



# COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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GRACE ROBINSON HYDE  
Chief Engineer and General Manager

May 6, 2015

Ken Decio  
Waste Permitting, Compliance and  
Mitigation Division  
CalRecycle  
P.O. Box 4025  
Sacramento, CA 95812

Dear Mr. Decio:

## **Comments on Revised Compostable Materials, Transfer/Processing Regulations**

The Sanitation Districts of Los Angeles County (Districts) appreciate the opportunity to comment on CalRecycle's revised regulations governing the handling, transfer, digestion, composting, and land application of compostable organic material. While the revised regulations have addressed many of our concerns mentioned in our December 5, 2014 letter, further refinement of the regulatory text is needed on the issues below.

### **TESTING FOR PHYSICAL CONTAMINATION**

We appreciate CalRecycle's change of the maximum physical contamination allowed for finished compostable material from 0.1 to 0.5% of contaminants greater than 4 millimeters, on a dry weight basis.

While CalRecycle still requires testing of the finished compost prior to its removal from the facility, the operator would be allowed to test for physical contaminants onsite with a field method. It is only when requested by the enforcement agency (LEA) that the samples need to be sent to a third party laboratory. This change recognizes the long turnaround time involved with outside laboratories. We recommend that Section 17868.3.1(b) be revised as follows to provide uniformity in testing, where testing for physical contaminants would be at the same time and frequency as the metals testing:

#### **§ 17868.3.1. Physical Contamination Limits**

(b) The operator of a compostable material handling operation or facility shall ~~sample every 5,000 cubic yards of compost produced and~~ determine the percentage of physical contaminants greater than 4 millimeters in the ~~sample product~~ using a field method that provides accurate results and has been approved by the EA. Sampling shall follow the frequency schedule and composite sampling requirements of Section 17868.1. ~~If the compostable material handling operation or facility produces less than 5,000 cubic yards of compost in a 12-month period, the operator shall analyze at least one composite sample of compost produced every 12-month period.~~

Currently there is no field testing method for the proposed physical contamination requirements. In making this section of the regulations effective on January 1, 2018, it provides time for such a field method to be developed. However, CalRecycle should consider adding language in this section that would extend the operative date beyond January 1, 2018, if a reproducible and accurate field test method is not developed by then.

#### **PRESUMPTION OF A VIOLATION**

As previously indicated in our December 5, 2014, letter, Section 18302(d) implies that the EA will issue a violation to the operator after investigating the odor complaint. This precludes any due process. We request the following change:

##### **18302. Written Complaints of Alleged Violations.**

(d) Upon receipt of an odor complaint related to a compostable material handling operation or facility, the EA shall investigate the complaint as soon as practical to determine that the compostable material handling operation or facility is the source of the odor and that the odor represents a nuisance condition. Based on these findings, the EA may issue a notice of violation for failing to minimize odors. The odor complaint investigation shall include the following: ~~as soon as practical prior to issuing a violation for failing to minimize odors.~~

Thank you for considering our comments. Should you have any questions, please feel free to contact Mr. Glenn Acosta at (562) 908-4288, extension 2723.

Very truly yours,

Grace Robinson Hyde



Paul Prestia  
Section Head  
Planning Section

PP:GA

cc: Robert Holmes, Manager, CalRecycle  
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Caroll Mortensen, Director, CalRecycle