



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

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GRACE ROBINSON CHAN
Chief Engineer and General Manager

June 12, 2012
File No.: 31-380.10B

Dr. David Edwards, Manager
Climate Change Reporting Section
California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Dear Dr. Edwards:

Comments on Potential Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions

The Sanitation Districts of Los Angeles County (Sanitation Districts) appreciate this opportunity to comment on CARB's proposed potential amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions. The Sanitation Districts provide environmentally sound, cost-effective wastewater and solid waste management for about 5.7 million people in Los Angeles County and, in the process, convert wastes into resources such as reclaimed water, energy, and usable recycled materials.

The Sanitation Districts support the goal of the proposed modification of the regulation: continued harmonization with the U.S. Environmental Protection Agency (U.S. EPA) mandatory greenhouse gas reporting requirements contained in 40 Code of Federal Regulations (CFR) Part 98 (EPA Program). In fact, we recommend CARB continue the harmonization process until the CARB reports can fully qualify as a U.S. EPA submittal.

We are concerned with your amended language that now requires flaring emissions from municipal solid waste (MSW) landfills to be included in the state reporting program if emissions exceed 10,000 metric tons CO₂e. Landfill gas flaring in the EPA Program is exempt from reporting of CO₂ emissions. EPA views flares as control devices, and recognizes that the CO₂ emissions are biogenic, part of the short-term carbon cycle, and not an impact to the environment.

We recommend that CARB continue its efforts to harmonize its reporting program with the EPA Program by not requiring this single category of MSW Landfill flare emissions to report. There is simply no value in collecting this data and is counter to your streamlining

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efforts. If CARB believes it necessary to collect this data for informational purposes, then we further recommend that CARB:

- Provide a simple reporting form for flares emitting over 10,000 MTCO₂e.
- Specify that this emission category would not be subject to third party verification, at any emission level.
- Report CO₂ emissions from flares separately than the general facility emissions since the emissions are considered biogenic.

Additional Comments:

1. The language proposed for Section 95101(a)(1)(B)(1), "*Stationary fuel combustion, including flaring emissions from municipal solid waste landfills*" conflicts with the language proposed in Section 95115 (n): "*Flaring of Biogas (captured methane). Notwithstanding the exclusion of flaring from this source category in 40 CFR §98.30(d)(4), the operator must include emissions of CO₂, CH₄, and N₂O from flaring of biogas (captured methane) in the emissions data report.*" Although we believe this language should be removed, if it remains, CARB needs to clarify if its target is MSW landfill flares, or all biogas flares.
2. In the amended regulation, CARB has proposed changes to several definitions that significantly affect the verification process. The proposed definition of "*material misstatement*" applies to "*covered*" emissions or "*covered*" product data. A "*positive emissions data verification statement*" applies to "*covered*" emissions, and a "*positive product data verification statement*" applies to "*covered*" product data. These proposed modifications re-emphasize that the primary purpose of the rigorous reporting and verification in the Mandatory Reporting Regulation is to support the cap-and-trade program. We agree that the mandatory reporting program should emphasize the accurate collection, calculation, reporting and verification of greenhouse gas emissions with a compliance obligation from facilities in the cap-and-trade program. We also believe that facilities outside the cap-and-trade program warrant a different set of reporting procedures that still provides information, but is less costly. CARB has previously recognized the wisdom of this approach by developing an abbreviated reporting process for facilities emitting under 25,000 tons CO₂e per year with no requirement for third-party verification for these facilities. This change helped minimize costs while still providing CARB the capability to monitor facilities that are not in the cap-and-trade program. We recommend that the abbreviated reporting process be expanded to include all facilities without a cap-and-trade compliance obligation.

The Sanitation Districts appreciate the opportunity to comment on the proposed amendments to the Regulation. Please contact the undersigned at this office with any questions or comments.

Very truly yours,
Grace Robinson Chan

A handwritten signature in black ink, appearing to read "Frank R. Caponi". The signature is written in a cursive style with a long, sweeping horizontal line at the beginning.

Frank R. Caponi
Supervising Engineer
Air Quality Engineering
Technical Services Department

FRC:TL:bb

cc: Patrick Gaffney, CARB
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Edie Chang, CARB
Richard Corey, CARB