



StopWaste is the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council operating as one public agency.

December 5, 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

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

Member Agencies:

- Alameda County
- Alameda
- Albany
- Berkeley
- Dublin
- Emeryville
- Fremont
- Hayward
- Livermore
- Newark
- Oakland
- Piedmont
- Pleasanton
- San Leandro
- Union City
- Castro Valley Sanitary District
- Oro Loma Sanitary District

Dear Ken:

Thank you for the opportunity to comment on CalRecycle’s proposed Title 14 and 27 revisions regarding Compostable Materials Handling and Transfer/Processing Regulations. Our Agency supports CalRecycle’s efforts to update and improve the existing regulations to address the new ways in which organic waste is being handled throughout California, as well as to safely enable the growth needed in the diversion of these materials to meet the 75% Initiative, Strategic Directive 6.1, and other sustainability goals of the state, as well as our own County waste reduction goals. Our County has ambitious waste reduction goals for organic materials and has adopted several policies and programs to enable County residents and businesses to achieve high diversion of organic materials, including a landfill ban on plant debris and a mandatory commercial recycling and composting ordinance.

We share the concerns of the Compost Coalition of California and CORC regarding the physical contamination limits proposed in the new regulations. While we certainly support the development of high quality compost, these standards will be very difficult and costly for the composting facilities serving our jurisdictions to meet. This is a time when we need expanded capacity for organics processing, especially for food waste and contaminated paper. Such a stringent physical contamination level will undermine the ability of local jurisdictions to reach significantly higher organics diversion levels. It will also potentially increase the cost to local jurisdictions for compost processing. We encourage you to make revisions that will balance goals of improving compost quality with goals of maintaining reasonable costs and high levels of diversion. The proposed 0.1 percent standard does not appear to be based on documented practice, nor does it appear to be necessary for the protection of public health, safety, and/or the environment.

We agree with CCC and CORC that market forces should dictate the level of allowable contaminants (except when regulations are necessary to protect public health, safety, or the environment). The consequence of the proposed physical contamination limit, if adopted, is that more materials will be considered “overs” and not composted, reducing the overall amount of organic materials diverted. This is the opposite of what we need to achieve state and local organic recycling and climate change goals.

We are supportive of the proposed language related to increasing regulatory oversight of the direct land application of uncomposted green material.

Finally, we encourage the agency to develop better procedures, via the LEAs, for enforcing existing regulations in general. And in particular, there is a significant need for better enforcement when an entity is operating without a permit. Illegal operation without a permit by some entities, is not just inequitable to legal, permitted operators, but also discourages investment in this industry by responsible persons and companies.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'GW', is positioned above the typed name.

Gary Wolff
Executive Director