

SECTOR STRATEGIES

Government Affairs, Research, and Advocacy

December 5, 2014

Mr. Ken Decio
Senior Integrated Waste Management Specialist
Department of Resources Recycling and Recovery 1001 I Street
Sacramento, CA 95812-4025

Dear Mr. Decio:

**RE: REPUBLIC SERVICES INC. COMMENTS - CALRECYCLE'S PROPOSED
REGULATION TEXT AMENDING TITLE 14 AND 27 OF THE CCR - COMPOSTABLE
MATERIALS/TRANSFER PROCESSING REGULATIONS DATED SEPTEMBER 2014**

Republic Services Inc. recognizes and appreciates CalRecycle's efforts to revise and adopt new regulations in order to manage "compostable materials" within the State in a manner that protects the public's health and safety. We firmly believe that new regulations are necessary to insure that our industry has the proper regulatory framework to effectively manage the organics waste stream. Republic Services has participated in the lengthy process of meetings and workshops that produced the draft regulations. We believe that staff has produced a very well constructed set of regulations that in general have Republic's strong support.

However, we do have several concerns that are addressed in the following comments:

1. Physical Contamination Limit

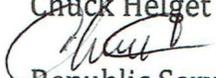
- a. We believe that samples should be analyzed on a "dry weight" basis.
- b. The .01% contamination threshold is far to low and that they are unachievable (or achievable only at an excessive cost), unenforceable and as such will inhibit the siting and expansion of compost facilities. In other words, the cost of achieving the .01% threshold will drain capitol investment away from expanding the composting infrastructure at a time when AB 1826 will require large amounts of new capacity! Therefore, we urge CalRecycle to consider raising the threshold at a minimum to .5% and that there be a phase-in period to allow the industry time to adapt.

2. Anaerobic Digestion - Dairy Digesters

In general, Republic Services supports the new regulatory structure as proposed in these regulations. We also understand that the dairy industry plays an important role in organics diversion and should not be subject to a dual or unnecessary regulatory structure. However, we also believe firmly that anyone processing solid waste should be subject to a level regulatory playing field.

The proposed regulations allow in-vessel dairy digesters to operate under EA notification if the facility operates with WDRs. Thus there are no restrictions on the level of processing that may occur at the site. We recommend that processing not be allowed at these sites unless the site has an appropriate solid waste facility permit appropriate to the level of processing anticipated at the site.

Chuck Helget



Republic Services