

GAIL FARBER
CHAIR

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

December 1, 2009

Mr Nicholas Conway,
Executive Director
San Gabriel Valley Council of Governments
3452 East Foothill Boulevard, Suite 910
Pasadena, CA 91107-3142

Dear Mr Conway:

**COMMENTS REGARDING THE POLICY PAPER ON GREEN
WASTE MANAGEMENT IN THE SAN GABRIEL VALLEY**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to comment on your October 26, 2009, policy paper titled *Green Waste Management in the San Gabriel Valley*. The Task Force is on record in supporting similar policy positions as the San Gabriel Valley Council of Governments (COG), but would recommend expanding the conversion technologies discussion to further emphasize their benefits to the San Gabriel Valley. As enumerated below, we would also like to comment on other aspects of the paper, and provide the County of Los Angeles' unincorporated community data for inclusion in Attachment 1 of the paper.

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 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, 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.

- 1 We would like to commend your proactive efforts in confronting the San Gabriel Valley's solid and green waste management needs. We would also like to note that for many years the Task Force has been on record with having similar policy positions to those outlined in the **Recommended COG Policy Positions** section of the policy paper. The enclosed August 13, 2008, Task Force letter titled *Discussion of Potential Options for the Organic Diversion Facilities Siting Project (Strategic Directive 6.1)* to the California Integrated Waste Management Board (CIWMB), supports clarifying the definition of 'organics'. Further, the August 21, 2008, letter titled *Policy Options to Reduce Green Material Alternative Daily Cover (ADC)* letter to the CIWMB (copy enclosed), outlines the Task Force's support of ADC as diversion credit, a policy that the Task Force has been maintaining since the mid 1990s. Feel free to reference these and other letters relevant to the policy paper which can be found at the Task Force's website (<http://ladpw.org/epd/TF/index.cfm>)
- 2 The "recycling credit" allowance for the use of green waste as ADC, has been provided for by the California Statutes (Chapter 978 of the 1996 State Statutes, AB 1647, Section 41781.3 of the Public Resources Code). This Statute played a critical role for jurisdictions in the San Gabriel Valley and other parts of the State to initiate the separate collection of green waste materials. As such, the **Introduction** section of the policy paper needs to be revised and expanded to include this critical information. Further, it should be mentioned that a change in the State Statute by the Legislature is required in order to eliminate "recycling credit" for the use of green waste as ADC.
- 3 As stated in your paper, with the looming 2013 closure of Puente Hills Landfill, it becomes even more imperative to develop additional avenues for the management of compostable organic waste. This is an issue that should be evaluated further and addressed as it will significantly affect San Gabriel Valley jurisdictions. A number of options exist for the productive use of green waste materials such as processing through conversion technologies (CTs). The deployment of CTs locally could create a market for compostable materials which can be used to produce renewable fuels and energy. While the subject letter lightly touches on the topic of CTs, the Task Force recommends emphasizing the benefits of CTs to San Gabriel Valley jurisdictions. The Task Force, along with the County of Los Angeles and other entities, has extensively evaluated various conversion technologies from around the world, 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 be produced, and most significantly, creating high-tech green collar jobs. While the policy paper outlines private industry's response to future green waste management conditions, we recommend highlighting local government's efforts as well by

including the following statement in the ***Finding Cost Effective Alternatives to ADC*** section:

“Many jurisdictions throughout the State are considering conversion technologies as a way to divert waste from landfill disposal. The Southern California Demonstration Project spearheaded by the County of Los Angeles in concert with the Task Force in 2003 as a part of the granting operation of Puente Hills Landfill through the end of October 2013, while addressing the development of alternatives to landfilling. The Project proposes to develop up to three conversion technology demonstration facilities in Southern California, potentially the first of their kind anywhere in the U.S. These facilities would be collocated with material recovery facilities and would be designed specifically to process municipal solid waste residuals. The purpose of the demonstration facilities is to substantiate on a local level the economic, technical, and environmental feasibility of these processes. In addition to the demonstration facilities, the County will work with partner cities to facilitate commercial-scale conversion technology projects to meet the changing waste management needs of Los Angeles County. This effort is expected to begin in late 2010 ”

4. Unincorporated communities in the San Gabriel Valley factor significantly into the overall waste generation of the area. Attachment 1 (2006 CIWMB Solid Waste Data) of the policy paper does not include unincorporated disposal data. The following table provides information on the County’s unincorporated communities of the San Gabriel Valley green waste disposal data for your consideration of inclusion in the paper. We believe it is prudent to include the unincorporated community information, which accounts for over a fifth of the total ADC generated in the San Gabriel Valley, as it provides a more accurate representation of the impact that the closure of the Puente Hills Landfill will have on the region

Jurisdiction of Origin	Total (tons)	Disposal (tons)	Disposal as % of Total	Diversion (tons)	Diversion without ADC (tons)	ADC (tons)	ADC as % of total	Diversion Rate
Original Total	4,265,143	1,725,035	40%	2,540,108	2,330,045	210,063	5%	60%
Unincorporated SGV Communities	674,116	310,093	46%	364,022	308,151	55,871	8.6%	54%
New Total	4,939,259	2,035,128	41%	2,904,130	2,638,196	265,934	5%	59%

- 5 The statement in the ***Puente Hills Landfill Closure*** section that reads, “Other private landfills in the region will only accept ADC from the cities with which they have collection contracts” appears to be inaccurate. Landfill operators in Los Angeles County with approved ADC programs accept green waste from all customers within their service areas or watershed, as applicable. As such, the said statement should either be deleted or modified to read: “other public and private landfills in the region will accept green waste for use as ADC from jurisdictions within their service areas or watershed, as applicable.”
- 6 The ***Alternative Strategies*** section, Table 1 – ‘Solid Waste Management Firms Green Waste Management Strategies’ indicates that ADC is being accepted at Sunshine Canyon Landfill operated by Allied Waste/Republic. However, Sunshine Canyon landfill does not accept, nor is permitted to accept, green waste materials as ADC under the current terms of its land use permit. Additionally, the ‘Potential Capacity’ for facilities listed on Table 1 appear to be the total permitted capacity and not the potential capacity available for processing green waste materials, particularly those for the Industry-MRF and Irwindale-MRF. The actual green waste processing capacities of these facilities are expected to be significantly smaller than the quoted figures. It may also be helpful to note the Industry-MRF does not compost, but if composting at this facility is planned, this should be noted as well. Addressing these points may result in a more accurate reflection of resources available to the San Gabriel Valley.
7. **Other State and Regional Regulations** – The reference to “Southern California Air Quality Management District” needs to be revised to “South Coast Air Quality Management District.”
- 8 ***Promoting Recognition of Southern California Infrastructure Challenges***, second paragraph, second sentence – reference to the phrase “this legislation” needs to be clarified or possibly be revised to “the CIWMB Strategic Directive 6 1 ”
- 9 ***Enhancing Opportunity for Small Scale Composting*** – This section should reference the County of Los Angeles’ Smart Gardening workshops on backyard composting, worm composting, grass recycling, and xeriscaping/water-wise gardening in jurisdictions throughout the County and San Gabriel Valley since the early 1990s. As a part of these efforts, the County has worked to decrease the generation of residential yard waste in the County and increase awareness of smart gardening. Currently, efforts are underway to provide assistance to schools to establish school gardens that compost their cafeteria food waste. Plans are also in place to construct additional Learning Centers in local parks as a means to further enhance opportunities for the public to learn small scale composting.

Mr Nicholas Conway
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Thank you again for this opportunity to comment on the subject policy paper. The Task Force is always eager to aid in the development of good solid waste management policies that affect Los Angeles County communities. If 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

MS:lb

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Enc.

cc. Each Member of the County of Los Angeles' Board of Supervisors
Tom King, President, San Gabriel Valley Council of Governments
Mary Ann Lutz, Chair, SGVCOG's Energy, Environment, and Natural Resources
Committee
Sam Pedroza, Chair, SGVCOG's Solid Waste Working Group
Each Member of the Los Angeles County Integrated Waste Management Task
Force



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**DEAN D. EFSTATHIOU
CHAIRMAN**

August 13, 2008

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

Dear Ms. Brown:

**DISCUSSION OF POTENTIAL OPTIONS FOR THE ORGANIC DIVERSION FACILITIES
SITING PROJECT (STRATEGIC DIRECTIVE 6.1)**

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force, I would like to commend the California Integrated Waste Management Board (Waste Board) for its efforts in promoting environmentally beneficial alternatives to reduce the disposal of organics. However, as listed below, we have a number of concerns regarding the Waste Board's Directive 6.1 and its staff report for Item 11 of the June 17, 2008, Waste Board meeting. On June 10, 2008, this item was considered by the Waste Board's Strategic Policy Development Committee without addressing concerns expressed by stakeholders.

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 the 88 cities within 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, 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 would like to offer the following comments/concerns regarding your staff report on options for siting of organic diversion facilities as well as the Waste Board Strategic Directive 6.1.

1. The Waste Board needs to define the terms "Organic" and "Compostable Organic"

The term "organic" is not defined by statute or regulation. Webster's Dictionary defines the term "organic" as: "*of, relating to, or derived from living organisms*" and "*of, relating to, or containing carbon compounds.*" As such, based on the Statewide Waste Characterization Study released by the Waste Board in December 2004, the "organic" fraction of solid waste disposed in California landfills ranges between 70 and 80 percent.

The June 17, 2008, Waste Board staff report states that "*Organic materials comprise over 30 percent of the waste stream disposed in California landfills.*" This statement is inconsistent with the Waste Board's 2004 Statewide Waste Characterization Study as well as the staff report that was presented to the Waste Board on December 11, 2007. In that report, staff indicated that "*Compostable organic materials comprises approximately 25 percent, or about 10 million tons, of what is disposed in landfills annually, and paper and woody portion of Construction & Demolition debris constitute another 13 or so million tons.*" Thus, it appears that Waste Board staff made a distinction between the terms "organic" and "compostable organic," but did not make an attempt to define the terms.

The terms "organic" and "compostable organic" materials need to be clearly defined to avoid confusion among the legislature and regulatory bodies, regulated communities, and local governments that ultimately have to bear the cost. Furthermore, there is a need for the Waste Board to reexamine its Strategic Directive 6.1, which calls for 50 percent reduction in the amount of "organics" being disposed in landfills by 2020. Based on the December 11, 2007, Agenda Item 15, it appears that the goal is focused on the composting/diverting of source separated streams, such as green waste, food waste, manure, etc., and not the total "organics" currently being disposed in landfills. If the latter is true, jurisdictions in California may be faced with achieving a mandatory diversion rate of approximately 85 percent by 2020.

2. The Waste Board needs to consider the findings of State and local efforts with regards to conversion technology

The June 17, 2008, Waste Board staff report indicates "*Organic diversion facilities include compost, conversion technology, chipping and grinding, and transfer stations.*" The Task Force commends the Waste Board for its recognition and inclusion of conversion technology into the organic diversion facilities category. However, we are disappointed with the Waste Board's staff report and recommendations which fail to recognize the findings of (a) the Waste Board's own three-year study on conversion technologies conducted pursuant to AB 2770, Chapter 740 of the 2002 State Statutes;

Ms. Margo Reid Brown
August 13, 2008
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(b) the conversion technology efforts by the County of Los Angeles; (c) the State Bioenergy Action Plan; and (d) the State Interagency Bioenergy Working Group. Unfortunately, these findings were not considered by the Strategic Policy Development Committee on June 10, 2008. We strongly believe that the Waste Board needs to consider these studies and efforts prior to any further action. This reevaluation will further substantiate that the Waste Board must place a greater reliance on the development and siting of conversion technology facilities rather than focusing on "soft" solutions such as forming more committees and conducting unnecessary duplicative studies.

We would appreciate your written response which would be of great interest to jurisdictions in Los Angeles County as well as those throughout the State. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

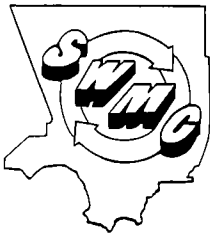
Sincerely,



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: Governor Arnold Schwarzenegger
Cal EPA Secretary, Linda Adams
Each Member of the California Integrated Waste Management Board
California Integrated Waste Management Board (Mark Leary, Ted Rauh,
Bobbie Garcia)
California State Association of Counties
The League of California Cities
The League of California Cities, Los Angeles County Division
Each Member of the County of Los Angeles' Board of Supervisors
Each City Mayor in Los Angeles County
South Bay Cities Counsel of Governments
San Gabriel Valley Counsel of Governments
Gateway Cities Counsel 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



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DEAN D. EFSTATHIOU
CHAIRMAN

August 21, 2008

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

Dear Ms. Brown:

POLICY OPTIONS TO REDUCE GREEN MATERIAL ALTERNATIVE DAILY COVER

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force), I respectfully request the California Integrated Waste Management Board (Waste Board) to work with local governments in formulating State policy to reduce green waste alternative daily cover (ADC) since such policies will significantly impact their ability to comply with the State's 50 percent waste reduction mandate and result in other unintended environmental consequences. These options (Item 10 of the June 17, 2008, Waste Board Agenda), were considered by the Waste Board's Strategic Policy Development Committee at its June 10, 2008, meeting. These options included phasing out green waste ADC diversion credit, applying disposal and tipping fees on ADC, using generated revenues from these fees to promote development of composting facilities, as well as possible mandates on local jurisdictions to develop and adopt a 15-year composting capacity element similar to the existing Assembly Bill 939 mandated Siting Element. Unfortunately, these options were developed with virtually no input from cities and counties.

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 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 County-wide 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.

The use of greenwaste as ADC has numerous environmental and economic benefits, including: preventing the mining and wasting of clean soil that would have otherwise been used as daily cover; conserving landfill capacity, by avoiding an additional cover material layer and the ability of green waste to compact and decompose over time; creating markets for the beneficial use of green waste; maintaining a local outlet for the beneficial use of greenwaste; and, strengthening the curbside collection infrastructure for greenwaste. These benefits are especially important in Southern California since there is inadequate processing capacity for green waste and a limited market for compost made from greenwaste due to difficulties encountered in permitting/developing these types of facilities. This is particularly acute in urban areas due to lack of suitable land, stringent air quality regulations, and community reluctance towards the proximity of such facilities. Even if such facilities were developed elsewhere, greenwaste would still need to be transported over long distances, leading to higher trash rates and added traffic congestion and air pollution.

Because of these significant benefits, in 1996 the Legislature passed Assembly Bill 1647 (Bustamante) to provide unrestricted diversion credit to green waste used as ADC, making a distinction from greenwaste disposed in the landfill. Due to this diversion credit, and because of the benefits listed above, jurisdictions and private industry invested millions of dollars in expensive equipment and infrastructure to implement greenwaste collection and recycling programs which provide for the separate collection of green waste to be used as ADC. Jurisdictions in Southern California and other parts of the state now rely on this infrastructure to manage green waste to maintain compliance with the State's 50 percent waste reduction mandate.

It is for the above reasons that the Task Force requests the Waste Board to work closely with cities, counties and other impacted communities in formulating State policy to reduce green waste ADC, especially those that will be significantly impacted by such policies. Further, while we are supportive of composting, shifting green waste away from ADC towards composting facilities will also result in increased trash rates, air pollution, and traffic congestion in Southern California. The Task Force also has strong reservations regarding the proposal to eliminate ADC diversion credit and thus mandating additional diversion mandates on local jurisdictions without considering the critical resources necessary to successfully meet them. Therefore, we respectfully request the Waste Board redirect its efforts to place a greater emphasis on diverting green materials currently being disposed rather than consuming resources on investigating ways to decrease the beneficial use of green waste as ADC as legitimized by Assembly Bill 1647.

While we share your desire to explore viable green waste management enhancement opportunities we must also consider the feasibility of such options and their relative impact on the operational and economic structures currently in place. Accordingly, it is requested that your Board include this Task Force in further stakeholder discussions to

Ms. Margo Reid Brown
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a much greater contributive extent in order to develop a more comprehensive set of alternative green waste management options.

We would appreciate your written response which would be of great interest to jurisdictions in Los Angeles County as well as those throughout the State. If 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
Council Member, City of Rosemead

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