



WESTERN PLACER
WASTE MANAGEMENT AUTHORITY

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California Air Resources Board

scopingplan2030

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Subject: Comments on Proposed 2030 Target Scoping Plan Update

On behalf of the Western Placer Waste Management Authority (WPWMA), I would like to thank you for the opportunity to comment on the Proposed 2030 Target Scoping Plan Update published on January 20, 2017. The Western Placer Waste Management Authority is a Joint Powers Authority that operates a Materials Recovery Facility (MRF) and sanitary landfill, providing recycling and waste disposal services to the majority of Placer County. The MRF recovers, processes, and markets recyclable materials from the waste stream, including green waste and wood waste. The compost portion of the facility has an annual average processing capacity of 82,000 tons. The facility is permitted to have up to 75,000 cubic yards (approximately 37,500 tons) of compost material at the facility at any one time.

Section E of the Proposed Plan describes, among other things, the importance of the Waste Management sector in reducing greenhouse gases (GHG), particularly in the context of short-lived climate pollutants and your plan to implement SB 1383. The Proposed Plan addresses two important elements to achieving the goals of SB 1383: funding to build the necessary organic diversion infrastructure, and optimizing beneficial use of diverted organics through options such as composting or anaerobic digestion (AD).

WPWMA's feedback on and ongoing concerns about the Proposed Plan are respectfully outlined below.

Support of AD

AD is an especially important component of the Proposed Plan because of the generation of biogas which can be utilized as a renewable natural gas (RNG). The WPWMA's MRF is designed to separate, process and market recyclables from the municipal solid waste stream. Residual wastes, often rich in organic matter, are currently disposed at the Western Regional Sanitary Landfill. The WPWMA has been actively researching the viability of an anaerobic digestion (AD) project at its facility utilizing the organically-rich waste stream. Biogas generated as a result of the AD of biodegradable organic matter can be used to produce electricity or as an alternative to fossil fuels used in transportation. According to the Bioenergy Association of California, up to 10% of California's gas demand could be replaced with biogas – the equivalent of 7,000 megawatts of renewable power. Efforts such as AB 577 (Bonilla, 2015) are vital to ensuring that California's promising biogas marketplace, and the associated renewable power and emission reduction benefits, are realized.

With regard to development of RNG, the success of large-scale organic diversion programs will depend upon adequate development of RNG, which can significantly reduce GHG through the displacement of fossil fuels. On page 121 of the Proposed Plan it is stated, "*For the energy sector...renewable natural gas faces safety, feasibility, and cost issues.*" SB 1383 has requirements to address the issue of RNG barriers, including a report in 2020 to report on the status of reducing potential barriers. **WPWMA strongly encourages that these requirements be enhanced to ensure that successful development of RNG is fully realized.** This should include ongoing review of barriers to RNG projects, not just in 2020, so potential obstacles can be addressed as needed. Additionally,

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we are supportive of the “Potential Additional or Supporting Action[s]” outlined on Pages 123-124 that help address issues related to anaerobic digestion and renewable energy.

Further, the Proposed Plan includes a measure requiring an increase in utilization of RNG as part of the Alternative No. 1 Scenario. As previously stated, developing robust beneficial use is critical to the success of organic diversion programs. **To achieve this, WPWMA strongly supports the increased RNG utilization proposal, but believes that this measure should be part of all four alternative reduction scenarios considered in the Plan.**

Concern Regarding Funding Proposals

Development of the infrastructure needed to adequately manage diverted organics will require significant funding. CalRecycle estimates that State investments of \$100 million per year for five years are needed, while the solid waste industry estimates that overall investments of \$1 to \$2 billion will be needed. Section E of the Proposed Plan proposes an increased landfill tip fee and/or a new generator charge to help fund the development of waste management infrastructure, programs, and incentives. WPWMA has significant concerns with this strategy for the following reasons:

- **WPWMA is opposed to reliance on disposal-based funding**, as the mechanism unfairly targets landfills to disproportionately finance statewide programs from which they will not benefit. Additionally, as diversion goals are achieved, the funding will not be sustainable, and new funding mechanisms will be needed to sustain recycling and organics diversion programs and infrastructure. Furthermore, developing funding only through fees will not be adequate.
- **The State must commit to providing adequate additional funding through the State’s Cap-and-Trade program.** This is not only necessary to achieve the goals of SB 1383, but is consistent with allocating Cap-and-Trade funding to the most cost-effective greenhouse gas reduction measures (the LAO analysis has ranked bioenergy and waste diversion as the most cost-effective measures).

Support for Market Development

Section E of the Proposed Plan also establishes a goal to “maximize recycling and diversion from landfills.” To reach this goal, **the state should demonstrate support for recycling markets and efforts to expand existing markets and develop new markets.**

Allow Time for Program Implementation

As WPWMA has commented on similar ARB plans, the state should allow time for existing regulations to be implemented and their success measured before expanding them.

- The Proposed Plan calls for expanding waste reduction mandates. **Until recent regulations have been given time to be implemented, establishing more mandates in 2018 would be premature.** WPWMA’s participating agencies are still in the early stages of implementing AB 1826 (Chesbro) [Chapter 727, Statutes of 2014] regarding mandatory commercial organics recycling. Only the first two phases of the law have taken effect; an entire sector (businesses that generate 4 cubic yards of solid waste or more in 2019) has yet to fall under the requirements. Time is needed for current programs to be fully developed. Many are still in the pilot program stage, using existing infrastructure, and working through various barriers and challenges. Only once these programs are fully implemented can agencies such as WPWMA understand the quality and quantity of organics that will be generated and identify the type and size of long-term infrastructure needed moving forward.

- Section E notes on Page 120 that the state has “established programs that reduce air emissions through activities such as gas collection systems from landfills,” and references the new 2010 landfill emissions regulations at Footnote 179. The 2010 requirements are very stringent, and as landfill operators, we know that a compliant landfill site now emits very little methane.
 - But the Scoping Plan does not appear to take those recent emissions reductions into account. **The Plan should include a process in which the ARB updates its emissions estimates to reflect, for example, the climate benefits provided by the 2010 regulations.**
 - However, **WPWMA would like to acknowledge our appreciation of ARB’s decision to hold off on implementing any additional landfill methane measures.**

Support for Existing and Future Infrastructure

WPWMA is currently evaluating options for the diversion of more of the organic portion of the waste stream.

- AD and gasification are desirable options that could divert waste, provide green jobs, and generate clean, renewable energy; however, the law is currently unclear regarding how AD and gasification should be permitted and regulated, and whether they qualify for diversion credits. **WPWMA encourages the ARB to consider financial and other incentives to support such infrastructure development while minimizing the regulatory, permitting and legal barriers to creating such facilities.**
- As previously mentioned, **we are supportive of the “Potential Additional or Supporting Action[s]” noted on Pages 123-124 of the Plan that would address important barriers**, such as:
 - Addressing challenges associated with significant expansion and construction of organics infrastructure (permitting, siting, markets, funding, etc.);
 - Providing incentives for expanded and new facilities;
 - Supporting existing and new markets;
 - Supporting development of transportation fuels;
 - And, supporting the use of available capacity at wastewater treatment plants.

We would like to see these barriers addressed before the imposition of additional deadlines.

Finally, we recommend that good faith efforts be considered in the regulation of the waste sector, state government, and local governments’ efforts to achieve the goals laid out in the Plan, considering the numerous barriers. Such has been the precedent in similar statutes and regulations, including in AB 341, AB 939, and AB 1826.

Again, thank you for your consideration of WPWMA’s comments on the Proposed 2030 Target Scoping Plan Update released on 1/20/17.

Sincerely,



Bill Zimmerman
Deputy Executive Director

Cc: Board Members, Western Placer Waste Management Authority