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Subject: CARMDZ comments on 9-17-13 CalRecycle AB 32 Implementation Plan

Hello Howard and all: right on the edge but hopefully also still “in bounds” of the ~2 week window you gave for written comments at the workshop on this topic on September 17, I am writing to follow through with formal comments from the California Assn. of RMDZs on the Implementation Plan document. I may also provide some substantive comments on the “Recycling, Reuse, and Remanufacturing” issue paper that more thoroughly discusses some of the strategies summarized in the Implementation plan by the end of the week, though I understood Howard to say that he considered the issue papers to be largely “settled” background documents.

I will comment on the Implementation Plan by numbered section, beginning with the second section, “Permitting”:

2. Permitting What’s written here is good, but it seems like it would be worthwhile to call out the current contract that CalRecycle has on this topic area with the Institute for Local Government, since this seems like very pertinent research to the implementation of AB 32 (as well as AB 341) regarding planning, permitting, and land use. Moreover, we would suggest specific mention here of potential consideration of a 15 year capacity requirement for all California counties for organics and C&D processing capacity; this planning device is a positive antidote to the 15 year landfilling capacity requirement already in place, and would be a real impetus for counties to allocate land that is appropriate for processing strategic materials that are generated statewide, and which will not be exported to Pacific Rim markets. Similarly, we would like to see the Permitting section discuss the use of impact fees paid by one jurisdiction to another when the latter hosts a facility that processes organics or other challenging materials generated by the former. Finally, we would like to see the implications of SB 375 mentioned in this section, since facility development to process materials such as organics or C&D will both fulfill and be challenged by SB 375’s encouragement of compact development.

3. Funding & Incentives for Infrastructure Under item e), we are pleased to see the first bullet “Expand RMDZ program”, but wonder what is meant by this? Recapitalization and consistent capitalization of the RMDZ loan fund utilizing cap and trade funds? More zones? More staff? R&D? Please specify so that CARB knows what is intended here. CARMDZ has prioritized recapitalization and stabilization of the RMDZ loan fund as the highest goal for revitalizing the RMDZ program and using all of its traditional strength to serve the twin mandates of AB 32 and AB 341. Restoring specialized market development staff at CalRecycle and allocating dollars for materials processing and manufacturing research are other key ways in which this general “expansion” goals can be made specific and meaningful. Related to this under the same subheading would be “Support AB 1021 or similar tax credit legislation designed to benefit recycling-based manufacturers in California”.

4. Public Education/Acceptance Subsection a) should be strengthened to read “Initiate public education campaign addressing: goals of waste sector, benefits of recycling/remanufacture within California, promotion of policies to drive collection of cleaner recyclable commodities, specific measures to address the need for contamination-free feedstocks, reducing carbon footprint through increased

recycling”. CARMDZ would also like to see a marketing campaign delivering a message to Californians encouraging them to buy products made in California, with emphasis on products made with recycled materials generated in California.

5. Markets/Quality of Products Related to the enhanced public education plank of the implementation package discussed directly above, under section 5a, we suggest an expanded proposal as follows: “Maximize recovery potential by establishing grants and/or performance standards for MRFs, C&D facilities, and municipal collection and processing agreements to recover higher quality commodities”. We also question why items e (“increase compost use”), g (“design for recycling”), and h (“support markets for remanufactured goods”) are slated for “long term” rather than “short term” implementation.

7. Research In addition to the very clear emphasis on research into methods of organics processing and energy recovery technologies, CARMDZ would like to see some proportional attention paid toward establishing and funding research capacity for processing and remanufacturing with non-organic materials in the waste stream, including but not limited to carpet, plastics, and construction materials. Such work could update and build on previous efforts such as that undertaken by the Clean Washington Center – which ended in 1997 – and could seek active engagement with at least one engineering department each in a CSU or UC in northern, central, and southern California.

8. Cap and Trade While CARMDZ generally applauds the sentiment of subsection a), we strongly suggest that this item call out “support” rather than “consideration” of the use of C&T dollars for infrastructure development, and further that this statement should be more specific about measures which might be taken to develop such infrastructure, including recapitalization and sustainability of the RMDZ loan fund, as well as manufacturing incentive payments, grants, and product stewardship programs for high GHG materials, as discussed in Section 3.

CARMDZ looks forward to the next phase of updating the AB 32 scoping documents as it shifts to the California Air Resources Board. We look forward to working with CalRecycle, the Recycling BIN Coalition and its members, CARB, and other decisionmakers to develop an approach that addresses the challenging mandates of both AB 32 and AB 341 between here and 2020, and beyond. We appreciate hearing any feedback from CalRecycle on these comments, and appreciate the opportunity to participate in updating CalRecycle’s implementation plan for AB 32.

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