

**Association of Compost Producers
California Refuse Recycling Council – Southern District
Inland Empire Disposal Association
Los Angeles County Waste Management Association
Solid Waste Association of Orange County**

September 6, 2010

Jill Whynot
Director of Strategic Initiatives
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Re: Comments on Proposed Rule 1133.3

Dear Ms Whynot:

Representatives of the solid waste, chip and grind, and greenwaste/foodwaste compost industries are working together to provide you with insight into the difficult issues raised by industry stakeholders at the August 27, 2010 PR 1133.3 working group meeting. The undersigned organizations have been meeting to review and understand the impacts proposed by Rule 1133.3 on our respective facilities and operations. Following are comments and recommendations to South Coast Air Quality Management District staff that you must consider before the rule is adopted by the Governing Board.

1. Compatibility and Cost Effectiveness of PR 1133.3 with other rules in the 1133 suite of rules.

PR 1133.3, as presently drafted, establish emission factors and emission control requirements not found in Rule 1133 or 1133.1. The results of these additional requirements will seriously impact the viability of new and/or modified foodwaste and greenwaste compost facilities and operations.

PR 1133.3 will guarantee that less costly processing of greenwaste and food waste will occur to meet mandated diversion requirements along with higher profitability. Greenwaste ADC, land application, biomass, mulch, and other non-compost soil amendments will be the dominate uses of greenwaste and food waste.

We recommend that the District staff carefully evaluate the negative environmental and cost impacts of PR 1133.3 related to the disparity between 1133.3 and the other rules in the 1133 suite of rules. It may well be, as before, that the costs and benefits of PR 1133.3 may not be cost effective and therefore should not be implemented at this time.

2. Baseline Emission Factors

The baseline emission factors used in the rule, when applied to active windrow composting, for example, may create the potential to emit emission that exceed the thresholds found in Regulation XIII. There is not enough data to verify that 6 inches of

finished compost will reduce emissions to a level that will not trigger BACT or require offsets.

The costs associated with source testing to verify the emission reductions through the use of finished compost go way beyond the practical application of this material as a viable emission control device or strategy. Further, we recognize that pseudo-biofilters of finished compost will be difficult to manage in normal operations.

We recommend that the District staff clarify the relationship between PR 1133.3 and Regulation XIII and how the emission factors will be applied for compliance.

3. Static Pile

Static pile composting should be included in PR 1133.3 as a cost effective measure to raise the temperature of non-food waste feedstocks to kill weeds and seeds in greenwaste prior to its use in land applications for agriculture.

We recommend that the District staff re-examine the use of static pile composting for greenwaste only uses. Industry stakeholders are willing to assist the District staff in the development of appropriate rule language and test methods for the use of static pile composting.

4. Metrics: Pounds and Tons versus Cubic Yards

There are varying opinions as to the volume/weight ratio of greenwaste to foodwaste; a common rule of thumb is that foodwaste is twice as heavy as greenwaste by volume, or that for an equal weight of foodwaste and greenwaste, that it will take twice to volume of greenwaste to equal the same weight as food waste.

We recommend that the District staff clarify the use of metrics in the rule. The ratios between pounds and/or tons and percent by volumes of foodwaste and greenwaste need additional evaluation and clarification.

5. Curing

PR 1133.3 will require the curing process for composting operations with > 25% foodwaste to use an aeration system with an emission control device for the approximate 40 day curing process. Extended aeration curing with an emission control device will significantly raise the capital and operating costs without achieving much significant emission benefit, or composting benefit.

We recommend that this requirement be quantified and justified or deleted from PR 1133.3.

6. Test Methods and Protocol

The test methods and protocol section of PR 1133.3 needs revised to clearly delineate which provisions address active windrow composting and forced aeration system composting. The current language of the draft rule is not clear on what applies to which method of composting. At the last working group meeting, staff indicated that the language of this section needs further work.

We recommend that the District staff, at the next working group meeting, discuss this section and its requirements in more detail.

7. C:N Method Prescribed by Executive Officer

PR 1133.3 indicate the C:N ratio is to determined by the operator using the method prescribed by the Executive Officer.

We recommend that the method prescribed by the Executive Officer be made available to interested parties for review and comment.

Thank you for considering our recommendations. We look forward to discussing these and other issues with you, to work through the difficult task of developing acceptable rule language that meets the needs of the South Coast Air Quality Management District and the solid waste, chip and grind, and greenwaste/foodwaste industries. Please feel free to contact any on of the undersigned parties if there are any questions concerns, or desire to discuss these issues.

Sincerely,

Dan Noble
Executive Director
Association of Compost Producers
619-992-8389
DNoble@ecobonds.com

Paul Ryan for
Inland Empire Disposal Association
Los Angeles County Waste Management Association
951-288-4039
enviropablo@sbcglobal.net

Kelly Astor for
Solid Waste Association of Orange County
California Refuse Recycling Council - Southern District
714-245-0995
jka@astor-kingsland.com

cc: Jong Hong Lee
Tracy Goss