LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

GAIL FARBER, CHAIR
MARGARET CLARK, VICE CHAIR

February 16, 2011

Webster Tasat, Manager
Emission Inventory Analysis Section
California Air Resources Board, PTSD/EIB
P.O. Box 2815
Sacramento, CA 95812

Dear Mr. Tasat:

COMMENTS REGARDING PROPOSED MANDATORY COMMERCIAL RECYCLING REGULATIONS TO REDUCE GREENHOUSE GAS EMISSIONS
CALIFORNIA AIR RESOURCES BOARD PROPOSED GREENHOUSE GAS EMISSIONS REDUCTIONS METHODOLOGY

The Los Angeles County Integrated Waste Management Task Force (Task Force) appreciates the opportunity to further comment on the proposed mandatory commercial recycling (MCR) regulations drafted by the Department of Resources Recycling and Recovery (CalRecycle) and the California Air Resources Board (CARB), which was discussed at the January 19, 2011, Workshop. During the Workshop, Mike Mohajer, a member of the Task Force, requested and you agreed to hold a conference call to discuss CARB's *Proposed Method for Estimating Greenhouse Gas Emission Reductions from Compost from Commercial Organic Waste* and *Proposed Method for Estimating Greenhouse Gas Emission Reductions from Recycling*. These documents were used to draft the proposed MCR regulations and were the underlying basis of information and assumptions used in developing the associated HF&H Cost Study on Commercial Recycling (Cost Study).

The Task Force sincerely thanks you, David Edwards, and CARB for considering our concerns and hosting a very constructive conference call on January 26. Our goal is to clarify that certain assumptions used in formulating the MCR regulations are not reflective of the Los Angeles County solid waste management system. As such, the Task Force would like to offer the following comments that are in addition to those previously submitted to CalRecycle on January 26, 2011 (copy enclosed).

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended) and Chapter 3.67 of the Los Angeles County Code, 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 and 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, waste management industry, environmental groups, the public, and a number of other governmental agencies.

RECYCLING COMMENTS

Export Commodities – The Cost Study states that it assumes "paper, cardboard, metals, and plastics are exported to foreign recyclers" (p. 14). However, the correlative CARB methodology for estimating the Recycling Emissions Reduction Factor (RERF) assumes, based on national data, that 36% of paper products are shipped to China and 64% are remanufactured in the United States. Although the Cost Study did not include precise figures or estimates, we have found that the determination made in the Cost Study is actually more consistent with reports from recyclers in Los Angeles County who indicate the vast majority of paper products they recover are shipped to foreign, mainly Pacific Rim, countries. When multiplied by the transportation emissions factor (T_e), the resultant emissions estimate is significantly underestimated since the T_e does not take into account the full emissions resulting from the shipment and processing of materials overseas.

Recycling Efficiency Factor – CARB directly utilized United States Environmental Protection Agency (USEPA) data in presenting the "recycling efficiency" of each material. The "recycling recovery efficiency (%)" factor presented by CARB is referred to as the "percent of recovered materials retained in the recovery stage" in the source USEPA document *Solid Waste Management and Greenhouse Gases,* 2nd Edition, EPA 530-R-02-006. The percentages presented range from 90 to 100%; however, real world recovery rates from facilities in Los Angeles County show that source separated material recovery facilities ("clean MRF" facilities) results in approximately 70% recovery, while mixed waste recovery facilities("dirty MRF" facilities), results in less than 25% recovery. Dirty MRF processing is the more prevalent processing method in Southern California yet was excluded from consideration in the Cost Study. The Task Force requests that the table incorporate more accurate recovery rates for various materials based on operating recycling facilities that would most likely be managing the additional recovered materials resulting from the implementation of this regulation.

Furthermore, the Task Force requests clarification as to whether the greenhouse gas (GHG) emissions from disposing the unrecoverable portion of these materials are

accounted for in CARB's RERF methodology. This is important to quantify because, for example, a large portion of the unrecoverable residuals of paper-based material sent to China are burned (oftentimes for energy production) with technology that does not meet California's environmental standards. This fact could be addressed by the inclusion of a "discount factor" that would adjust the final recovery efficiency.

COMPOSTING COMMENTS

Transportation Adjustment Factor – For the Los Angeles region, impacts such as increased traffic congestion, air pollution, and GHG emissions as a result of transporting organic waste to out-of-region composting facilities must be taken into account especially considering the fact that 67% of the statewide tons disposed are generated in the "Southern California A" region. In fact, according to CalRecycle's report *Third Assessment of California's Compost- and Mulch-Producing Infrastructure — Management Practices and Market Conditions*, "the Central Valley Region produces the most compost: feedstocks from the L.A. Basin, as well as from the Bay Area, are transported by truck to the Central Valley for composting" (p.28). Specifically, CARB's methodology estimates that the sum transportation distance is approximately 75 miles including not only feedstock delivery but also compost delivery. Based on our experience and as verified by CalRecycle's report, the estimate needs to be increased to approximately 150-200 transportation miles each way not including compost delivery.

Organic Materials Management – The Cost Study assumes all organics (food and yard waste) will be composted (p.15). Unfortunately, many underlying assumptions of CARB's methodology do not apply to the Southern California region. For example, unlike certain other parts of the State, Los Angeles County has no commercial or regional composting facilities. Instead, jurisdictions and private industry have necessarily invested millions of dollars in expensive equipment and infrastructure to implement green waste collection and recycling programs, which intend to utilize green waste for other purposes including mulch and alternative daily cover (ADC) at landfills. Jurisdictions in Southern California and other parts of the state now rely on this infrastructure to maintain compliance with the State's 50 percent waste diversion mandate (AB 939). The use of green waste as ADC is the most widely utilized organics waste management method in Los Angeles County and has numerous environmental and economic benefits including preventing the mining and wasting of clean soil that would have otherwise been used as daily cover, conserving landfill capacity by avoiding an additional cover material layer and the ability of green waste to compact and decompose over time, creating markets for the beneficial use of green waste, maintaining a local outlet for the beneficial use of green waste, and strengthening the curbside collection infrastructure for green waste. For these reasons, State law provides that the use of green waste for ADC as recycling. Due to Southern California's reliance on ADC and inability to efficiently utilize composting for organics waste management, the Task Force feels that an accurate emissions reduction factor needs to

be developed specifically for green waste utilized as ADC, and the Cost Study should be adjusted to reflect the most likely uses for green waste collected through the implementation of the MCR, in order to provide an accurate estimate of the potential GHG emissions impact.

Conversion Technologies – In a discussion where GHG emission reductions are relevant, it is worth noting that in addition to composting conversion technologies (CTs) have been found to be a very effective way of reducing GHG emissions in the management of solid waste. Numerous studies conducted regarding CTs, including studies completed by State environmental agencies, have demonstrated their capabilities to reduce air emissions including GHG emissions. In February 2008, CARB's Economic and Technology Advancement Advisory Committee (ETAAC) released its report entitled "Technologies and Policies to Consider for Reducing Greenhouse Gas Emissions in California." The ETAAC report noted that by conservative estimates, CTs have the potential to reduce annual GHG emissions by approximately five million metric tons of CO_2 equivalent in California based solely on the amount of biogenic electricity CTs were capable of producing. This happens to be the amount of GHG emissions MCR is optimistically expected to reduce except 100% of the reductions would be realized in California instead of only 20% by instituting MCR. Furthermore, the Task Force estimates the potential GHG reduction attributable to CTs may be substantially greater since CTs have a simultaneous triple benefit to the environment such as (1) reduction of transportation emissions resulting from long distance shipping of waste including GHG emissions, (2) elimination of methane production from waste that would otherwise be landfilled, and (3) displacement of the use of fossil fuels by net energy (fuel and electricity) produced by CT facilities. These potential reductions would be in addition to any reductions realized from MCR since CTs can manage the portion of the waste stream that is not recovered for recycling or composting. As such, the Task Force requests that CARB acknowledge the GHG reduction potential of CTs by developing a *Proposed Method for Estimating Greenhouse Gas Emission Reductions from Conversion Technologies* document, which would further inform future implementation of the Scoping Plan and related regulations such as MCR.

As a result of the issues identified above, imperfect assumptions and omitted factors are leading to an incomplete and inaccurate representation of the solid waste management system in Southern California. These inaccuracies create a bias towards specific management scenarios and deprive policymakers from being the "rational and informed actors" that they ought to be and are assumed to be by the Cost Study, which may ultimately leading to poor policy decisions that may adversely impact the environment and the public. Please find enclosed a CT information and fact sheet that provides additional details regarding CTs and how California can benefit from them, which was recently shared with the Governor's office in response to his goal of producing 20,000 new megawatts of renewable electricity in California by 2020.

Thank you for the consideration of our comments. We look forward to continue working constructively with CARB and CalRecycle on this issue. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

MS:ts
P:\eppub\ENGPLAN\TASK FORCE\Letters\CARB-Proposed MCR-GHG Reductions.doc

Enc (2):

cc: CalRecycle (Mark Leary, Howard Levenson, Cara Morgan, Brenda Smyth)
John Laird, Secretary, California Natural Resources Agency
Linda S. Adams, Acting Secretary for Environmental Protection
Mary D. Nichols, Chairman of the California Air Resources Board
CARB (Richard Bode, David Edwards)
League of California Cities
League of California Cities, Los Angeles County Division
California State Association of Counties
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor and City Manager in the County of Los Angeles
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
South California Association of Governments
Los Angeles County Department of Public Works (Pat Proano)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Task Force Alternative Technologies Advisory Committee

FEBRUARY 16, 2011

WHAT ARE CONVERSION TECHNOLOGIES AND HOW CAN CALIFORNIA BENEFIT FROM THEM?

Each year over 40 million tons of solid waste is buried in landfills throughout California. This "waste" represents a tremendous, largely untapped resource that could be utilized in a beneficial way such as generating renewable energy and producing biofuels through conversion technologies. For the past decade the Los Angeles County Integrated Waste Management Task Force (Task Force), in coordination with local governments such as the County of Los Angeles (County), has supported the development of conversion technologies as an alternative to landfills.

Local Research and Project Development

In 2004 the Task Force and the County established the Alternative Technology Advisory Subcommittee (ATAS) with the purpose of evaluating and promoting the development of conversion technologies to reduce dependence on landfill disposal. The ATAS is comprised of a diverse group of stakeholders including representatives from cities, government agencies, utility companies, residential advisory committees, environmental experts, and solid waste industry representatives, which are all experts in the emerging field of conversion technologies.

Conversion technology facilities are operating successfully in Europe, Japan, and other advanced countries due to landfill restrictions and progressive recycling and environmental policies. Several states are in varying stages of commercializing these technologies; however, California has yet to construct a commercial facility. Legislative and regulatory roadblocks, low landfill tip fees, and lack of a comprehensive permitting framework have stifled development of this industry in our state. Nevertheless, several jurisdictions throughout California are moving forward with conversion technology evaluation and project development, including the Cities and Counties of Los Angeles, Santa Barbara, and San Diego and the Cities of Glendale, Sacramento and Salinas. On April 20, 2010, the Los Angeles County Board of Supervisors approved agreements to develop three conversion technology demonstration facilities with the goal of showcasing the technical, economic, and environmental viability of these technologies.

State's 2011 Bioenergy Action Plan

The State's Bioenergy Interagency Working Group, consisting of California's Natural Resources Agency, Air Resources Board, Water Resources Control Board, Energy Commission, Public Utilities Commission, Biomass Collaborative, and the Departments of Food & Agriculture, Forestry & Fire Protection, General Services, and Resources Recycling and Recovery, recently released the 2011 Bioenergy Action Plan, which concluded that these agencies should work collaboratively to "increase energy production from urban derived biomass." The Plan identified "statutory and inaccurate definitions that impede some conversion technologies for energy production, result in non-optimal technology choice, and limit opportunities to develop energy from municipal solid waste," which the agencies would work together to address.

Demonstrated Benefits

1. Conversion technologies can create green collar jobs and spur economic development

   Conversion technologies would create a range of new, high-tech jobs in scientific research and development, engineering, construction, and facility operations providing the highest number of jobs per Megawatt than any other form of renewable energy generation. These facilities must be built close to the feedstock and are designed for long-term operation of 20-30 years or more. As a result, they would establish high-quality, export-proof job stability in the local economy.

2. Conversion technologies can decrease net air emissions and greenhouse gases

   Numerous studies conducted regarding conversion technologies, including studies completed by State environmental agencies, have demonstrated their capabilities to reduce air emissions including greenhouse gas (GHG) emissions. In February 2008, the California Air Resources Board's Economic and Technology Advancement Advisory Committee (ETAAC) released its report entitled "Technologies and Policies to Consider for Reducing Greenhouse Gas Emissions in California." The ETAAC Report noted that by conservative estimates, conversion technologies have the potential to reduce annual GHG emissions by approximately five million metric tons of CO2 equivalent in California. In fact, the Task Force estimates the potential GHG reduction of conversion technologies may be substantially greater since conversion technologies have a simultaneous triple benefit to the environment (1) reduction of transportation emissions resulting from long distance shipping of waste; (2) elimination of methane production from waste that would otherwise be landfilled; and (3) displacement of the use of fossil fuels by net energy (fuel and electricity) produced by conversion technologies.

3. Conversion technologies can produce renewable energy and green fuels, thereby reducing our dependence on foreign oil

   Conversion technologies produce fuel and energy. By utilizing conversion technologies, California can develop clean, locally-produced renewable energy and green fuels including ethanol, biodiesel, and electricity, which can be used to promote energy independence. It has also been shown that renewable energy provides extensive benefits to California citizens by insulating residents from energy markets' fluctuations and avoiding environmental impacts associated with the extraction, refining, transportation, and combustion of fossil fuels.

4. Conversion technologies are an effective and environmentally preferable alternative to landfilling

   Based on reports developed by the California Department of Resources Recycling and Recovery (CalRecycle), the County of Los Angeles, and other independent agencies, conversion technologies are environmentally preferable to land disposal practices. While the cost of utilizing conversion technologies may exceed current landfill disposal rates, disposal costs are expected to increase as landfill capacity declines within the coming decade. Development of conversion technologies is needed now to provide decision makers with environmentally preferable and economically viable options for the management of post-recycled waste materials.

5. Conversion technologies can manage materials that are not practically recyclable and at the same time create an incentive to increase recycling

   Not all solid waste currently disposed can be recycled or composted. Contaminated organic materials, higher number plastics and other materials, which cannot be recycled or processed in an economically feasible manner, are ideal feedstock for conversion technologies. At the same time, inorganic materials including glass, metals, and aggregate have no value for conversion technologies and therefore create an incentive to separate and recover those materials for recycling prior to the conversion process. Most conversion technologies are also capable of recovering additional materials for recycling through the conversion process that would otherwise be disposed.

6. Conversion Technologies would help the state meet many of our renewable energy and environmental goals

   Conversion technologies represent one of the most effective ways to meet a variety of the State's most significant and ambitious environmental goals and policies including the Global Warming Solutions Act (AB 32), the Low Carbon Fuel Standard, the Renewable Portfolio Standard, and the BioEnergy Action Plan among others.

For more information, please visit www.SoCalConversion.org.

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

GAIL FARBER, CHAIR
MARGARET CLARK, VICE CHAIR

January 26, 2011

Mr. Mark E. Leary, Acting Director
California Department of Resources
Recycling and Recovery (CalRecycle)
801 K Street, MS, 19-01
Sacramento, CA 95814

Dear Mr. Leary:

COMMENTS REGARDING PROPOSED MANDATORY COMMERCIAL RECYCLING REGULATIONS TO REDUCE GREENHOUSE GAS EMISSIONS

On behalf of the Los Angeles County Integrated Waste Management Task Force (Task Force), we appreciate the opportunity to comment on the Department of Resources Recycling and Recovery's (CalRecycle's) proposed mandatory commercial recycling (MCR) regulations discussed at its January 19, 2011, Proposed Mandatory Commercial Recycling Regulation Informal Stakeholder Feedback Workshop. The Task Force also sincerely thanks CalRecycle for considering comments previously submitted by the Task Force. At this time, we would like to offer the following comments related to the current version of the proposed MCR regulations and the HF&H Cost Study discussed during the informal stakeholder workshop. We are also meeting with representatives of the California Air Resources Board regarding their MCR analysis and will be submitting comments under a separate cover.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended) and Chapter 3.67 of the Los Angeles County Code, 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 and 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, waste management industry, environmental groups, the public, and a number of other governmental agencies.

PROPOSED REGULATION COMMENTS

Many technical and necessary revisions have been made to the MCR proposed regulatory text (Proposed Regulations) directly in response to Task Force comments. Most noteworthy are the changes specified in "Handout #1" (copy enclosed) as distributed at the January 19, 2011, workshop concerning §9XXX4(f) of the Proposed Regulations, which separates the possible enforcement actions without creating a "double jeopardy" situation under both AB 32 and AB 939 enforcement protocol. In keeping with the topic of separating AB 32 and AB 939, the Task Force believes a dangerous precedent is being set by §9XXX4, which establishes an AB 32 MCR superiority clause and disregards compliance with AB 939 disposal targets. As stated in previous communications, we believe it is inappropriate to tie compliance with this regulation to an unrelated existing statute (AB 939, as amended; PRC Section 40000 et. seq.) since MCR relies on the adoption of the AB 32 Scoping Plan and is not tied to the diversion requirements of AB 939. Therefore, all references to (1) the 50% diversion requirement or disposal target, (2) source reduction and recycling element, and (3) household hazardous waste element should be removed and CalRecycle's authority should be established by the California Air Resources Board (ARB)/CalRecycle Enforcement Agreement per AB 32.

Additionally, several technical updates are necessary to the Proposed Regulations:

- **Subsection 9XXX1(b)** – The term "public entity" was introduced into the definition of both "business" and "hauler" (§9XXX1(b)(4) and §9XXX1(b)(9), respectively) but was not defined. To avoid any confusion, the term "public entity" should be defined and exemplified, i.e. "including but not limited to school districts, cities, state agencies, etc."
- **Subsection 9XXX1(b)** – The term "commercial recycling program" should be defined within §9XXX1(b) due to its extensive usage throughout the Proposed Regulations.
- **Subsection 9XXX1(b)(1)** – Please refer to "Annual Report" in §9XXX3(e) and §9XXX3(i)(4)(j) in a consistent manner, i.e. refer back to §9XXX1(b)(1) where it is defined.
- **Subsection 9XXX1(b)(11)** – "Mixed Waste Processing" is defined as "processing solid waste that contains both recyclable materials and trash **and yields diversion results comparable to source separation**." This definition needs to be clarified because, as written, it could be read to preclude mixed waste processing from recycling processes. Depending on how diversion is accounted, these types of facilities do not yield comparable diversion result to other processing methods such as single stream processing. The definition should also be expanded to include "compostable materials."

- **Subsection 9XXX1(b)(14)** – The term "recycling facility" is not used elsewhere in the Proposed Regulations, and as such, we question the need for its definition.
- **Subsection 9XXX2(a)** – Should be expanded to read, "On or before July 1, 2012, the owner or operator of a business, as defined in §9XXX1(b)(4), shall, consistent with local requirements, recycle, ***compost, or otherwise divert*** its commercial solid waste by taking one ***or any combination*** of the following actions:"
- **Subsection 9XXX2(a)(1)** – Delete "or" from the sentence end.
- **Subsection 9XXX2(a)(2)** – Please see comment on Subsection 9XXX1(b)(11).
- **Subsection 9XXX3(a)** –Should be expanded to read, "diverts commercial solid waste generated by businesses, as defined in §9XXX1(b)(4), ***from disposal***."

COST STUDY COMMENTS

The HF&H Cost Study utilizes emission reduction factors provided by the ARB based on their document *Proposed Method for Estimating Greenhouse Gas Emission Reductions from Compost from Commercial Organic Waste*, which establishes the Compost Emission Reduction Factor (CERF). Unfortunately, many of the underlying assumptions of ARB's methodology do not apply to the Southern California region. For example, the Report estimates that the sum transportation distance, including not only feedstock delivery but also compost delivery, is just over 75 miles. Unfortunately, the Los Angeles region has no commercial or regional composting facilities. Based on our experience, from the Los Angeles area to a composting or green waste facility, the estimate needs to be increased to approximately 150 transportation miles each way not including compost delivery. This one caveat, if taken into consideration, would triple the Transportation Emissions (T_e) factor. Correctly accounting for emissions is doubly important when considering the fact that the HF&F Cost Study makes the assumption that all organics will be composted.

Excluded from the scope of the HF&F Cost Study on Commercial Recycling were many vitally important factors and variables to Southern California, and especially the County of Los Angeles, that when omitted, provide an incomplete representation of the solid waste management system in our region. For example:

- **Public Education and Outreach –** While stated as altogether "beyond the scope of this study," CalRecycle did provide their estimated figures for this aspect of the regulations at the January 19, 2011, Informal Stakeholder Workshop. The average "start-up costs" incurred by a large jurisdiction were estimated as $115,000, with a total cost to *all* jurisdictions statewide totaling $14.3M. The Task Force would like to note, as an example, that a single "mail-out" in the City of Los Angeles can incur a quarter million dollar cost, and as such, the figures presented seem to be underestimating the true impact this will

have upon large and already budgetary constrained jurisdictions. We believe that for the largest jurisdictions (over 1 million population), the annual cost of implementing a commercial recycling program that fully complies with the proposed regulations and includes comprehensive education, monitoring, and enforcement could range from $2 million to $10 million or more when fully loaded labor rates are considered.

- **Organic Materials –** This Cost Study assumes all organics (including green waste) will be composted (p.15). Unlike other parts of the State, the Los Angeles County region has no commercial or regional composting facilities. For the Los Angeles region, impacts such as increased traffic congestion, air pollution, and greenhouse gas (GHG) emissions as a result of transporting organic waste to out-of-region composting facilities must be taken into account especially considering the fact that 67% of the statewide tons disposed are generated in the "Southern California A" region. The Task Force would like to stress that other, superior options to composting exist and are being utilized or are currently in the development process, namely green waste as alternative daily cover (ADC) and conversion technologies (CTs), which were both explicitly excluded from the Cost Study. CTs are processes capable of converting residual waste into useful products, green fuels, and clean renewable energy without combusting the waste. The Task Force recommends the inclusion of CTs in the consideration of any solid waste management mandate expansion. Numerous studies, including those conducted by the State of California, have confirmed that CTs provide triple benefits with regard to GHG emissions reductions including reducing waste transportation, reducing landfill disposal, and displacing fossil fuels by producing fuel and energy, which composting is incapable of doing.

- **Export Commodities –** The Cost Study states that it assumes "paper, cardboard, metals, and plastics are exported to foreign recyclers" (p.14) while the correlative ARB proposed methodology for estimating Recycling Emissions Reduction Factor (RERF) (found in the accompanying document *Proposed Method for Estimating Greenhouse Gas Emission Reductions from Recycling)* utilizes distinct percentages for the remanufacturing destination distribution of various recycled materials in California. A single set of assumptions should be utilized.

As a result, flawed assumptions and missing factors are leading to an incomplete and inaccurate representation of the solid waste management system in Southern California. These inaccuracies create a bias towards specific management scenarios and may lead to poor policy decisions that ultimately adversely impact the environment.

Thank you for the consideration of our comments. We look forward to continue working constructively with CalRecycle on this and other related issues. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

MS/RG:ts
P:\eppub\ENGPLAN\TASK FORCE\Letters\MCR Comment Letter 01-26-11).doc

Enc.

cc: CalRecycle (Howard Levenson, Cara Morgan, Brenda Smyth)
John Laird, Secretary, California Natural Resources Agency
Linda S. Adams, Acting Secretary for Environmental Protection
Mary D. Nichols, Chairman of the California Air Resources Board
Webster Tasat, ARB Emission Inventory Analysis Section Manager
League of California Cities
League of California Cities, Los Angeles County Division
California State Association of Counties
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor and City Manager in the County of Los Angeles
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
South California Association of Governments
Los Angeles County Department of Public Works (Pat Proano)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Task Force Alternative Technologies Advisory Committee

Informal Stakeholder Workshop
Proposed Mandatory Commercial Recycling Regulation
January 19, 2011
10 am - 4:00 pm
Byron Sher Auditorium

Handout #1

Proposed Change to 9XXX4(f)

9XXX4(f) Pursuant to §41850 of the Public Resources Code , CalRecycle shall hold a hearing to determine whether the jurisdiction has complied with the terms of the compliance order in §9XXX4(d). If CalRecycle determines that the jurisdiction has failed ~~to make a good faith effort~~ to implement its compliance order ~~commercial recycling program~~ and meet the requirements of §9XXX3, CalRecycle ~~may impose administrative civil penalties upon the jurisdiction of up to ten thousand dollars ($10,000) per day until the jurisdiction implements the program as provided by §41850 of the Public Resources Code~~ shall take additional enforcement action pursuant to an ARB/CalRecycle Enforcement Agreement, or, if an Enforcement Agreement does not exist, CalRecycle shall, within 60 days document its determination that the jurisdiction remains out of compliance, forward that documentation and make recommendations to the Air Resources Board for further enforcement action pursuant to Part 6, Division 25.5 (section 38500) of the Health and Safety Code).