



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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December 17, 2013

IN REPLY PLEASE
REFER TO FILE: EP-4

Ms. Carol Mortensen, Director
Department of Resources
Recycling and Recovery (CalRecycle)
1001 I Street
Sacramento, CA 95812-4025

Dear Ms. Mortensen:

COMMENTS REGARDING THE UPDATE ON ASSEMBLY BILL 341 LEGISLATIVE REPORT

Thank you for providing stakeholders with the most recent update on the progress CalRecycle is making towards submitting your Report to the Legislature by January 1, 2014, as called for by Assembly Bill 341 (Chesbro, Chapter 476, Statutes of 2011). The Report will contain CalRecycle's strategies for meeting the State's 75 percent recycling, waste reduction, and composting goal by 2020.

While we support some of the measures identified in the update, we continue to have significant concerns with the feasibility of many of the proposals. We have described our concerns in previous correspondence (enclosed) and will highlight a few additional concerns in this letter.

We appreciate your consideration of the following specific comments regarding the Update:

Moving Organics Out of the Landfill

- Several strategies focus on organics management; however, we have yet to see an explicit definition of "organics". The report should clarify whether "organics" includes all carbon based materials including plastics or just compostable organics such as food waste and paper.

As the largest County in the State of California, our preliminary estimate is that CalRecycle's top recommended strategies of phasing out green waste alternative daily cover and phasing out organics disposal at landfills would create nearly 6.9 million tons of organics (carbonaceous waste) that would need to be managed through new or expanded facilities. The capital investment for 45 mid-sized facilities (500 tons per day) needed to

manage this quantity of organics would be upwards of \$2 billion. It is very unlikely that enough facilities will be in place to manage 6.9 million tons of organics in six years or that markets will be available for all the compost produced by such facilities.

A few small-scale anaerobic digestion projects are at various stages of planning, permitting, and construction in the County and the Department of Public Works is also working on an organics collection program and a network of micro-composters.

- We support the State taking a lead role in the development of additional organics management infrastructure; however, a full life-cycle analysis of all management options must be conducted first to determine the highest and best use options for various materials.

We strongly recommend adopting a hierarchy of best management practices that puts the highest emphasis on waste prevention, product redesign, and producer responsibility, followed in order of preference by reuse, recycling, composting, conversion technologies, transformation, and lastly, landfill disposal if no other management option is reasonably feasible. We are confident that a life-cycle analysis of all options will validate this approach.

Expanding the Recycling/Manufacturing Infrastructure

- As part of the life-cycle analysis, we recommend a careful examination of the greenhouse gas (GHG) emissions and environmental impacts created through the overseas exportation of recyclables. CalRecycle's estimates of GHG emission reductions from recycling do not take into account the emissions generated by the transportation, processing, remanufacture, incineration, and or disposal of the recyclable materials once they leave California. We appreciate CalRecycle's 2012 report that provided details regarding recyclables exported from California's ports, the amount shipped, and their value. California has depended on foreign commodity markets for nearly a quarter century to meet our Assembly Bill 939 diversion goals, with 29 percent of all California's exports by sea being recyclables. As you have rightly noted through this stakeholder process, "for purposes of the report and the plan we are committed to moving forward with a generally more intellectually honest definition of recycling". We believe this honest definition of recycling has to include the impacts California's recyclables are having on the global environment and international community.

- We strongly recommend CalRecycle and the Air Resources Board thoroughly evaluate and estimate the time required to finance, plan, design, permit, and construct the substantial in-State recycling, composting, anaerobic digestion, conversion, and manufacturing infrastructure needed to process the large volume of materials proposed to be collected and turn them into marketable products. We believe that, even under the best of scenarios, the needed infrastructure to process the materials in-State will take a decade or longer to develop.
- We support the development of model permits, programmatic EIRs, and increased agency interaction to make the process less arduous and expensive, while maintaining the highest standards for community and environmental protection.

Exploring New Models for State and Local Funding of Materials Management Programs

- In Appendix A, Concepts 1A, 2C, the Staff Response/Rationale indicated that CalRecycle worked with the California Energy Commission (CEC) to include funding for anaerobic digestion and other related projects through Assembly Bill 118. The County regularly monitors Assembly Bill 118 solicitations and has sent letters of support to the CEC on behalf of applicants.

Most recently we reviewed the Centers for Alternative Fuels and Advanced Vehicle Technology Solicitation – PON-13-605 in an effort to fund a resource center to disseminate information and services to local jurisdictions wishing to generate biomethane from organics. We believe centers and collaboratives are an effective way of sharing resources and reducing costs. Unfortunately, numerous activities that typically lead to project development were determined to be disqualified expenditures for reimbursement. Examples included feasibility studies, training workshops, database management, procurement assistance, and educational outreach. We strongly recommend that future solicitations will have broad-enough scopes to make the funds useful to a wide range of applicants and bring projects to fruition.

Promoting Extended Producer Responsibility

- We support legislation that places greater emphasis on producer/manufacturer responsibility for the environmental impact of their products and the waste that is produced, and shifts end-of-life management and financial responsibilities from local governments to

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producers, in order to reduce public costs and encourage improvements in product design that promote environmental sustainability.

We are ready to work with you in addressing these important issues as we ensure our 10 million County residents and businesses have long-term options for managing materials in the most sustainable way possible.

If you have any questions, please contact Mr. Pat Proano at (626) 458-3500 or by e-mail at pproano@dpw.lacounty.gov, Monday through Thursday, 7 a.m. to 5:30 p.m.

Very truly yours,

GAIL FARBER
Director of Public Works

A handwritten signature in black ink that reads "Pat Proano". The signature is written in a cursive, flowing style.

PAT PROANO
Assistant Deputy Director
Environmental Programs Division

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