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SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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August 9, 2010

Ms. Lisa Jackson, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Dear Ms Jackson:

**COMMENTS REGARDING REGULATION OF BIOGENIC EMISSIONS UNDER  
TITLE V GREENHOUSE GAS TAILORING RULE**

On behalf of the Los Angeles County Integrated Waste Management Task Force (Task Force), I want to express our concern with the U.S. Environmental Protection Agency's (EPA) decision in the promulgation of the Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas (GHG) Tailoring Rule (Tailoring Rule), to regulate biogenic GHG emissions in the same manner as anthropogenic GHG emissions from fossil fuel use.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989, 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.

Biogenic emissions are organically derived and therefore part of the earth's natural carbon cycle. Regulating biogenic emissions in the same manner as anthropogenic is a substantial departure from nearly all Federal policy that considers them carbon neutral. For example, a large percentage of municipal solid waste (MSW) comprises organic materials such as yard trimmings, food wastes, and paper and harvested wood products. As a result the GHG emissions resulting from safely managing these

Ms. Lisa Jackson  
August 9, 2010  
Page 2

materials are largely biogenic. If such emission sources are considered equivalent to GHG emissions from coal or other fossil fuels, this would substantially undermine incentives for investment in clean renewable energy technologies to better manage our organic waste and biomass resources in the United States.

For the last decade, the Task Force along with other entities including the City and the County of Los Angeles have extensively evaluated various conversion technologies from around the world. Conversion technologies are thermal, chemical, and/or biological processes that extract valuable resources and create renewable energy from solid waste. Based on numerous scientific studies and evaluation of data from operating facilities in Europe and Japan together with our own independent evaluation of these technologies, we have concluded that these technologies can fundamentally change the way we manage MSW, diverting up to 100 percent of the waste from landfill disposal, producing significant quantities of renewable energy and biofuels from that waste, creating high-tech green collar jobs, and most significantly reducing GHG emissions.

We are concerned that the Tailoring Rule will place undue burdens on the local government and private entities who have invested considerable resources in development of renewable energy and organics management infrastructure. Further, we believe application of the Tailoring Rule permitting requirements to these projects will discourage future investment in conversion technologies for reducing GHGs while beneficially using waste materials, biomass, and biogas. The EPA's unprecedented action reverses long-standing Federal policy and scientific consensus regarding biogenic GHG emissions to the detriment of efforts to reduce GHG emission and spur renewable energy projects.

We urge the EPA to swiftly move forward with a public review of biogenic carbon neutrality through a rulemaking process, using as its baseline sound scientific principles and peer reviewed literature on the climate impacts of various biogenic waste streams. Until this rulemaking process is finalized, we urge the EPA to exclude biogenic emissions of CO<sub>2</sub> in determining permitting applicability under the Title V and PSD programs and suspend application of the Tailoring Rule requirements to biogenic emissions. Such an approach will align the EPA's handling of biogenic CO<sub>2</sub> emissions with existing precedents and policies until such time as a science-based biogenic carbon policy can be finalized.

Ms. Lisa Jackson  
August 9, 2010  
Page 3

If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (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: Each member of the County of Los Angeles Board of Supervisors  
Mayor Antonio Villaraigosa, City of Los Angeles  
Each Member of the City of Los Angeles Energy & Environment Committee  
Each Member of the City of Los Angeles Ad Hoc Committee on Recovering  
Energy, Natural Resources & Economic Benefit from Waste for Los Angeles  
William Fujioka, Chief Executive Officers, County of Los Angeles  
Each Member of the City of Los Angeles Public Works Commission  
Each Member of the Los Angeles County Integrated Waste Management Task Force  
Each Member of the Los Angeles County Alternative Technology Advisory Subcommittee