



July 2, 2012

Ms. Carol Mortensen
Executive Director, CalRecycle
1001 I Street
Sacramento, CA 95814

RE: Comments on CalRecycle's 75% Recycling Plan

Dear Ms. Mortensen,

I am writing on behalf of Recology in response to the request for comments on CalRecycle's proposed 75% Recycling Plan.

We would like to thank you and your staff for taking on the important task of coming up with a plan and paving the way for California to reach its new statewide recycling goal of 75%. The expansion of recycling, composting, use of renewable energy and funding for these types of programs are essential to increasing the state's recycling numbers and this plan is a good first step to accomplishing that. Here Recology would like to provide you with some general comments and touch on certain parts of the plan we feel are priorities.

Funding is extremely important in order to encourage the expansion and development of programs throughout the state to reach a 75% recycling goal. Appropriate financial incentives will allow for the necessary recycling and composting infrastructure to be built so the state and its local communities can accommodate the increase in amounts and types of material that will be recycled as a result of AB 341 and this 75% Recycling Plan. Recology urges CalRecycle to continue down the path that had been presented and look for ways to help fund projects that will without a doubt need to become a part of California's recycling framework.

CalRecycle has also proposed subtracting "disposal-related" activity from the recycling rate, but Recology believes there is a better way to eliminate true disposal activities from the calculation. Instead of determining that all activity occurring at a landfill should be considered "disposal-related" the state should be looking at what is the highest and best use of a material. CalRecycle can look at what the availability is for a specific material, which is currently being used at a landfill, and if there is a higher and better use of that material, then that activity should not be considered recycling. However, if there is no better use for that material and it would be going straight into that landfill instead of what it's currently being used for, then that activity is deserving of recycling credit. On the same page, it is important to also look at activities that

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should be considered "disposal-related" but perhaps to do not occur on or at a landfill. For example, there is a lot of land application of compostable material that occurs throughout the state of California, because it is an inexpensive way to receive diversion credit. However, more often than not the material that is being land applied should be further processed and used as compost, which the higher and better use for that feedstock.

Recology also strongly supports CalRecycle working with other state agencies to resolve the cross-agency regulatory issues that are very present in the current composting and recycling world. Right now there is a large and increasing amount of overlap between the regulations of CalRecycle, CDFA, Air Districts, SWRCB and RWQCB. These duplicative requirements make it extremely difficult to site new facilities, expand facilities and even properly operate existing facilities that are currently acting in good faith with the laws. Without an effort to ease up the overlapping regulatory burdens on recycling and composting facilities, California will not be able to make it to its 75% recycling goal. On the same note as mentioned above, Recology strongly supports CalRecycle's intention to streamline permits for recycling, composting and processing facilities so that it is possible to increase the state's capacity for the new incoming material. We appreciate and encourage CalRecycle to continue down the path that has been suggested in the 75% Plan and look forward to being a contributing stakeholder in these discussions.

Again, thank you for the opportunity to comment on this 75% Recycling Plan, and we support the efforts CalRecycle is taking to accomplish this important task. This is a huge step for recycling in California and Recology is looking forward to continuing to discuss the methods by which we can successfully reach a statewide recycling rate of 75%.

Sincerely,



Rachel Oster
Director of External Affairs
Recology

Cc: Mark Leary, Chief Deputy Director
Scott Smithline, Assistant Director Policy Development
Mark de Bie, Deputy Director Waste Permitting, Compliance and Mitigation
Howard Levenson, Deputy Director Materials Management and Local Assistance
John Halligan, Acting Deputy Director Recycling