



December 4, 2014

Mr. Ken Decio
Senior Integrated Waste Management Specialist
Department of Resources Recycling and Recovery
1001 I Street, PO Box 4025
Sacramento, CA 95812-4025
Fax: (916) 319-7244, Email: compost.transfer.regs@calrecycle.ca.gov

Transmitted Electronically

Dear Mr. Decio:

Reference: CalRecycle Draft Regulatory Revisions to Title 14 and 27 Regarding Compostable Materials Handling and Transfer/Processing

Dear Mr. Decio,

The Sonoma County Waste Management Agency (SCWMA), a Joint Powers authority formed in 1992, is the Joint Powers Authority of the nine incorporated Cities and the County of Sonoma. The parties to the joint powers agreement are:

City of Cloverdale	City of Cotati
City of Healdsburg	City of Rohnert Park
City of Petaluma	City of Santa Rosa
City of Sebastopol	City of Sonoma
Town of Windsor	County of Sonoma

The mission of SCWMA is to increase and promote waste diversion required by State law AB939. The Agency's programs include household hazardous waste, composting, wood waste recycling, regional solid waste planning and reporting, and education.

For over 20 years, SCWMA has been engaged in the production of compost and other recycled organic products as the solid waste permit holder for an organics composting facility that processes nearly 100,000 tons of material annually; the Sonoma Compost Company is our very capable contract operator of our facility. Recent waste characterizations studies done examining our region's waste stream indicate that at least 60,000 additional tons of organic waste materials can readily be diverted from landfill burial. To accommodate this additional amount of material for composting, SCWMA has been actively working to site, permit, construct, and operate a new compost facility capable of handling 200,000 tons per year.

SCWMA appreciates the opportunity to comment on CalRecycle's proposed Title 14 and 27 revisions regarding Compostable Materials Handling and Transfer/Processing Regulations. We commend and support CalRecycle in its efforts to update the existing regulations regarding compostable materials and transfer/processing facilities in order to address the changing nature of organic waste handling throughout California, as well as safely enable the needed growth in diversion of this waste stream to meet the 75% Initiative, Strategic Directive 6.1, and other sustainability goals of the state.

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SCWMA looks forward to improvements to the proposed regulations which allow for continued industry growth, provide a level playing field with competitive operations, and set standards that are reachable, yet still provide reasonable protection of the public health, safety, and the environment. Given the expectation of tremendous industry investment, including ours via building a new modern facility, to meet the imminent policy mandates to be implemented over the next few years, we are hopeful that enhanced enforcement mechanisms can be developed and employed that will keep the composting industry thriving, make our efforts worthwhile, and provide the best possible service to our citizens.

We believe that the currently-proposed physical contamination limits are unjustified, unachievable (given materials collection methods, current and foreseeable compost market conditions, and available technology), and will cause significant harm to the financial health of composters statewide. These limits will be stifling industry growth at one of the more critical points in compost history, when multiple policy directives point to approximately 10 million tons of organics being removed from landfills over the next decade. This is organic material that is likely to take years of concerted outreach, education, and processing and technology improvements to clean up. The diversion of additional organics will tremendously increase the demands on organics processing and composting companies to provide service.

While we would prefer that CalRecycle continue to allow market forces to dictate the level of acceptable physical contaminants, we are supportive of a phased-in standard that allows time for jurisdictions and operators to adjust to the significant potential cost increases you have projected in your economic analysis. Specifically, while we agree that a 0.1% limit on physical contaminants may be achievable for green waste material, we do not believe that a limit below 0.5% can be met consistently, especially considering the increasing levels of food waste that are used as feedstock. For example, the majority of the 60,000 tons annually of additional compostable materials for our new facility (mentioned previously), is going to be food waste.

While direct land application of organic raw materials with a 0.1% contaminant maximum standard may seem appropriate, that must be compared to the situation at a compost facility where the feedstock volume will shrink approximately 50% during processing, leaving the operator with finished compost that could actually have a 0.2% contaminant rate; it is likely that material would then not be marketable. Furthermore, while compost in agronomic uses is applied 1/30 – 1/6 of an inch (equivalent to 2-10 tons per acre), application rates for direct land application have been 1-2 feet, up to 720 times as high. Explicitly, this means that up to 720 times the volume of contaminants may be applied to the field in one direct land application compared to the contaminants from compost applications.

We are fully supportive of the current language related to land application, with some clarification. Land application continues to undermine potential feedstock sources for the organics processing industry, while increasing the potential for spreading pathogens, physical contamination, and invasive pests throughout the state.

SCWMA has a long-standing commitment to composting and organics recycling. The environmental benefits of compost are well-known and wide ranging with respect to soil health, water quality and quantity, and greenhouse gas reductions. We look forward to the adoption of sensible regulations that will allow our compost facility to continue providing these beneficial services to our SCWMA member jurisdictions and their constituents. We support the structure that is proposed by the California Compost Coalition whereby in 2020 clean green facilities will meet the 0.1% contaminant limit, and mixed materials 0.5% contaminant limits. Please note as comparison that Caltrans just adopted a 0.5% contaminant spec for their materials which would create uniformity amongst agencies and regulations.

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Not currently earmarked for revision is the 1% contamination limit for clean green facilities. In order to maximize diversion of organics throughout California SCWMA recommends that this requirement get clarified and revised so that the 1.0% standard is measured and applied after contaminant removal processes at the compost facility but before the material is being processed (grinding then composting). Because much of the inbound waste organic materials are collected by dedicated green waste collection truck routes, the materials cannot effectively be screened and sorted until immediately after delivery to a processing facility. There is no practical means to control or remove contaminants as part of the collection process. Applying the contaminant standard after initial cleaning is practical, cost effective, yet still ensures that contamination of finished products are to an acceptable standard.

SCWMA appreciates the opportunity to comment on these critical regulations.

Sincerely,



Henry J. Mikus
Executive Director
Sonoma County Waste Management Agency

Copies: SCWMA Board
Sonoma Compost Company