

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

STAFF WORKSHOP

In the Matter of:) Docket No.
)
)
) STAFF WORKSHOP RE:
SB 1383 - Reducing)
Short-Lived Climate Pollutants)
in California)
_____)

CEQA SCOPING MEETING

Department of Resources Recycling and Recovery (CalRecycle)

CalEPA BUILDING

BYRON SHER AUDITORIUM

1001 I STREET

SACRAMENTO, CALIFORNIA

THURSDAY, JANUARY 31, 2019

2:30 P.M.

Reported by: SUSAN PALMER

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APPEARANCES

CALRECYCLE STAFF PRESENT:

Mark De Bie, Deputy Director, Waste Permitting Compliance and Mitigation Division, CalRecycle
Hank Brady, SB 1383 Implementation Manager, CalRecycle
Ken Decio, CalRecycle
Harllee Branch, Senior Attorney, CalRecycle
Dana Hachigian, CalRecycle

PUBLIC COMMENT

Arthur Boone
Jeffrey Bell, Solano County Environmental Health Department of Resource Management
Veronica Pardo, California Refuse Recycling Council - Northern District
Antoinette Stein, Environmental Health Trust
Dave Ghiradelli, via Webcast
Larry Sweetser, Rural Counties Environmental Services Joint Powers Authority

INDEX

	Page
1. Call to Order	4
2. Public Comment	12
3. Adjournment	28
Reporter's Certificate	29
Transcriber's Certificate	20

P R O C E E D I N G S

1
2 JANUARY 31, 2019

2:30 P.M.

3 MR. BRADY: Okay. We're going to get started. My
4 name is Hank Brady, I'm the SB 1383 Implementation Manager
5 for CalRecycle.

6 For folks here in the room, just in regard fire, life
7 safety announcement. In the event of an emergency or an
8 alarm, please follow CalRecycle staff up here through the
9 double doors, downstairs, and out to the park.

10 So with that, we're going to get started. As several
11 folks know, we held this meeting on January 22, but had some
12 technical difficulties with the webcast, so we are holding
13 this essentially same presentation and meeting and
14 opportunity to comment today in order to ensure that folks
15 have full access and are able to comment on the proceeding.

16 So today, I'm just going to provide an overview of SB
17 1383 Organic Waste Reduction Requirements and the
18 Department's role in implementing those. And then I will
19 hand it over to Mark De Bie to discuss the EIR and the
20 scoping document that we're presenting on today.

21 So SB 1383 is a part of the state's climate change
22 strategy and designed to protect the residents of California
23 from the environmental and economic impacts and the risks of
24 the climate change. One of the mechanisms to achieve the
25 state's climate change strategy is implementation of the

1 short-lived climate pollutant strategy and implementation of
2 measures to reduce organic waste.

3 Disposal of organic waste in landfills creates
4 methane which is a powerful greenhouse gas at 70 to 80 times
5 more powerful than carbon monoxide. Methane is a short-lived
6 climate pollutant meaning that its atmospheric life is
7 significantly less than other greenhouse gases, and that
8 actions to reduce methane now can realize significant climate
9 change benefits immediately. This is important as we are
10 already starting to see some of the impacts of climate change
11 today, and the actions that we can take to mitigate those
12 impacts are significant and must be explored.

13 Focusing on organic waste as a portion of landfill
14 disposal. Organic waste constitutes two-thirds of the waste
15 stream in California and what's disposed of every day. The
16 largest single portion of organic waste disposal and the
17 largest single portion of all disposal is food waste with a
18 substantial portion of that being potential edible food
19 that's being disposed.

20 In addition to the immediate threats of climate
21 change, there are social consequences for the 1 in 8
22 Californians and the 1 in 5 children who have insufficient
23 access to the food on a daily basis. This is part of what
24 the legislature focused on when they adopted the SB 1383
25 requirements.

1 I'm going to pause here. I forgot to mention that
2 for folks participating online, at the bottom of the
3 PowerPoint across the screen is e-mail address to submit
4 comments today. Since we were not able to field comments
5 appropriately at -- from the online participants at the last
6 workshop, we're going to be addressing those comments first.
7 So this e-mail address should be across the screen for the
8 entire presentation, so please submit your comments to that
9 e-mail address and have your comments read.

10 So coming back to organic waste as a significant
11 portion of the waste stream in order to achieve the state's
12 climate change targets, the legislature and a 50 percent
13 reduction of landfill disposal of organic waste by the year
14 2020, a 75 percent reduction by the year 2025, and the
15 legislature specified that the actions to reduce organic
16 waste disposal need to include targets designed to increase
17 edible food recovery by 20 percent.

18 Achieving these targets in any fashion will require a
19 significant expansion of organic waste recycling capacity
20 across the state. CalRecycle estimates about 50 to 100 in
21 the organic waste recycling facilities primarily compost and
22 anaerobic digestion facilities will be necessary to handle
23 and recycle that material.

24 In order to achieve the 50 and 75 percent reduction
25 targets as well as the edible food recovery targets, the

1 legislature directed CalRecycle to adopt regulations and to
2 include sub -- excuse me, to include many strategies in the
3 regulation some are designed to achieve the targets. The
4 regulations are comprehensive and include collection,
5 procurement, food recovery, and standards for solid waste
6 facilities. And as part of adopting the regulations is
7 essentially part of why we're here today to talk about the
8 CEQA process that the regulations are subject to.

9 Before handing it over to Mark, one final comment is
10 that for those who are -- have policy comments on the
11 regulations themselves, the regulations were submitted to the
12 Office of Administrative Law and formally noticed on
13 January 18. Those are currently under a 45-day comment
14 period that will conclude on March 4 and CalRecycle will be
15 holding a hearing on March 12 to receive oral comments on the
16 regulations. I do want to remind the stakeholders that want
17 to make comments on the regulations to submit those comments
18 to Gwen Huff and submit those through the inbox that's noted
19 on this slide.

20 And with that, I'm going to hand it over to Mark.

21 AUDIENCE MEMBER: (Indiscernible.)

22 MR. BRADY: Yes, (indiscernible).

23 AUDIENCE MEMBER: Verifying the 12th of March
24 (indiscernible).

25 MR. BRADY: 9 a.m. on March 12 is the hearing.

1 Okay. And this will be Mark De Bie.

2 DEPUTY DIRECTOR DE BIE: Thank you, Hank.

3 Mark De Bie, I'm a deputy director with CalRecycle
4 and helping with the 1383 regulation effort. And one of the
5 functions is I and my staff are heading up the team to
6 develop the appropriate CEQA support for the hopeful approval
7 of the regulations as towards the end of the year is our
8 hope.

9 CalRecycle has determined that it's appropriate to
10 support the regulations with an Environmental Impact Report.
11 So after we made that decision, it was appropriate for us to
12 provide opportunity for responsible and trustee agencies as
13 well as members of the general public to provide us input so
14 that we are better able, better equipped to develop an
15 adequate document. So we are currently in the notice of
16 preparation process. The notice of preparation was submitted
17 to -- or put out for public notice last year. And there was
18 an opportunity to comment through that process till the 10th
19 of this month.

20 Scoping meetings as well as early consultation is --
21 is an option that a lead agency can use to get further input,
22 and so we have chosen to do that. So the previous scoping
23 meeting that Hank talked about where we had some technical
24 difficulties was the first opportunity. We're following with
25 this meeting because of the issues that we experienced

1 previously.

2 So this meeting serves a dual function, if you will.

3 It's continuing to be open to receive comments from, again,

4 responsible agencies and trustee agencies, but also this is

5 one of the first opportunities for early public consultation.

6 And we hope there will be other opportunities as we progress

7 in the CEQA process. So we are equally open to hear from

8 general public stakeholders relative to their insights on

9 developing this document.

10 In the notice, we had done our first cut, if you

11 will, on what our view was based on our understanding of the

12 project, the regulations and -- and what the potential

13 affects might be on the environment. And so we categorized

14 those as areas that we felt could be -- could potentially be

15 significantly affected as well as those areas that we felt

16 had less of a potential to be significantly affected. And so

17 this slide lists out those. Again, these were in the notice

18 of preparation documents so it's nothing new from that.

19 So what we're interested in doing this afternoon is

20 hearing from -- from folks on the webcast or here in the room

21 whether or not you believe that these are the way to

22 categorize these areas, whether they're potentially

23 significant or less than. So if you think something that we

24 have indicated may not arise to the level of significance,

25 please let us know. And vice versa, if you think that

1 something we've identified would have as having a potential
2 significant fact and you have reason to believe that it may
3 not, we'd love to hear that too.

4 As important is -- my screen went off. As important
5 to that is any thoughts you have about reasonable
6 alternatives and/or -- and/or mitigation measures. So if
7 we -- if you believe that there may be an area that will be
8 potentially significantly impacted and you think there may be
9 an alternative way of achieving the same goal that the
10 regulations, the project, is trying to achieve that would
11 avoid or reduce those impacts, we'd like to hear about those
12 alternative approaches. And/or if there are mitigation
13 measures so we carry forward with the -- the approach that's
14 outlined in the scope of the project of the regulations but
15 we would add in or include ways to include ways to mitigate
16 those impacts to potentially reduce them to less than
17 significant -- significance.

18 And then the third item is we want to understand
19 agencies out there, both state, regional, that believe they
20 are either responsible agencies or trustee agencies so that
21 we can be sure that we can -- are able to link you into the
22 process as we go forward with the CEQA document and make
23 documents available to you for review and comment as we go
24 forward.

25 We -- as a result of the formal NOP process, the

1 documented process, we did receive ten letters, some of which
2 were from trustee or responsible agencies and a number were
3 from basically the general public. So we have that in the
4 record, those that posted on the website so folks can see.

5 During the last meeting, consultation meeting, we did
6 have several folks in the room that were successful in
7 providing us comments. And because they weren't hampered by
8 the technology issues that we had and so we have recorded
9 those, we had multiple note-takers and we have those
10 comments. So some of you may be in the room again, that's
11 great, thank you for your continued interest. But don't feel
12 a need to repeat what you gave us, we -- we did record that.
13 So.

14 So at that, I think I'll stop. Could you, instead of
15 me figuring out the buttons now. So. So I think the
16 strategy is to give preference to those that are listening in
17 because they were not able to do that previously in terms of
18 hearing the comments or the questions that they have.

19 If we had tossed that or if there are gaps in that,
20 then we can certainly start taking comments from folks in the
21 room. But we'll start off by seeing if there's anyone that
22 has sent in an e-mail as yet. There are zero.

23 MR. BRADY: Yeah, no comments so far.

24 DEPUTY DIRECTOR DE BIE: No comments so far.

25 So we can potentially see if anyone in the room would

1 like to come up to the podium. Probably this one is less
2 cluttered and ask a question or provide a comment. And we do
3 have someone recording this, right? Yeah. Okay.

4 MR. BRADY: Yes. And for folks that are walking up,
5 we do have a court reporter taking -- recording the comments
6 so please identify your name and any affiliation and speak
7 clearly into the microphone so that we can have those
8 comments recorded.

9 MR. BOONE: My name is Arthur Boone, I live in
10 Oakland, California.

11 MR. BRADY: Thank you.

12 My name is Arthur Boone, I live in Oakland,
13 California. I've been involved in a lawsuit for the last two
14 years regarding the creation of a mixed waste processing
15 facility at Davis Street Transfer Station in San Leandro,
16 I've boned up on a lot of this stuff.

17 First I would say that in CARB's reduction strategy
18 paper on short-lived climate pollutants on page 73, they gave
19 a fairly high capture rate for methane at landfills. And
20 this is not what we think the current research indicates. In
21 fact, it's a lot worse, much lower percentage of organics of
22 methane insulated landfills is actually being captured at the
23 landfills. We think that's much the reason for SB 1383. And
24 I think that every other strategy that's to be use that will
25 create methane needs to be very carefully vetted. There is

1 no very good science as much as I can tell that really works
2 on this. We're all very aware that methane leaks in the gas
3 and oil recovery operations, it's basically a rampant matter
4 that the government has made no controls over. But they try,
5 but it doesn't happen. And we know from Aliso Canyon that
6 you can get a real mess out of that. We don't see that
7 happening in terms of these alternative strategies that
8 people want to develop. So we think that's a problem and I
9 hope you'll pay attention to that.

10 Secondly I think what needs to be done is I think
11 much of the excitement about methane today is because there's
12 a possibility of using that as a vehicle fuel. Question we
13 don't know is what is the cost of converting methane as it
14 comes out of post-consumer organics? What is the cost of
15 cleaning it up to be a vehicle fuel?

16 When I first heard that the garbage companies wanted
17 to turn it into vehicle fuel rather than put it in a burn
18 facility at their landfill to make energy, first question I
19 had is are we substituting a stationary source -- are we
20 substituting mobile source for a stationary source? In other
21 words, that it would be harder to capture or to understand
22 how contaminated the methane was when it went into a vehicle
23 rather than -- I don't know. I just don't know. But I think
24 we need to have a good understanding of all that because it
25 may very well affect the adoption of this.

1 The other thing, again, I mentioned this before, the
2 leakage in AD facilities. If you talked to people who run AD
3 facilities, they say they're the greatest thing since sliced
4 bread. That's what the landfill industry told us when they
5 first started capturing methane to make energy out of it and
6 it's only took 10 or 15 years to understand that that's not
7 necessarily the case.

8 I believe that the curbside collection of organic
9 materials is a reasonable alternative to any kind of
10 centralized separation. That's really what the basic issue
11 comes down to all of this is and that was put the regulations
12 that'll make the statute particularly confirms or affirms the
13 virtue of centralized separation. If it can all be done on
14 centralized -- on source separated recycling, we need any of
15 these kind of facilities.

16 In Alameda County, we're spending \$50 million a year
17 to operate a three-cart system and that's just the organics
18 part. Why do we need to spend another \$31 million to build a
19 plant to go through the non -- the people who are not
20 compliant? To me, it's like a -- it's like scofflaws, and I
21 think that's a mistake.

22 And the last that I'd say is, hey look at this, it's
23 smoking bans, getting organics out of garbage
24 (indiscernible). There's a cute article in The Chronicle
25 about three months ago on all the fuss about 20 years ago

1 about banning smoking in restaurants. Everybody was saying
2 San Francisco will dry up and die. People will stop coming
3 here from far away because they can't smoke in the
4 restaurants. You know, it turned out to be a nonevent. And
5 I think that I see this very much as a similar thing in terms
6 of banning organics.

7 And so I'm just about done, thank you for the time.
8 Mr. Fabiani who is a -- has been following this for Zero
9 Waste Europe for some time is available online. I've sent
10 you his e-mail contacts, his phone numbers, et cetera. There
11 are people in California who speak to him regularly and on
12 skype and I'm trying to find somebody to get him here so he
13 can be made available. Probably not by March 4 but sometime
14 in the course of the process because Europe feels very
15 much -- it has moved ahead by essentially turning its back on
16 mixed waste processes. Thank you.

17 MR. BRADY: One question from online.

18 MR. DECIO: Yeah, the first question is -- I think
19 you may have addressed it, Hank, already.

20 Where are the letters/comments received today on the
21 EIR 1383 scoping plan? It isn't on the SB 1383 website. And
22 this is from Tom Schiarodit. Sorry if I butchered your name.

23 DEPUTY DIRECTOR DE BIE: Spell it.

24 MR. BRADY: Yes, so it would be --

25 MR. DECIO: It's spelled S-c-h-i-a-r-o-d-i-t.

1 MR. BRADY: So the comments and letters that were
2 submitted by January 10 and that were submitted as part of
3 the last hearing that we held on the public meeting -- the
4 public meeting page that we posted for this workshop. And we
5 can send that out again at the end of this workshop.

6 MR. BELL: Well, good afternoon. I'm Jeffrey Bell
7 with Solano County Environmental Health Department of
8 Resource Management.

9 We have submitted written comments dated January 9
10 prior to the close of the comment period and have identified
11 the potential mitigation measures for aesthetics air quality
12 and hydrology so I won't repeat those. Specific written
13 comments we would like CalRecycle to consider local ordinance
14 and local control in hopefully finding a middle ground to
15 meet these mitigation measures. Thank you.

16 DEPUTY DIRECTOR DE BIE: Thank you very much, and
17 thank you for sending in the letters.

18 So as a reminder, too, we're taking oral testimony,
19 too, but I think if people want to send us their comments in
20 writing, we can accept it that way and be able to have that
21 opportunity to understand what your issues, concerns,
22 questions might be.

23 Next.

24 MS. PARDO: Hi, good afternoon, Veronica Pardo,
25 California Refuse Recycling Council Northern District.

1 I'm here today to support this effort and thank
2 CalRecycle for providing additional resources to achieve the
3 goals of SB 1383. And I think it's safe to say we all want
4 the same thing to make roughly 100 new or expand facilities a
5 possibility and to manage 20 million tons of additional
6 organics annually. And anything that can help support that
7 process, assist in streamlining of our permitting in getting
8 the infrastructure built is a good thing.

9 And to that end, we support and echo the comments of
10 several stakeholders to capture in program EIR where possible
11 the avoided emissions of diverting organics from the
12 landfill, displacing diesel with renewable natural gas, and
13 the production of renewable energy, as well as outlining the
14 benefits of compost and other soil amendments described in
15 the SRIA for SB 1383 such as carbon sequestration, improving
16 the health of agriculture soils, increasing soil water
17 holding capacity, soil erosion prevention, reducing any for
18 synthetic fertilizers, and stormwater management, et cetera.

19 And I think we can all use the help that we can get
20 in permitting the necessary infrastructure 1383 and
21 appreciate your work on this.

22 MR SWEETSER: Larry Sweetser on behalf of the Rural
23 Counties' Environmental Services Joint Powers Authority.

24 This question is probably more appropriate for Mark
25 who's stepped out. But on the previous slide, if you can go

1 back to that. It was brought up a little bit at the previous
2 workshop. But I'm curious if there's any information you can
3 elaborate on why the agriculture and forest resources is on
4 the less significant because I can see especially in the
5 rural areas a lot more tie-in for that as being more
6 significant. And I think somebody stated at the workshop, I
7 think it was Mark that this is just a draft listing, may
8 shift back and forth as well. But, you know, I was curious
9 if there's anything you can elaborate on that one in
10 particular.

11 MR. BRANCH: Thank you. It was just a determination
12 that was -- it was made initially based on the information
13 we're aware of. This is the reason why we're having a
14 scoping meeting is to take this input because these
15 categorizations may change based on the comments we get. So
16 the more information you can provide on that subject, the
17 better if we're going to move it out of potentially less than
18 significant into potentially significant.

19 So these are not set in stone. I can't go into why
20 certain members of staff categorized these in certain ways.
21 But it's just a preliminary cut.

22 MR. SWEETSER: A few examples. In a rural area we
23 have a lot of trees. Biomass from that is a big significant
24 waste stream. They can get a lot more wood and trees than we
25 do grass. So composting and mulch and other things, they're

1 going to get a lot higher dealing with forest especially
2 after the burn.

3 We have a lot of AD land that's going to be a source
4 potentially for compost assuming we ever get plants to do it.
5 So the impact of that being spread on AD lands is something
6 that's even more significant than considering that. Just a
7 few examples.

8 MR. BRANCH: That's helpful. Thank you.

9 Forgot to identify myself. For the record, I'm
10 Harllee Branch, I'm with the legal office at CalRecycle
11 working on the CEQA issues and the regulations for SB 1383.

12 MS. STEIN: Hi. Thank you. Antoinette Stein,
13 Environmental Health Trust.

14 I am wondering about the analysis and the
15 calculations that -- that will be done in the future going
16 back from to AB 32 that drove this and has spawned the
17 regulations currently drafted and wondering about the -- the
18 use of the metrics and the calculations for air quality, for
19 example, and greenhouse gas emissions.

20 The WAR model, I believe, was what was used over at
21 AB 32 and that currently the GREET model is being used
22 heavily to do some of the calculations. And so I'm wondering
23 if that could be -- or I'm asking, I'm requesting, could that
24 be used in the EIR to do the analysis. I recommend that we
25 be consistent with what was -- what drove this, you know, to

1 get the numbers consistent, at least, to try, and to use the
2 best available technology to do the analysis, the metric
3 calculations for air quality. And especially such that
4 others, the public, such as myself and others could then look
5 at the options for the cumulative impacts and for in the
6 ERR -- EIR development, the alternatives analysis.

7 Because as was discussed by a previous speaker today,
8 150 units being -- facilities being sited, we don't know what
9 they'll be because, you know, innovation, we really want to
10 keep that open. But we have to put some sort of standards in
11 place in those calculations to -- because if we for example
12 accept that all of the material would be mixed waste
13 processors, we need to do the calculations as such and
14 comparatively to look at source separated waste calculations
15 and see what the numbers look like such that we can get the
16 mitigations to be justified. Otherwise, there will be no
17 ability to say this option is better than that option.

18 And in Europe currently -- we heard another speaker
19 saying what's going on in Europe? They are mandating, they
20 have already mandated separation of organics. And yet the
21 regulation as written right now is somewhat ambiguous on
22 whether that's mandated and required or whether mixed waste
23 and then processing it as MBT is the outcome of this
24 regulation. In order to look at the differences, we need to
25 calculate those from a greenhouse gas perspective. And

1 Humboldt is currently using life-cycle impact analysis to
2 calculate the impacts and have broken them down in a very
3 systematic methodology and I highly recommend in the EIR that
4 that be looked at.

5 Professor Fingerman there has really developed this
6 extensively and I'll send comments on my recommendations to
7 adapt that technology that's being used to really separate
8 out the impacts from all stages, not just at the end point of
9 the landfill. But we have the impacts of the trucks, we have
10 the impact -- you know, I don't want to go on on that, but he
11 has really subdivided it all out. And I'll leave it at that.
12 But that's -- that's where I am right now is on that
13 calculation methodology.

14 My hope is that it would lead to a standard. I
15 looked at the standard section in the regulations and I
16 really don't see that that's been developed to the level at
17 which it could be and I hope that we can build that out
18 further so that there are standards that could be set to meet
19 so that we -- we come back to the AB 32 what drove us here.
20 You know, that's as far as I can say. I'm sorry. Thank you
21 very much.

22 MR. BRADY: Thank you. Quickly respond to a
23 couple --

24 MS. STEIN: Thank you.

25 MR. BRADY: -- pieces in that. Think there was some

1 of that was specifically related to the EIR and
2 recommendation to use certain tools in the analysis in
3 GREET -- for the record G-R-E-E-T -- 2.0. I can say for the
4 development of the regulations, those regulations were
5 developed in a manner that was consistent with the
6 [indiscernible] climate pollutant strategy.

7 To the extent that you have resources that you would
8 like to be considered in the Environmental Impact Report,
9 please do submit those.

10 MS. STEIN: Okay.

11 MR. BRADY: The other comments are more focused on
12 some of the regulatory policy decisions and I would just
13 encourage you to not only look at the text but look at the
14 initial statement of reasons specifically as it relates to
15 source separated organics waste collection and mixed waste
16 processing. It's not ambiguous. There's a very clear
17 requirement that jurisdictions have to provide. Collection
18 services that you opt to use mixed waste collection has to
19 be -- meet very rigorous sampling standards to demonstrate
20 that it's achieving recovery at 75 percent with the organic
21 material that's collected through that mechanism. And those
22 are daily sampling requirements that are reported quarterly
23 each departments. There's -- I wouldn't characterize it as
24 ambiguous.

25 MS. STEIN: Thank you. [Indiscernible.]

1 MR. BRADY: Do we have other comments from online?

2 None? Okay.

3 Other comments from folks in the room?

4 MS. STEIN: Antoinette Stein.

5 So just back to that discussion. So does that mean
6 that the MBT, the -- the purpose is to catch what isn't
7 captured from the regulations that you're saying you have to
8 source separate, the intention is to take the black bin
9 garbage trash and MBT that only because you know that you
10 won't be meeting the source separation? I mean, I can't
11 imagine if there's mandated source separation, why would
12 there ever be anything in the black bin, so why even
13 articulate?

14 I'm just a little confused on how you're, you know,
15 what is the reason for the MBT articulation?

16 MR. BRADY: Sure. Again, if you can submit your
17 comments in writing for -- and make your comment at the
18 hearing on March 12, I think -- and if you could please
19 review the text and initial statement of reasons, it's quite
20 clearly explained in that.

21 It is not -- well, we'll comment -- we'll provide a
22 full response to comment at that point.

23 MS. STEIN: Okay. Thank you.

24 MR. BRADY: If there any other comments in the room,
25 folks that would like to comment in the room.

1 MR. BOONE: Are the comments that are come in going
2 to be online?

3 MR. BRADY: Can you please come to the mic, the court
4 reporter can't capture your comments from the -- from the
5 audience.

6 MR. BOONE: My -- my -- Arthur Boone, again.

7 My concern would be that the other comments come in
8 over the air are going to be online somewhere readable by
9 others; is that true?

10 MR. BRADY: All the comments that are coming online
11 are being announced and will be in the record that the court
12 reporter is keeping, so those will be publically available.

13 MR. BOONE: Be available online?

14 MR. BRADY: Yes.

15 MR. ARTHUR: Okay. Thank you.

16 The other thing if I -- just while I'm here, I'll
17 state. Just remember if anybody had been asked in 1989 how
18 much garbage we would have in 2020, okay, we had a goal to
19 reduce garbage by 50 percent. We had 35, 45 million tons, I
20 think it was that year. Nobody would have ever said what we
21 have today, everybody would have said we had 22 million tons
22 in 1990 and 2020. It's now almost 2020 and we have 45
23 million tons of garbage. Okay.

24 The reason that local governments are getting dinged
25 by these regulations is because the package deal of local

1 governments and waste dollar hasn't worked very well. It's
2 not been a failure, it hasn't done a great job. And the
3 legislature in a rather, unfortunately, indirect method is
4 trying to tackle that and I think that we have to be aware of
5 the fact that a lot more is falling on the state's shoulders
6 that has in the past because local government said their
7 waste dollars have not done what needed to be done.

8 That's just my opinion of what the purpose of
9 legislature was. So I hope you will not be overly swayed by
10 the people who complain about the fact that you're
11 overreaching. They underachieved, that's why you're
12 overreaching. Thank you.

13 MR. BRADY: Thank you. If there's no other --
14 there's another comment online.

15 So, Ken, if you can read that, please.

16 MR. DECIO: Okay. This is from Dave Ghirardelli.
17 It's spelled, G-H-I-R-A-R-D-E-L-L-I.

18 And Mr. Ghiradelli has four comments. First one is
19 the comparison of GHG impacts for recycling food waste must
20 compare with the impacts of recycling currently generating
21 food waste versus landfilling currently generating food
22 waste. Citing landfill emissions from previously disposed
23 food waste is inauthentic and scientifically irrelevant. GHG
24 emissions from food waste disposed [indiscernible] from years
25 ago until today is an illegitimate scientific analysis

1 compared to GHG emission impacts associated with the recovery
2 of food waste managed today.

3 Second comment. A full analysis of the GHG impacts
4 of food waste recycling must be conducted. That must include
5 consideration of increased collection fleets on the road and
6 the miles traveled. Furthermore, the EIR must not presume
7 only biweekly refuse collection. If that scenario is
8 considered, it is incomplete and GHG emission analysis of the
9 scenario presuming weekly refuse collection must also be
10 included as another alternative.

11 Third comment is, one alternative for analysis fully
12 incorporating the parameters described in Comment 1 above and
13 others must be a state of the art landfill with landfill gas
14 collection system and power generating facility including its
15 displacement of the use of fossil fuels for power generation.

16 Finally the fourth comment. Carbon sequestration and
17 landfills must under no circumstances be conveniently
18 ignored. Landfills have been proven to effectively entomb
19 organic waste. Even pre-RCRA landfills have been excavated
20 and decades old food waste appeared virtually unaltered from
21 the day it was disposed. That is carbon sequestration and it
22 must included for this ER -- EIR to be anything more than
23 ideological -- ideologically driven to predetermined
24 conclusions.

25 MR. BRADY: Are there any other comments from online?

1 I would just -- one response relative to alternative
2 analysis and what I'm hearing is a suggestion of an
3 alternative being just continue sending everything to the
4 landfill regardless of signs or opinion on the greenhouse gas
5 emission capture in landfills which is subject to high
6 dispute. The statute is very clear that organic waste needs
7 to be removed from landfills. The purpose of that is to
8 reduce greenhouse gas emissions but the statute, PCR sections
9 that are codified by 1383 specifically state that organic
10 waste is to removed from landfill. So I don't think that
11 would be a feasible alternative that could be considered
12 under the Environmental Impact Report.

13 Other comments online? Comments in the room?

14 MS. STEIN: Thank you. Antoinette Stein.

15 One more comment is the time at which the food waste
16 as collected from the generator to the endpoint of processing
17 needs to be very carefully analyze the time because if it
18 were to sit in storage for two months before being finished
19 by its process, those calculations are going to change the
20 amount of methane emitted during that storage time.

21 So, you know, I think the regulations currently have
22 74 hours, 72 hours or something. And if they don't, that
23 needs to be looked at.

24 MR. BRADY: If I could just clarify. You specific --
25 you said food waste for processing. Are you specifically

1 referring to the edible food recovery?

2 MS. STEIN: Nonedible.

3 MR. BRADY: Okay.

4 Are there other comments in the room?

5 Seeing no more comments in the room and no comments
6 online. We will keep the email inbox live and keep that
7 available to receive additional comments. But for folks that
8 are in the room, consider this conclusion of the hearing.
9 But folks can continue using the comments online, if they
10 would like. We'll keep that open until 4:30 as was indicated
11 on the public meeting post.

12 Thank you for everyone that attended in person and
13 for folks that participated online to provide comments on the
14 scoping meeting. Thank you.

15 (Thereupon, the Hearing was adjourned at 3:12 p.m.)

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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of February, 2019.



Eduwiges Lastra
CER-915

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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of February, 2019.



Jill Jacoby
Certified Transcriber
AAERT No. CERT**D-633