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LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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July 8, 2015

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

Dear Mr. Decio:

**CALRECYCLE'S PROPOSED NEGATIVE DECLARATION/INITIAL STUDY FOR REGULATORY TEXT AMENDING TITLE 14 AND 27 OF THE CCR – COMPOSTABLE MATERIALS TRANSFER/ PROCESSING REGULATIONS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to comment on The Notice of Intent to Adopt a Negative Declaration and Initial Study of CalRecycle's consolidated regulatory revisions to Title 14 and 27 of the California Code of Regulations, released in June 2015. The Task Force recognizes and appreciates CalRecycle's efforts to revise and adopt new regulations in order to manage "compostable materials" within the State in a manner that protects the public's health and safety. The Task Force believes that the Initial Study and the proposed Negative Declaration are deficient in evaluating potential environmental impacts while failing to address significant impacts of odor resulting from the operation of open-air composting on the quality of life and health of neighboring communities. We have reviewed the subject Initial Study/Negative Declaration and would like to offer the following comments on the documents with the goal that our comments and concerns will be addressed by preparation of an Environmental Impact Report (EIR) or Mitigated Negative Declaration for the proposed regulatory revisions in order to ensure public health and safety as well as protection of our environment; this must be the number one priority of CalRecycle (emphasis added).

Considering odor nuisances are hazardous to public health and safety, it is imperative that potential mitigation measures be clearly established to ensure such nuisances are addressed in an efficient and timely manner. This becomes an issue especially for open-air composting operations located in the urbanized area. Numerous occasions of tension between composting operations and communities have been reported. These projects have the potential to expose our citizens to odor emissions from composting

operations such as volatile organic compounds, possible carcinogens, and criteria pollutants, all of which contribute to long term health risks. An EIR or Mitigated Negative Declaration would identify the potential negative impacts of these types of projects and would enlist potential mitigating measures that when implemented may reduce the negative impact to insignificant. To this end, the proposed regulations' Best Management Practice Feasibility Report does not go far enough in addressing the negative impact of odor on air quality and health and safety of neighboring communities.

The State Water Resources Control Board (Water Board) has recently succeeded in identifying impacts and mitigating measures, when possible in the Draft EIR of their Proposed General Waste Discharge Requirements for Composting Operations dated May 29, 2015, (Water Board Draft EIR). The Task Force agrees with the Water Board that the impacts of odor on air quality are significant before implementation of any mitigation and in some cases significant and unavoidable after implementation of mitigation measures as listed on Pages ES-7 through ES-11 of the Water Board's Draft EIR. The Task Force also feels that any open-air composting operation should require a full Environmental Impact Report and/or at minimum a Mitigated Negative Declaration.

Accordingly, CalRecycle should revise the subject Initial Study/Negative Declaration to take into consideration the aforementioned Water Board Draft EIR and its analysis. Further, the Water Board analysis affirms our concerns with the regulatory amendments to the Compostable Materials Transfer/Processing Regulations as communicated to CalRecycle in our letter dated April 30, 2015 and are enumerated in Comments #115C01 through 115C26, with emphasis on 115C05, 6, 9, 12, 13, 19, 21, 22, 23, and 26 located in the Summary of Written Stakeholder Comments released by CalRecycle on May 27, 2015.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 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, 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.

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The Task Force respectfully requests that CalRecycle consider the above comments and make appropriate changes to the subject Initial Study/Negative Declaration to address public health and safety and protection of our environment prior to submittal of the proposal to the Office of Administrative Law (emphasis added). If you have any questions, please contact Mr. Mike Mohajer of the Task Force at [MikeMohajer@yahoo.com](mailto: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  
Mayor, City of Rosemead

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cc: CalEPA (Matt Rodriguez)  
CalRecycle (Caroll Mortensen, Ken DaRosa, Mark De Bie, Howard Levenson,  
Brenda Smyth, Robert Holmes, and Georgjan Turner)  
California Air Resources Board (Mary Nichols)  
California Department of Food and Agriculture (Annette Whitford)  
State Water Resources Control Board (Charles Hoppin, Thomas Howard, Leslie Graves,  
Scott Couch, and Roger Mitchell)  
Each Member of the Los Angeles County Integrated Waste Management Task Force