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DONALD L. WOLFE
CHAIRMAN

January 10, 2005

Mr. Michael Paparian, Chair
Sustainability & Market Development Committee
California Integrated Waste Management Board
Cal-EPA Building
1001 "I" Street
Sacramento, CA 95812-4025

Dear Chairperson Paparian:

CONVERSION TECHNOLOGIES–DRAFT REPORT TO THE LEGISLATURE
AGENDA ITEM D–JANUARY 11, 2005

As staff to the Los Angeles County Integrated Waste Management Task Force, I would like to offer the following preliminary comments on the draft conversion technology report to the Legislature. The Task Force will be considering the subject draft report at its next meeting on January 20, 2005, and intends to provide comments shortly thereafter.

I would like to extend our appreciation for the California Integrated Waste Management Board's recent efforts regarding the analysis and development of conversion technologies. As you are aware, the Task Force has been a consistent advocate for evaluating and implementing alternatives to landfilling and incineration for many years. The Task Force established the Alternative Technology Advisory Subcommittee as an outgrowth of its commitment to conversion technologies and to bring together representatives from local government, the Waste Board, facility operators, and consultants and experts in the field of alternative resource management technologies to study and promote these technologies.

The report to the Legislature is a culmination of efforts by the Waste Board and stakeholders to assess the current state of conversion technologies in the State and to ascertain the best course of action regarding future study and development of these technologies. The Waste Board's two recently released conversion technology studies (the Evaluation of Conversion Technology Processes and Products and the Life Cycle and Market Impact Assessment of Noncombustion Waste Conversion Technologies) are an important part of these efforts and should therefore be well represented within the report.

Although the report includes a wealth of information, we believe it is critical for the report to be simple and easy to understand (with less technical jargon) with more policy guidance to our legislators. We believe the report must be prepared in such a way as to inform legislators regarding the issues, concerns, and obstacles facing the development of conversion technologies. As such, in order to maximize the report's impact on the Legislature, we strongly believe the report format should be similar to a policy paper where the reader is given both the policy implications regarding the findings of the two Waste Board conversion technology studies as well as the technical information requested by Statute. A concise yet comprehensive overview in the executive summary, coupled with key recommendations based on the merits of the findings, are crucial to provide our legislators with the information they need to make an informed determination about the future of conversion technologies.

Additionally, the report's recommendations do not seem to encompass the scope of the significant findings of the Waste Board's recent studies. The report should present the major findings of the Waste Board's two conversion technology studies which can be a catalyst to amend the way these technologies are defined and regulated via statute. We believe the most significant findings/conclusions of the studies include:

1) the life-cycle analysis determined conversion technologies would create no negative impact on existing recycling and composting markets and in fact may actually have a positive impact since additional recyclables would enter the market stream from the pre-processing of the feedstock
2) conversion technologies may be comparable to or surpass other non-disposal solid waste management options in the AB 939 hierarchy based on environmental impacts and other measures
3) more real-world data is needed (and the only way to acquire the necessary data is to encourage the development of demonstration facilities)

These and other findings from the two Waste Board studies are of great significance and warrant specific recommendations to promote the development of conversion technologies and conduct further real-world research. We recommend the inclusion of a recommendation to complement current development efforts of demonstration scale facilities that would provide much needed data. These findings may also merit a reconsideration of the present waste management hierarchy by the Waste Board and the Legislature to accurately reflect the benefits of conversion technologies. For example, the hierarchy may need to be revised to be as follows, in order of priority, which is consistent with the findings of the two Waste Board studies and the fact that conversion technologies would complement recycling efforts and divert materials from disposal: waste reduction, recycling/composting, conversion technologies, and incineration/landfilling. The draft report's recommendations should be amended appropriately.

In addition to the executive summary and recommendations, the report should include a discussion on the following items:

- Environmental (e.g., emission) impacts due to landfilling/incineration, recycling, and composting in relation to conversion technologies
- Why landfilling and the three incinerators in California are viewed negatively by the public
- The long-term impact on the environment and quality-of-life if conversion technologies are not developed and landfilling/incineration continues
- The obstacles facing the development of conversion technologies
- How diversion credits may spur the development of conversion technologies since more jurisdictions are willing to utilize such a facility if they receive diversion credit
- The role conversion technologies may play in the Waste Board's endeavor to achieve the State's zero waste goal
- The potential beneficial effects of conversion technologies on our energy resources as well as its consistency with the Governor's energy policies
- The positions of various stakeholders on conversion technologies (including those expressed at the October 1, 2004, conversion technology workshop)
- A more in-depth discussion on the efforts of local governments to study and promote conversion technologies especially efforts to develop demonstration facilities by the City of Los Angeles and our Task Force
- The Waste Board's current proposed conversion technology regulations, their classification of a conversion technology facility as a disposal facility, and the negative impact this would have on the development of conversion technologies
- Our relationship to other countries that have made substantial progress in developing dozens of facilities, whether California is lagging, and, if so, what the State can do to turn things around
- A more in-depth discussion on why anaerobic digestion and thermochemical conversion receive ten and zero percent diversion credit (On April 16, 2002, Agenda Item 34, the Waste Board specifically excluded anaerobic digestion from the definition of conversion technologies and thereby afforded it full diversion credit. The Waste Board's proposed conversion technology regulations continued this exclusion. However, the draft report's recommendations significantly scale down diversion credit for anaerobic digestion to only 10 percent and only after the jurisdiction has achieved at least a 30 percent diversion rate through other means. Similarly, the draft report recommendations provide no diversion credit for "thermochemical" conversion technologies in direct conflict with the April 16, 2002, Waste Board decision.)

- A more in-depth discussion on why more studies are needed to determine the impact China has on California's recycling infrastructure even though the Waste Board's Life Cycle and Market Impact Assessment of Noncombustion Waste Conversion Technologies Report states that conversion technologies will result in a positive impact on the recycling infrastructure
- An in-depth discussion on how the Waste Board intends to work with other State agencies in determining the permitting requirements for developing conversion technologies as well as to avoid any duplication of responsibilities
- Under what conditions should materials processed by a conversion technology facility be considered "waste" and when should the process be categorized as an industrial process

Although we have made a number of comments regarding the draft report, we highly respect the Waste Board's efforts, and our specific comments are a reflection of the excellent foundation your efforts have provided us and other stakeholders to help refine this important final product.

I appreciate your consideration and look forward to working with you and your staff to promote a sustainable waste management system for the County of Los Angeles and the rest of California. Should you have any questions, please contact me at (626) 458-3500.

Very truly yours,

DONALD L. WOLFE, Chairman
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

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cc: Each Member of the California Integrated Waste Management Board
Mr. Mark Leary, Executive Director, California Integrated Waste Management Board
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Alternative Technology Advisory Subcommittee ✓