



JOINT STATE OFFICE

March 29, 2010

James Goldstene
Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Via Electronic Submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php> and
jgoldste@arb.ca.gov

Subject: AB 32 Cost of Implementation Fee Regulation

Dear Mr. Goldstene:

The California Refuse Recycling Council (CRRC) is a statewide non-profit trade association comprised of over 120 companies involved in the collection of solid waste and recyclables; they also operate approximately 50 material recovery facilities (MRFs); 25 construction and demolition debris processing facilities; 20 composting facilities, and over 12 landfills statewide. Our industry, in partnership with state and local government, has been instrumental in California's efforts to attain the recycling mandate of 50% landfill diversion require by the California Integrated Waste Management Act of 1989 (AB 939). Further, our industry will be vital partners in attaining future greenhouse gas (GHG) reduction goals mandated by AB 32.

We want to thank you for having the opportunity to review the Second Modified Text of the Proposed AB 32 Cost of Implementation Fee Regulation and Proposed Amendment to the Existing Regulation for the Mandatory Reporting of Greenhouse Gas Emissions. We understand you are asking for comments on this document by Friday, April 2, 2010. CRRC appreciates the opportunity to comment on the modifications to the revised regulations made available on March 18, 2010.

Definitions.

CRRC concurs with the modifications to section 95202 (a)(11) "Biogas" and section 95202 (a)(68) "Natural gas" does not include "biogas".

Applicability.

CRRC has observed that the modifications in the definitions of “biogas” and “natural gas”, has left the applicability of “biogas” in section 95201 in limbo. For clarity, CRRC requests that the regulations add “biogas” to subarticle 95201 (b) when it is used as a fuel, or to emissions resulting from combustion of biogas as a fuel. **Add: (10) biogas.**

Thank you for the opportunity to provide these comments for your consideration. Please contact one of the undersigned if you have questions or would like to discuss this matter further.

Sincerely,

Evan W.R. Edgar
CRRC Northern District
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CRRC Southern District
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cc: Ron Fornesi, President, CRRC-ND
David Fahrion, President, CRRC-SD
Kelly Astor, CRRC General Counsel