



WESTERN PLACER
WASTE MANAGEMENT AUTHORITY

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May 6, 2015

SENT VIA EMAIL

Mr. Ken Decio
Waste Permitting, Compliance and Mitigation Division
California Department of Resources Recycling and Recovery
PO Box 4025
Sacramento, CA 95812-4025

**SUBJECT: NOTICE OF CHANGES TO PROPOSED COMPOSTABLE MATERIALS,
TRANSFER/PROCESSING REGULATIONS**

Dear Mr. Decio:

The Western Placer Waste Management Authority (WPWMA) appreciates the opportunity to comment on the changes to the above proposed regulation. The WPWMA is a regional agency comprised of Placer County and the cities of Roseville, Rocklin and Lincoln providing recycling and waste disposal services to these communities as well as to the cities of Auburn and Colfax and the Town of Loomis.

Mixed solid waste collected in western Placer County is processed at the WPWMA's Materials Recovery Facility (MRF), which is designed to separate, process and market recyclable materials removed from the mixed solid waste stream. Residuals are disposed at the Western Regional Sanitary Landfill, also owned and operated by the WPWMA. Greenwaste is processed and composted at the MRF, which produces high quality, OMRI-certified compost. The MRF and composting facilities have proven to be highly successful and cost-effective in assisting Placer County and its jurisdictions with meeting and exceeding California's current diversion mandates.

The WPWMA appreciates CalRecycle's consideration of our previous comments and respectfully submits the following comments on the proposed changes:

1. Section 17863.4(f) – Odor Best Management Feasibility Report

The WPWMA previously requested that this section be amended to say "...the EA shall may direct the operator to prepare an Odor Best Management Feasibility Report...". The EA should have discretion – consistent with other sections (e.g. Section (e)) – to determine necessary efforts based on specific circumstances, such as targeted best management practices when odor sources are known or of a temporary nature, as opposed to a full site-wide feasibility report.

2. Section 17863.4(f)(3) – Odor Impact Minimization Plan and Nuisances

Section (f)(3) states that an EA may issue a Notice and Order in the event of a public nuisance. A public nuisance is difficult to define, as what is considered 'offensive' or

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'indecent' is subjective. Solid waste operations that are in full compliance with permits are often subjected to odor complaints resulting from encroaching development beyond the control of the operator. The WPWMA previously recommended that this section be amended to offer some protection for otherwise compliant solid waste management facilities. Specifically, the regulation should provide that no compostable material handling operation conducted in a manner consistent with applicable regulations and permits be considered a nuisance due to any changed condition in local land use (e.g. encroaching development) if it was not a nuisance at the time it began. Current law provides this protection to other industries, such as agriculture, and similar protection should be provided to essential public services such as solid waste facilities.

3. Section 17863.4.1 – Odor Best Management Practice Feasibility Report

The proposed regulation permits an operator to voluntarily prepare an Odor Best Management Practice Feasibility Report, and states that the EA shall determine the components to be implemented for both EA-required and voluntarily-provided reports. Operators submitting voluntary reports should not be automatically required to include and implement LEA-identified components. The WPWMA requests Section (d) be amended to clarify that implementation of voluntary reports is not mandatory in the absence of compliance issues, and that the operator shall have the discretion of implementing components according to site-specific conditions and operational considerations.

4. Section 17868.3.1 – Contamination standards

The WPWMA previously expressed concerns with the proposal of stricter physical contamination standards for compostable material handling operations. The WPWMA appreciates that CalRecycle amended the proposed language and believes diverting a broader range of organic material would result in higher overall diversion levels and a greater reduction in emissions of greenhouse gases.

5. Section 18302(d) – Issuance of violation.

The WPWMA appreciates that CalRecycle has clarified this section to state that the EA will investigate the complaint as soon as practical to determine whether the operator has failed to minimize odor and that, after investigation, the EA may issue violation at their discretion. We believe this will give the EA the discretion they are afforded throughout the regulation.

Please contact me at (916) 543-3984 should you have questions or concerns.

Sincerely,



Eric Oddo, PE
Environmental Engineering Program Manager