



SF Environment

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A Department of the City and County of San Francisco



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Mayor

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Director

December 5, 2014

Ken Decio
Waste Permitting, Compliance and Mitigation Division
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812-4025
Via email

RE: Comments on Proposed Changes to Regulations in Title 14, Division 7, Chapters 1- 5

Dear Ken,

The City and County of San Francisco Department of the Environment welcomes the opportunity to submit comments on CalRecycle's proposed regulatory changes to Title 14, Division 7, for Compostable Materials Handling and In-Vessel Digestion Operations and Facilities. We appreciate the efforts by CalRecycle to meet the challenge of updating regulations to allow for the beneficial and safe expansion of composting, anaerobic digestion and the use of compost while supporting the imperative of increasing organics diversion to achieve the states 75% Recycling and AB 32 goals. San Francisco continues to implement aggressive organics recovery programs from all sectors to maximize diversion and produce as clean and high quality compost as possible. We also look to expand the use of anaerobic digestion of organics for recovering energy and maximizing reduced carbon emissions. We hope that CalRecycle can help the state move more aggressively toward its ambitious goals and support a sustainable growing industry.

Our primary concern is the proposed 0.1% physical contamination limit for compost. We do not believe that it is currently possible or economically feasible for composters to achieve that limit for those receiving food material, especially post-consumer food scraps, that are the largest material being landfilled and the most critical to increase diversion. We have invested as much or more than any jurisdiction in educating for clean source separation of food scraps to minimize physical contamination. As we have implemented our mandatory composting and recycling source separation for all generators we have seen an increasing recovery of food scraps along with the level of contamination in the compostables rising to the 3 to 4% range.

This increasing contamination has resulted in our composters investing in costly contamination removal, including reducing the screen size from an industry standard of 1/2" or 3/8" to 1/4" just to achieve 0.75% to 0.5% contamination. Reducing screen size to meet a stricter standard creates trade-offs, such as less diversion of organics, losing valuable organic matter larger than 1/4" and sending that to the landfill or through more costly regrinding, and lowering market value and benefit of compost. Most growers prefer larger particle size compost. The lowest feasible standard we see is 0.5%, but that would cause significant environmental harm to the industry at a time when we need to be building new composting infrastructure as fast as possible to meet state goals. We don't believe that the proposed standard has been justified or that there is solid research or science behind the number.

While we would like to see evidence that market forces cannot drive acceptable contamination levels, we are supportive of setting a contamination limit initially at 1%, and then allow, if deemed necessary, a phased-in

standard that would go no lower than 0.5% after at least several years to give industry and jurisdictions time to adjust to the significantly higher processing costs as referenced in your economic analysis.

We generally support the other proposed changes to the regulations, especially increasing standards for direct land application to reduce potential negative impacts and its unfair regulatory advantage over more beneficial composting, as well as the ability to utilizing existing WWTP anaerobic digester capacity under existing WWTP permits.

We thank you and CalRecycle for all your hard work and for consideration of our comments. Please let me know if you have any questions, at 415-355-3751 or jack.macy@sfgov.org.

Sincerely,

Jack Macy
Commercial Zero Waste Senior Coordinator