



MARK PESTRELLA, CHAIR
MARGARET CLARK, VICE - CHAIR

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

September 20, 2018

Mr. Scott Smithline, Director
California Department of Resources Recycling and Recovery (CalRecycle)
P.O. Box 4025
Sacramento, CA 95812-4025

Mr. Michael Villegas, President
California Air Pollution Control Officers Association (CAPCOA)
1107 Ninth Street, Suite 1005
Sacramento, CA 95814

Ms. Mary Nichols, Chair
California Air Resources Board (CARB)
P.O. Box 2815
Sacramento, CA 95812

Dear Mr. Smithline, Mr. Villegas and Ms. Nichols:

COMPOSTING IN CALIFORNIA – DISCUSSION PAPER ADDRESSING AIR QUALITY PERMITTING AND REGULATORY ISSUES FOR EXPANDING INFRASTRUCTURE

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to thank the California Air Resources Board (CARB), the California Air Pollution Control Officers Association (CAPCOA), and the California Department of Resources Recycling and Recovery (CalRecycle) for the opportunity to offer the following comments on your document entitled “Composting in California – Addressing Air Quality, Permitting and Regulatory Issues for Expanding Infrastructure – August 2018 Discussion Paper”

<https://www2.calrecycle.ca.gov/PublicNotices/Documents/9215>

A copy of our comments is also being submitted electronically to compost@calrecycling.ca.gov.

GENERAL COMMENTS

1. One of the priorities of the Task Force in addressing solid waste management issues is to ensure that the health and safety of the public is protected. SB 1383 (2016), SB 32 (2016), AB 1826 (2014), AB 1594 (2014), and AB 32 (2006) were all enacted and being implemented with the goal of protecting public health and safety. As the state begins addressing the process of permitting, including, but not limited to, air

permit revisions to site new or expanded organic waste processing facilities, it may be faced with the decision of selecting between protecting public health and safety, and economic viability of the processing technology. In making that decision, the Task Force strongly believes that the protection of public health and safety, meeting environmental protection requirements, and complying with and maintaining ambient air quality standards, must be given priority over all other factors, consistent with the intent of the above stated legislations.

2. At the August 24, 2018 workshop, it was stated that approximately 5.3 million tons per year of additional organic waste materials need to be diverted from the landfills to meet the SB 1383 diversion goal. The Task Force requests clarification on whether that 5.3 million tons only refers to additional capacity, via composting facilities, while excluding capacity that may be needed through chipping and grinding and anaerobic digestion facilities.
3. During the August 24, 2018 presentation, it was stated that siting smaller scale facilities may be beneficial since a smaller site footprint may allow for those facilities to be sited closer to the source of generation (residential or commercial) which would reduce transportation impacts. While the Task Force is not opposed to composting facilities, siting such facilities in an urbanized area such as Los Angeles County is extremely difficult, if not impossible, and thus the reality for siting composting facilities in non-urbanized areas. In the past, the Task Force has consistently shared its concerns with CalRecycle and CARB regarding air pollution generated by transporting organic waste materials to near and/or distant composting facilities therefore, we are grateful that the Discussion Paper has listed the transportation as a critical issue that needs to be considered as a part of planning.
4. The Task Force has consistently expressed its concerns to CalRecycle with labeling chipping and grinding facilities as organic waste recycling facilities because there was, and still is, concern with the spread of pathogens and other biological contaminants. The Task Force is grateful that the Discussion Paper acknowledges that the chipping and grinding process has a higher potential than composting and anaerobic digestion (AD), to spread both physical and pathogenic contaminants.
5. The Task Force also requests clarification on whether there is a difference between revising an air permit and modifying an air permit as it related to acquiring a permit from CARB and/or local air districts. Additionally, the Task Force would like to know what role the California Environmental Quality Act would have with regards to air permit revisions and modifications.
6. Organic waste recycling should not be limited to one or two processes. Many thermal, chemical, biological, and mechanical conversion technologies (CTs) could be utilized to process organic material to produce electricity and fuels in an environmentally

friendly and protective manner. However, these technologies are stifled by antiquated legislative and regulatory barriers. These technologies can diversify our approach to organic waste management and help jurisdictions comply with the State's direction to divert these materials from landfill disposal. As have been pursued by the Task Force for many years, the Task Force would like to again encourage the State to take a technology neutral position or, at a minimum, not prohibit technologies that can provide equal or greater greenhouse gas (GHG) reductions than AD and composting. Although AD is currently the most widely used technology in California to convert biodegradable organic waste to energy, biomass gasification and other conversion technologies (CTs) can manage a broader array of organic waste and produce a smaller amount of residuals that may still need to be disposed of while providing comparable or greater GHG reductions.

Additionally, the Task Force has concerns with the State's continued endorsement and advocacy of composting. Composting is not the optimum environmental or most economically feasible organics management option in many settings, and as previously indicated in urbanized areas. If the amounts of organics processed into compost was increased in order to comply with SB 1383 organic waste disposal reduction mandates, the market would be flooded and the value of compost would collapse, potentially having a devastating effect on the compost industry. Compost cannot simply be stockpiled; as a result, much of this material may end up being disposed of in landfills due to lack of markets.

While the Task Force appreciates the benefits of composting, the region's urban nature prevents the siting of commercial-scale compost facilities capable of processing the region's organic waste. The region simply needs other options to process organic waste; otherwise the waste would need to be transported outside the region which is costly economically and environmentally and causes more GHG emissions.

7. The Task Force recognizes and appreciates CARB, CAPCOA and CalRecycle's efforts in developing the Discussion Paper addressing air quality permitting and regulatory issues for expanding composting infrastructure in a manner that protects the public's health and safety. However, the Task Force continues to firmly believe that an integrated approach is necessary to reduce our dependence on landfilling while considering the health and safety of the public and environment. In order to facilitate an integrated approach, any research and discussions should be applied uniformly to all technologies. This would help create a level playing field for all landfill diversion technologies to be successful in the future and help in compliance and implementation of AB 1594, AB 1826, and SB 1383. So far, State agencies have given composting facilities a free pass as compared to other solid waste facilities with regard to water, air, and stormwater permits.

SPECIFIC COMMENTS:

1. Page 13: The Discussion Paper acknowledges that the land application of compost has the benefit of contributing to the building and storage of carbon in the soil and plant biomass. The Task Force recommends that the carbon storage and any other emissions reductions impacts from the land application of compost be incorporated into the calculation of the emissions reduction when compared to landfilling.
2. Page 15, Discussion Paper: The last sentence on the page states: "The 20 largest composting facilities in California currently handle a little more than of green and food waste currently being composted annually.". It appears that a word or two is missing between the "more" and the "than". Please correct this for clarity.
3. Page 16, Discussion Paper: Table 1 does not appear to consider population growth and an overall increase in disposal in the projected organics diversion calculation. The Table lists the amount of organic waste (in wet tons) that could potentially be processed in the categories of "compost" or "anaerobic digestion or compost," utilizing a base year of 2014. According to the report, the additional processing capacity needed (5.3 million tons per year) is based on these numbers. However, when looking at the disposal trend for the most recent years after 2014, there has been an overall increase in disposal, with no anticipated decline in the coming years. Therefore, if 2014 is used as a base year for determining the target, and the target is essentially compared by tracking the amount of waste disposed each year, it would mean that a significantly greater amount of organic waste processing capacity would be required in the coming years, than what is stated in Table 1.
4. Page 18, Discussion Paper: Scenario 2 in Table 2 assumes that a portion of the organic materials are exported to adjacent air districts for composting. Does this scenario take into consideration the green waste which is currently quarantine within the State? As of August 2015, there were five plant pests and plant pathogens which were under quarantine in California. Licenses for composting/processing operations and compliance agreement certificates for all transportation of green waste and other plant material within or out of these quarantined areas are required by California Department of Food and Agriculture; therefore, these restrictions must be considered when discussing exportation of these potentially infected materials.
5. Page 23, Discussion Paper: Odors are partially feedstock dependent. Under proposed SB 1383 regulations, compost facility operators may have limited ability to reject incoming organic feedstock that they are permitted to accept. In addition, as described on page 37, volatile organic compounds (VOC) emission factors can be difficult to determine for composting facilities accepting a high variability of material types. Odor mitigation and the mitigation of VOC emissions must focus on best management practices (such as operating in an enclosed building under negative pressure) and

effective equipment control technologies, because processing an extra 12.5 million tons per year of additional food, yard, and wood waste (as referenced on page 6) to comply with SB 1383 will require composting facilities to process a variety of feedstocks.

6. Page 39, Discussion Paper: In both high and low emission factor scenarios, South Coast Air Quality Management District (SCAQMD) would exceed the New Source Review threshold for requiring VOC emission reduction credits (ERCs) to offset increased emissions from composting facilities. As stated on page 41, SCAQMD may not have sufficient VOC ERCs available and new open windrow compost facilities must meet the best available control technology (BACT) standards and comply with feedstock ratios. Therefore, the State should facilitate the development of anaerobic digestion (AD) and thermal conversion technology (CT) facilities to recycle organic waste, because composting most of the additional organic waste that must be diverted from landfill will significantly increase release of VOC emissions.
7. Page 42: The Discussion Paper states that state-of-the-art composting facilities that can meet air and water quality protection standards can cost over \$15 million. CalRecycle's Organics Grant Program has helped fund 15 compost facilities over the last three funding cycles, but as recognized by the Discussion Paper, it will be difficult to build 75 to 100 new composting facilities throughout California over the next seven years without increased program funding. An additional infrastructure investment of \$2 to \$3 billion is needed to comply with SB 1383 organic waste disposal reduction mandates. The State Legislature in concert with State agencies must provide significant additional financial incentives for the development of organics processing facilities.
8. Page 44: One of the recommendations in the Discussion Paper is to process less organic waste material at each facility and develop smaller composting facilities throughout the State. This recommendation cannot be feasibly implemented in urban, densely-populated jurisdictions that severely restrict the siting of solid waste processing facilities. Therefore, the State should consider promoting the development of more AD and thermal CT facilities to allow each jurisdiction a variety of options for recycling organic waste.
9. Page 45, Discussion Paper: Task Force strongly supports the creation of landfill ERCs because it is crucial to find out whether composting of organic waste reduces VOC emissions as compared to landfilling, so as not to inadvertently promote the development of composting facilities that only reduce methane and greenhouse gas emissions but actually increase VOC emissions. The landfill ERCs would also help quantify the benefits of co-locating compost facilities at landfills. The Task Force also recommends that the use of these credits not be limited to composting, but rather

extended to other organic processing facilities using technology other than composting, such as AD or thermal CTs.

10. Page 48: The Task Force strongly supports CARB commitment to initiate discussions with the U.S. EPA to revisit the concept of incorporating reactivity as a regulatory approach when determining the need to purchase VOC ERCs to offset the point source increases in VOC emissions from compost facilities. VOCs with less reactivity and less potential for ozone formation should not be regulated the same as VOCs with high reactivity and significant potential for ozone formation.
11. Page 49: The Task Force recommends that the Discussion Paper specify the factors that are used to designate a facility such as a composting facility as an Essential Public Service (EPS) facility. Instead of designating composting facilities as essential public services to avoid the purchase of ERCs, the state should promote the development of AD and thermal CT facilities that emit lower levels of VOCs and will not require the purchase of ERCs. However, if composting is designated as an EPS, then other organic processing facilities using technology other than composting, such as AD or thermal CTs, should also be considered for designation as EPS.
12. Page 53: The Task Force strongly supports the consideration by CARB, CAPCOA, and CalRecycle to conducting additional research on VOC emission factors, source test protocol, feedstock and curing piles, landfill gas and landfill VOC emissions, NOx emissions from the transportation of organic waste to processing facilities, and compost application air quality benefits. This additional research will help the State and local air quality management districts develop effective permitting regulations to allow for the maximum amount of organic waste to be processed through composting while emitted the least amount of VOCs.

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]), 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.

Mr. Scott Smithline, Mr. Michael Villegas and Ms. Mary Nichols
September 20, 2018
Page 7 of 7

We respectfully request CARB/CalRecycle/CAPCOA to address these comments, concerns, and recommendations. Should you have any questions regarding these comments, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor Pro Tem, City of Rosemead

CS:cso

P:\epub\Budget\TASK FORCE\Task Force\Letters\2018\September\TFLtronCARB-CAPCOA-CalRecycle Compost Workshop8.24.18.docx

cc: CalRecycle (Howard Levenson, Crystal Reul-Chen, Mark de Bie, Cara Morgan, Hank Brady, Georgianne Turner, Chris Bria and Marshall Graham)
California Air Pollution Control Officers Association (Michael Villegas and Alan Abbs)
California Air Resources Board (Mary Nichols and David Mallory)
California Department of Food and Agriculture
California Department of Public Health
League of California Cities
League of California Cities, Los Angeles Division
California State Association of Counties
Each Member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
Each City Mayor/Manager in the County of Los Angeles
South Coast Air Quality Management District
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
Southern California Association of Governments (Frank Wen)
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force
Each Member of the Task Force Alternative Technology Advisory Subcommittee
Each Member of the Task Force Facility Plan Review Subcommittee