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Ms. Caroll Mortensen, Director
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Ms. Mortensen:

Subject: Comments On Calrecycle's White Paper, "California's New Goal: 75% Recycling Plan"

Thank you for the opportunity to review and comment on the CalRecycle white paper, "California's New Goal: 75% Recycling". The following are general comments and suggestions for focus for the next phase of landfill disposal reduction by 2020. There are areas in which we agree with the actions proposed in the white paper, but others where we suggest another way to reach the reduction goals in your paper. In these comments we will make suggestions, which can begin as Statewide policy, which will have a significant impact on waste disposal, while taking advantage of facilities and programs that are in place right now. Working together we can reach 75% by 2020 statewide. The City of Los Angeles (City) would like to request that, if a statewide working group is established, we be given the opportunity to participate.

The City of Los Angeles supports statewide programs to reach a Zero Waste Goal.

The City first adopted a 70% by 2020 goal in 1994, and adopted a Zero Waste Goal through the Recovering Energy, Natural Resources and Economic Benefit from Waste (RENEW LA) plan in 2006. With the leadership of Mayor Villaraigosa, the Bureau was challenged to reach a 75% diversion rate by 2013. Changing the paradigm from disposal only to a full service waste diversion based system began in the 1980's, with the first curbside residential recycling program in Los Angeles, moving to automated commingled recycling and yard trimmings collection and management, and then including the educational infrastructure and commercial recycling technical assistance to increase waste diversion citywide.

The City has performed hundreds of pilot programs to test recycling of many commodities, of outreach, of potential new programs over the last 30 years. Some have moved into a full Citywide program, with two significant examples being the Los Angeles Unified School District (LAUSD) education and recycling collection program (681 schools participating) in combination with the Multifamily Residential Recycling Program (480,000 households participating), to integrate Blue bin recycling throughout our educational and residential sectors. The City,



working with the recycling and manufacturing industries, was able to increase the commodities accepted in the City's Blue bin program, from all mixed plastics in 2007, to cartons and aseptic packaging in 2010, to a number of previously unidentified items such as CDs and DVDs.

The City has continued to meet and exceed our goals, through innovative actions and creative funding solutions for our major programs. In the last 30 years we have learned, among other things, that 1)When dealing with millions of tons of materials, it is critical to have access to all possible alternatives for diversion, 2)statewide source reduction and EPR requirements will have a much greater impact on diversion at a much lower cost than recycling, and 3)Infrastructure and program development for the management of materials known as 'solid waste' is getting much more expensive, and takes much longer than anyone anticipates.

One of the reasons that the alternatives such as Alternative Daily Cover (ADC) exist, is due to there being few reasonable alternatives that can accept the volumes of materials that are generated in this region, and those options are very distant from the collection operations. This creates a significant issue with both air emissions, and the cost to ship materials. We are committed to reducing greenhouse gases by implementing waste solutions as close to the generators as possible.

The City supports Beneficial Use at Landfill sites (both open and undergoing closure/postclosure)

The City collects over 500,000 tons of green materials annually. The City strives to keep our yard trimmings we collect from use as ADC, but for emergencies, or service interruptions by our own facilities or contractors, this option needs to remain available. There is no reason to disallow C&D materials from beneficial use in wet weather road construction. The City requires all mixed C&D to go to a certified processor instead of a landfill, far exceeding the requirements of most jurisdictions in this regard, but to use some of the inert material to build roads makes sense. We emphasize that all options must be available for the beneficial reuse of this material. CalRecycle's LEA staff have seen the havoc caused by heavy rain at sites that are not fully prepared. How would landfills build winter deck, roads, and cover the trash at the end of each day, if this material is not considered beneficial reuse?

The City does not support a paradigm change to reach a 75% recycling rate mandate by 2020.

CalRecycle staff estimate that an additional **22 million tons** of material statewide must be recycled each year to meet a 75% recycling goal (page 10). At about 10 tons per truck, that is 2,200,000 additional truckloads of material going to some kind of recycling facility, in addition to the tens of millions of tons already being recycled. If each recycling facility managed 300 tons per day (five days per week), that would require at least 280 new facilities. Infrastructure development also has to include all ancillary facilities, such as composting for anaerobic digestate, pre-manufacturing processes, and manufacturing facilities to complete the loop into new products. If the proposed paradigm change is codified without modification, this new stream would also include all the C&D, yard trimmings, and other materials beneficially used at landfill sites that would have to be diverted from their current, primarily local uses.

For each recycling and remanufacturing facility, there are local impacts of the delivery and handling of all these materials. Siting and permitting of landfills is a 10-15 year process if successful, but it is important to note that large scale recycling facilities have permitting issues as well. It is unclear how this will be accomplished in eight years.

In the white paper, the paradigm that communities have been working with for many years is proposed to change to a 75% 'recycling' goal rather than a 'diversion' goal. In the white paper, all reuse and recycling currently done at landfill sites is discarded, with the list including alternative daily cover, road base materials, and 'solid waste residuals used as fuel'. While we appreciate the honesty of putting these items, which have always been controversial, on the table, we strongly disagree with casting aside current recycling infrastructure and programs, which have developed slowly since 1989, and expect that a new paradigm, new infrastructure, and new programs, can all be developed within eight years. From our perspective, of those that have had to bear the burden of paying for and implementing the existing programs and infrastructure, it is not possible. While CalRecycle staff have been quick to point out that jurisdictions have done their share and that the next hurdle will be taken by the State, the document includes a proposal to require jurisdictions to enforce the mandatory commercial recycling measure (page 32, 3C). This action will be an unfunded mandate, and shift the fiscal burden to municipalities that are struggling financially and do not have the resources to enforce AB341. The City supports the 75% diversion goal as adopted by the State legislature.

The City supports the goal to increase processing of California generated waste tires into tire-derived products, but in the interim, the City supports including all used-tire reuse options, including waste tires used as fuel.

The City implemented a Used Tire Recycling program in July 2009 in order to eliminate the number of tires going to landfills, and the illegal dumping of waste tires in City's public right-of-way. These tires cause blight and pose a health and safety concern to the public. Currently, tires are collected and sent to State certified waste tire processing facilities. Many processing facilities shred the tires and send them to either local or overseas markets, which include, but are not limited to, playground material, rubberized asphalt, and tire derived fuel. The City is in support of developing local markets for used tire-derived products, however, in the interim, the City believes it is necessary to continue all current reuse options including waste tires used as fuel. Sufficient infrastructure does not exist locally to beneficially reuse or recycle all the waste tires currently collected by the City's used tire recycling program.

The City supports Recycling and Remanufacturing Infrastructure Development through incentives, including the development of facilities that process and use organics as a feedstock to produce fuel and/or energy

To reach the City's Zero Waste goal by 2025 will require the development of multiple facilities to accept, process, and recycle materials collected by both public and private haulers. It is estimated that 8-15 primarily large scale recycling/composting, and 6-8 conversion or alternative technology facilities, will be needed for the City alone to reach our goals. The City would like to engage in a dialogue with CalRecycle staff to quantify the number and type of typical facilities

the State will need to site, permit, and build to reach 75% waste diversion by 2020. Policies must allow, encourage, and support the development of these facilities.

The City supports Extended Producer Responsibility (EPR), Source Reduction, and Facility Development

In December, 2008, the City of Los Angeles adopted a resolution encouraging EPR policies Statewide. The white paper contains some great ideas that should be highlighted and implemented with extensive stakeholder participation, including local governments. EPR programs can capture the hard to recycle materials, as well as packaging. Manufacturers could choose to make products with less toxic materials if they are required to manage their materials at the end of their lifespan. Source reduction, through State actions on single-use products, packaging reduction, and other measures, should be championed and adequately funded to decrease the materials that jurisdictions have to manage.

The City supports Conversion and Alternative Technologies as part of the 75% landfill diversion solution.

AB939 was developed to divert valuable resources from disposal at landfill sites. Landfills are archaic and cost millions of dollars to maintain for a 30 year period after they stop accepting waste. However, at this time there is no other solution for materials that, because of their composition or type of use, cannot be recycled. Materials such as soiled paper, 'sandwich' materials with layers of paper, plastic and/or aluminum, disposable diapers, pet waste, and hygiene products have no markets at this time. Facilities that sort commingled recyclables and mixed waste all have residuals materials.

Conversion or Alternative technologies (CT) make use of these materials to capture their energy and convert it into usable fuel, biogas, and/or electricity. The City of Los Angeles, with over 72% diversion, is moving forward to develop alternative technology facilities that will meet best available control technologies while bringing use to those materials that would otherwise be disposed. The RENEW LA plan envisioned a series of CT facilities that would create useful products from waste materials.

Additional Actions to Consider when Developing a Plan to reach 75% Diversion

CalRecycle may also consider under their Policy Drivers additional ideas that would result in significant amounts of materials being moved from landfill disposal, including:

1. **Mandate Statewide legislative action to require that all pallets used within California be designed for 50 or more uses.** According to the 2008 CalRecycle waste characterization, 5.8 million tons of wood materials are still reaching disposal sites in California every year, 14.5% of the overall disposal wastestream. Some of this number includes broken wooden pallets. Increasing the durability requirements to 50 or more uses will enhance Policy Drivers #6 and #9. This City also recommends modification of the State's Environmentally Preferable Purchasing program to require pallets that last more than 50 uses.
2. **Ban CRV-covered containers and recyclables such as Cardboard, White and mixed paper from landfill disposal.** These materials have value, and are still a major component of landfill trash.
3. Phase in a **landfill ban on mixed construction and demolition debris over 5 years.** Mixed C&D is much less expensive and cleaner to process than mixed waste, and help the state reach higher diversion percentages.
4. **Expand EPR programs to include batteries and packaging materials.** Require all large stores to take back film plastic of all kinds, packing materials, and cardboard. If combined with suggestion #2, this will move more materials to markets.
5. **Implement a Blue/Green Dot system** to simplify source separated recycling for the consumer, by including on all recyclable items a standardized special symbol to identify it.
6. **Ban single-use carryout plastic bags statewide.** Many alternatives exist, especially durable reusable bags.
7. Allow **conversion/alternative technologies** that create low residuals to be included in the solutions for the 75% recycling model. These technologies when implemented in European countries helped increase recycling and assisted them in reaching zero waste.
8. Create incentives to convert **brownfields sites** into neighborhood gardens and parks to create **demand for organic products.**
9. Create incentives for the **agriculture sector** to increase their use of processed **organic materials.**
10. Champion a **modification to state building codes** that would allow reclaimed lumber to be used under certain conditions.
11. **Partner with corporate offices** of businesses with multiple locations in California, to help them implement corporate greening policies which would enhance the implementation of AB341.

The City of Los Angeles is committed to working with CalRecycle to move towards a 75% landfill diversion goal. Sanitation's experienced planning and operations staff is available to work with CalRecycle staff to protect public health and the environment by implementing the next phase of landfill diversion programs to meet the 75% statewide goal, and the City's Zero Waste goal. If you have any questions, please do not hesitate to contact Assistant Director Alex Helou at (213) 485-2210, or Karen Coca at (213) 485-3905.

Sincerely,

ENRIQUE C. ZALDIVAR, Director
Bureau of Sanitation

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