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GAIA comments to CARB on Cap and Trade program

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Submitted by CARB web form and email to cotb@arb.ca.gov

**Subject: Oppose exemption for "Waste To Energy" in Cap & Trade, Oppose Cap and Trade for CPP compliance**

In its Initial Statement of Reasons (“ISOR”) for the Cap and Trade regulation extension, CARB proposes extending the existing exemption for the state’s three garbage incinerators (or “waste to energy”) under the cap and trade program. This “exemption from a compliance obligation” would be for an industry that emits carbon dioxide and other harmful pollutants in three environmental justice communities.

At a bare minimum, the state must align with the requirements of the CPP on this point. The CPP clearly recognizes that GHG emissions from burning the fossil fuel-based portion of garbage (including plastics) must be counted. The CPP also acknowledges that incineration undermines waste prevention programs, which have significant climate benefits.

Any proposal to meet the CPP must, therefore eliminate any exemption from compliance with GHG regulation for “waste to energy.”

Exempting biogenic carbon from California climate regulation, including the Cap and Trade program, is causing other unintended consequences. CARB must examine the climate impacts of burning biomass, including the biological portion of municipal solid waste that is burned in such municipal waste incinerators. There is substantive harm to the climate and human health when such materials are burned, and incineration means these materials are not being composted and returned to the soil to store long term carbon.

The EJAC made similar recommendations to CARB about these particular points in the recommendations finalized August 26, 2016, on pages 16-19. (Available at <https://www.arb.ca.gov/cc/ejac/ejac_recommendations082616revised.pdf>)

Furthermore, we have signed comments with broader scope, including opposition to extending the use of Cap and Trade for compliance with the CPP. We do not support the Trading Plan for CPP because carbon trading places unjust burdens on low income communities and communities of color. Climate change solutions must protect all Californians, starting with those already overburdened by air pollution.

We support the request that CARB instruct its staff to prepare a compliance plan that does not include carbon trading, but rather reduces emissions in environmental justice communities.