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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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April 11, 2013

The Honorable Wesley Chesbro, Chair
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Dear Assembly Member Chesbro:

**OPPOSE ASSEMBLY BILL 323 (INTRODUCED FEBRUARY 12, 2013)
WASTE: RECYCLING: DIVERSION: GREEN MATERIALS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **opposes** Assembly Bill 323 (AB 323). If enacted, this bill would, among other things, eliminate the use of green waste as alternative daily cover (ADC) for the purposes of meeting the State's waste diversion mandate, facilitate the use of so called "MRF fines" for use as ADC, and require as of yet undefined "large-quantity commercial organics generators" generating "significant" (undefined) amount of "organic" (undefined) waste to arrange for separate collection and diversion of these materials from landfill disposal through recycling and/or composting.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

This Task Force is extremely concerned with the proposal to eliminate the use of green waste as ADC. In urbanized areas such as the Southern California, there is a lack of markets for compost, insufficient composting infrastructure due to stringent air quality standards, and contamination issues with curbside collected green waste. As a result, excess and contaminated green waste is beneficially used as ADC, thereby preventing truckloads of clean soil from being used as daily cover at landfills and the disposal of this green waste material. This results in multiple benefits, including (1) reducing the use of dirt for cover materials and thus conserving landfill space, (2) providing local jurisdictions with a local and affordable way to manage green waste, (3) assisting jurisdictions' compliance with AB 939 mandates, and most importantly (4) complying with AB 32 greenhouse gas (GHG) reduction goals by reducing GHG emissions from truck exhaust to distant locations for scarce composting facilities.

Prior to removing ADC as a viable alternative for the use of green waste in urbanized areas such as Southern California and/or other parts of the state that are under the U.S. EPA order for failure to meet the air quality standards as mandated by the Federal Clean Act, alternative organics management infrastructure and markets for the end products must be developed. Sufficient lead time must be allowed to site, permit, and develop the infrastructure needed to manage the green waste currently used as ADC such as conversion technologies (including anaerobic digestion). Furthermore, significant additional capacity is needed to manage non-compostable organics (constituting approximately 70% of all organics) pursuant to other provisions of this legislative proposal (emphasis added). To expedite the development of this infrastructure, such as conversion technology facilities, we strongly urge the State to consider providing economic and other incentives and removing legislative and regulatory barriers that currently impede its development, such as currently proposed in Senate Bill 804 currently sponsored by Los Angeles County.

Lastly, the requirement for source separation of organics by large-quantity organics generators, generating significant amount of organic waste materials, raises several concerns. Neither the terms "large-quantity organics generator", "organics" and "significant amount" are defined in the Bill, leaving uncertainty regarding the scope of the impact. More importantly, the Bill requires large generators to separate their organics regardless of whether a market or end destination exists for such materials. The Task Force strongly believes that in conjunction with the development of needed infrastructure, markets for organics materials must be developed by the State so these materials are not disposed of in landfills.

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If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste management Task Force and
Council Member, City of Rosemead

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cc: Assembly Member Das Williams
Each Member of the Assembly Natural Resources Committee
Senator Ricardo Lara
Each Member of the Los Angeles County Legislative Delegation
Each Member of the Los Angeles County Board of Supervisors
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
San Fernando Valley Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force