ASSOCIATION OF COMPOST PRODUCERS
"We Build Healthy Soil"

CA Association of Compost Producers
STATE CHAPTER OF THE U.S. COMPOSTING COUNCIL

August 8, 2013

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Subject: Comments ï Waste Management Sector Plan for the 2013 Scoping Plan Update

Dear Ms. Mortensen and Ms. Nichols:

The Association of Compost Producers (ACP) is pleased to offer this letter of comments and recommendations on the Waste Management Sector Plan for the 2013 Scoping Plan Update. In general, ACP supports the collaborative process and work products of California Air Resources Board (CARB) and CalRecycleôs Waste Management Sector. We offer our comments and recommendations at three levels of the planning process and the plan: the overall Scoping Plan process, the Sector Overview and on each of the Technical Papers.

2013 Scoping Plan Process:
Since all business and agencies impact multiple elements of the six Focus Areas (Energy (generation, transmission, and efficiency); Transportation (fuels, infrastructure, and land use); Agriculture; Water; Waste; and Natural and Working Lands), and in order for compost producers to participate fully in the implementation of the Plan, we make the following recommendations and questions:

- **Integration Method** - we would like to see an explicit method by which CARB and CalRecycle will integrate the Scoping Plan implementation with each of the Stakeholders groups within each of the six Focus Areas.
- **Integrating Other Industries** - In addition, we also observed that there is no separately identified ñIndustrialò Focus Area, even though ñIndustryò makes up 21% of GHG emissions and emission reduction needs. We understand that industry participates in the other Focus Areas, but it seems prudent to have industry as part of the stakeholder group at the table. What is the plan for bringing in all the other industry groups that will be affected by the Scoping Plan, and what is the vision and the process for having them work with the separately identified industry groups (i.e. waste, compost, transportation, agriculture, water, and electric utilities)?

Overview:
ACP is in general agreement with the Process, Principles and Priorities of the ñOverview of the Waste Management Sectorò. However, CalRecycle still needs to develop a clear method and process for how stakeholders (municipalities, industry, and NGOs) can participate in the crafting and implementation of each of specific definitions and solutions ongoing, especially for the key areas of:

- Progress Measurement
- Implementation Mechanisms
- Key Challenges, and
- Implementation Plan

We recommend that this be explicitly articulated in an *Action Plan*. This proposed *Waste Sector Action Plan* should include a process chart that names specific accountabilities and benchmarks for success in plan implementation. While this was likely too specific for the Overview document, it will be necessary for compost producers to have in order to determine how best the compost industry can collaborate with CalRecycle, and CARB, on the implementation of the many compost, and other, related technical elements of the Waste Management Sector Plan. As with the entire Scoping Plan, above, regarding the integration of the six Focus Areas, there needs to be an explicit operational process for integrating the five technical areas, outlined in the technical papers, as well. Also, the implementation integration must not only occur between the various Focus Area and Technical disciplines (as outlined in the Technical Papers), but also between the various stakeholder groups at *both* the local *and* State levels of organization.

Technical Papers:
While the Composting and Anaerobic Digestion technical paper directly relates to compost producers, many ACP members are also involved in other facets of integrated waste management, recycling, composting, energy recovery, etc., in California. ACP members will provide comments and recommendations for action on each of the Technical areas, including compost and AD.

Recycling, Reuse, and Remanufacturing -
In general, we are in agreement with the findings in this Technical Paper that there is:

- ñé adequate capacity in the current processing infrastructure to accommodate significant increases in recycling.ò And,
- ñé a lack of recycling manufacturing capacity to handle increased amounts of materials that could be collected and processed.ò

Define a Forum for Implementation: These findings mean that California is in the position of needing to build a remanufacturing infrastructure. For this reason, we recommend that CalRecycle *work directly with recyclers, and especially the bio-based (cellulosic, organic) portions* to co-build this with the public and private sector *at the local level*. Compost producers will need to be engaged in this process since much of the cellulosic waste (organic material) may need to be *coordinated between both types of facilities.* This includes working with specific industry associations and companies, along with identified community stakeholders, to create a collaborative framework for all parties to work together from the State to the local County level. This will include defining a forum that bridges the public and private sector with NGOs, to create a materials recycling ñPartnership Strategyò that can be used to help coordinate local strategies with public and private investment. The most likely candidate for this would be to *use the existing AB 939 and AB 341 "Local Task Forces," for this forum.*

State is in a Supportive Role for Local Jurisdictions: CalRecycle and CARB must provide a *supportive* role for communities and industry, rather than a *directive* role, in order to help facilitate this process. Since the 75% recycling goal is not a ñmandateò for local jurisdictions, the best way to

reach that goal will be for CalRecycle to support local jurisdictions to move forward and achieve the goal. Through the above Forums, working directly local SW Jurisdictions, with industry associations, like ACP, as well as the local solid waste industry representatives, CalRecycle can provide specific, tangible steps to address the ñChallengesò and *collaborate on both the short and long term solutions* that are outlined in this Technical Paper (in general we are in agreement with the solutions, but industry needs to know the specific steps in order to come together and collaboratively implement them).

Composting and Anaerobic Digestion

The current relatively low capacity for organics ñrecycling,ò in some jurisdictions, will require the same collaborative implementation as with the remanufacturing of recyclables (above). We recommend that CalRecycle revitalize and update the ñOrganics Roadmapò and include the short and long term solutions outlined in this Technical Paper into that Roadmap via a collaborative process with industry. CalRecycle should specifically work with this stateôs robust compost associations (ACP, CORC, CCC), as well as the recently formed Bioenergy Association of California, to expand, clarify and implement a new Roadmap that can grow out of this Technical Paper. Some of the elements the development of supportive statewide strategies combined with collaborative local implementation of the Solutions outlined Composting & AD Technical Paper, including both the Short Term and Longer Term activities are:

- GHG Quantification: More accurate and reliable GHG emissions reductions quantification that the industry can bank on, including offsets that can provide a new source of funding.
- Permitting: Create a specific streamlined and reliable permitting process for new composting and AD facilities
- Markets: Support compost and renewable natural gas (RNG) market development using Cap & Trade Incentive Plan funds. This will need to be tied to any new organics landfill diversion initiatives.
- Public Relations: Support local communities in their ongoing public relations development for the acceptance and pro-active creation of a healthy soil, renewable bioenergy future.
- Quality & Research: Product quality (compost and RNG) must have clear standards for both their technical production and market viability. CalRecycle can support all of this through research in the currently underfunded industries.

Biomass Conversion, Municipal Solid Waste Thermal Technologies and Landfilling of Waste

A fundamental problem with these three Technical Papers is that they seem to confuse feedstocks with technical transformation processes. In order to sort this out, it will be incumbent on CalRecycle and CARB to create a coherent lifecycle model for Californiaôs State grown and imported cellulose (biogenic carbon compounds) and sort this out from the lithospheric carbon (coal and oil). Once this information is available and credible, then CalRecycle & CARB can collaborate with industry to craft a coherent and action plan for using biogenic cellulose, vs. geologic hydro carbons for:

- Materials (remanufacturing)
- Biological Processing (compost and AD, energy for soil microbes and energy for people)
- Physical/Chemical Processing (combustion, conversion to energy and fuels)

During this collaboration, it is incumbent upon the government/industry/NGO team avoid falling into the trap of old ways of thinking about the above cellulose recycling approaches that were based on old technologies and past negative experiences with some of those methods.

This process could take the form of expanding the number of technologies that are in current industry purview (i.e. beyond the three identified in the MSW Thermal Tech Paper, while at the same time working with key industry associations, local community and NRO groups to develop a working ñMaterials to Energy Conversion Roadmap,ò that is comprehensive enough to include:

- Cellulosic Feedstocks
- Plastic (hydrocarbon) Feedstocks
- Solid waste combinations of the above two (including inert contamination, i.e. dirt)

This process should also include the pursuit of landfill emissions reductions collaboratively, in the same forums as above. One way to accomplish this would be to create four standing working groups in each regional or County-based Forums (LTFs) for: 1) materials, 2) biological processes, 3) physical/chemical and 4) landfill GHG reductions. In that way, each local group could collaborate as to what makes the most sense for each individual County, or region.

Again, thank you for the opportunity to provide this input. We stand ready to work with CalRecycle and CARB to enhance both the California economy and our environment through their community and private sector based implementation.

Sincerely,

Dan Noble, ACP Exec. Dir.
Jeff Ziegenbien, ACP President

Cc:
Howard Levenson, Deputy Director, Materials Management and Local Assistance Division, CalRecycle
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ACP, www.healthysoil.org, is a 501(c)3 education and research compost producers association, and is the California State Chapter of the national U.S. Composting Council, www.compostingcouncil.org. ACP represents compost producers throughout the state. Our members consist of large and small companies and special agencies, municipalities and counties alike. They provide a large share of the quality compost products produced in California, and contribute an important and growing share of the beneficially reused organic residuals. *ACP members are dedicated to increasing the quality, value and amount of compost being used in California. We do this by promoting activities and regulations that build healthy soil, benefiting people and the environment.*