified requirements.

- **Clarify which municipal solid waste (MSW) projects would be considered renewable energy projects**

Section 19 (j) identifies MSW as an eligible renewable energy feedstock; however, it is unclear which MSW technologies/projects/facilities would be eligible for this distinction. We recommend renewable energy projects include the technologies discussed above, specifically those that produce clean burning fuel for generating electricity or a renewable fuel from solid waste feedstock or carbonaceous materials not derived from fossil fuel.

- **Scope of the Executive Order**

The Executive Order is unclear on whether these standards will apply exclusively to the operations of the Federal agencies, or whether these standards will be extended to projects requesting funding from Federal agencies.

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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 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 County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

We appreciate your consideration of our comments and we look forward to your response. Should 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
Mayor, City of Rosemead

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cc: Lisa Jackson, U.S. Environmental Protection Agency
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Alternative Technology Advisory Subcommittee