



## **Mike Mohajer's Testimony of May 21, 2012**

**On**

**The CalRecycle Draft Report "California's New Goal: 75% Recycling" Dated May 9, 2012**

My name is Mike Mohajer and I am before you on behalf of the Los Angeles County Integrated Waste Management Task Force. The Task Force addresses solid waste management issues on a Countywide basis. The Los Angeles County consists of 88 cities and over 120 unincorporated communities with a population of over ten million. Needless to say approximately one third of the California population live in Los Angeles County.

We have reviewed the CalRecycle draft report entitled "California New Goal: 75% Recycling," dated May 9, 2012 (Report). The Task Force welcomes the Report's intent "to take advantage of AB 341's invitation to define the future" and "to offer a vision of a new paradigm for solid waste management in California." However, it is disheartening to see that the Report continues to promote the almost ¼ century old policies while failing to offer a new workable paradigm. Specifically, I would like to offer the following three general comments:

### **What Does 75% Recycling Mean?**

The Report attempts to provide an "intellectually honest definition of recycling." As substantiated by our almost ¼ century experience, a major portion of our claimed "recycled materials" are shipped out of State to foreign countries where they may get incinerated, landfilled or dumped inappropriately. While the Report disregards these facts, it also fails to recognize that CalRecycle does not have any systems/tools to measure what percentage of solid waste materials "redirected" from California landfills are actually "recycled" as defined in Section 40180 of the Public Resources Code (PRC). While disregarding the said facts, the Report elects to "define the future" by proposing to eliminate diversion credits for use of ADC, beneficial use of waste materials and the limited diversion credit currently available to the three existing waste-to-energy facilities in California, maintaining the current waste diversion rate measurement, and raising the AB 341 diversion goal of 75% to 91%. Such a proposal for increasing the diversion rate to 91% without a life-cycle analysis and economic evaluation of impacts on local governments is unjustified and without a merit. Further to be fair and "intellectually honest" in justifying the said proposal, CalRecycle must first quantify the amount of waste materials that are currently being redirected from California landfills under the umbrella of "recycling" as defined in Section 40180 of the PRC (emphasis added).

## **Emerging Technologies**

As previously mentioned, the Report claims that it wants “to take advantage of AB 341’s invitation to define the future.” However, in re to emerging technologies, the Report takes the opposite direction. Specifically, the Report disregards the provision of AB 341 [Subdivision 41780.02(b), Paragraph (1)] which would require CalRecycle to update the data for proper management and development of market for materials consider “new and emerging trends in resource management.”

CalRecycle is well aware of conversion technologies and the Study that was conducted by its predecessor, the California Integrated Waste Management Board, pursuant to AB 2770 (Chapter 740 of the of the state statute of 2002) at a cost of over \$1.5 million. The Study findings well substantiated the viability of these technologies as compared to recycling, composting and landfilling . Unfortunately, unlike the subject Report which is “taking advantage of AB 341’s invitation to define the future”, the AB 2770 Study was not given a similar opportunity and as such the CIWMB was not able to provide the complete details of the Study’s findings to the Legislature.

We strongly believe that AB 341 is providing CalRecycle with a great opportunity to promote the development and operation of conversion technology facilities in California. Let’s use the knowledge we have gained from nearly 25 years of implementing AB 939 programs to move into a new paradigm, the 21<sup>st</sup> Century waste resources management system.

## **Waste Management Hierarchy**

The Report indirectly has redefined the AB 939 waste management hierarchy by placing landfilling ahead of transformation and conversion technologies, as a preferable waste management technique for the “posted-diverted” waste residuals (emphasis added). Specifically, the Report is perfectly satisfied with land disposal of “post-diverted” waste residuals. However, as recommended by the Report (Item 10a), the same “post-diverted” waste residuals cannot be managed at a waste-to-energy or a conversion technology facility unless a yet to be defined quantity of “recyclable” materials that may potentially be found in the AB 341 “post-diverted” waste residuals are removed and potentially disposed of in a landfill. Needless to say, one can conclude that the Report does not see any place for any type of transformation and/or conversion technology facilities in California. This is extremely unfortunate and it seems that there is no room for knowledge and science in the Report’s “new paradigm.”

Thank you for allowing me to speak on the subject matter. The Task Force will be forwarding you a detailed comments in writing within the next few days. Thank you

***Mike Mohajer***

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