



August 11, 2008

Mary Nichols, Chair
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

RE: Comments on California Air Resources Board's Climate Change DRAFT Scoping Plan

The Association of Compost Producers (ACP), is a non-profit association of public and private organizations dedicated to building healthy soil, by increasing the quality, value and amount of compost being used in California. ACP applauds the leadership of the State of California and the Climate Action Team, lead by the California Air Resources Board (CARB) in developing a very comprehensive Draft Scoping Plan for Climate Change in the State of California. ACP appreciates the opportunity to submit the following comments on the California Air Resources Board's DRAFT Scoping Plan.

1. ACP is particularly pleased to support Scoping Plan Emissions Reduction "Recommendation 15: Recycling and Waste: Increase waste diversion, composting, and commercial recycling, and move toward zero-waste." (page 34). This is because we agree with CARB that composting and recycling is a critical link in creating a new economy that manages carbon sustainably, in all its many chemical compounds and solid, liquid and gaseous states. However, we feel the Draft Scoping Plan should give more consideration to larger impact measures than solely land fill gas capture (1 MMTCO₂E in 2020; page 35). As *stated* in the Scoping Plan Appendix C, there is a 10 times greater potential for GHG emissions reductions by recycling, composting and anaerobic digestion, , It appears that Draft Recommendation No. 15 does not consider these significantly greater GHG reduction potentials.

Appendix C: Recycling and Waste Management-Other Measures Under Evaluation

Table 34*

Reduction Measure	Potential 2020 Reductions MMTCO₂E
Commercial Recycling	up to 6.5
Increase Production and Markets for Compost (studies underway for data development)	3.1
Anaerobic Digestion	2.2
Total by landfill gas avoidance potential	Up to 11.8

* from: Climate Change Draft Scoping Plan Appendices, page C-127-128

2. Include these measures in Recommendation 15 of this Draft and not just in the "Other Methods for Evaluation" in Appendix C. Currently, these are actions and activities that California municipalities, utilities and companies have already developed and are currently doing, and with increased focus, can expand quickly with marginal additional investment. This is especially true if carbon trading moneys can be brought to bear, as they already exist in other methane avoidance protocols.

3. Ensure that the Scoping Plan does not explicitly or implicitly exclude current compost operations from obtaining carbon credits for *additional* landfill methane avoidance in the immediate future. The capping and methane capture of landfills may have at least three unintended negative consequences to the above measures if not properly written and implemented: 1) eliminating methane avoidance credits for composting, 2) encouraging landfills to accept more organic carbon to feed methane production and capture system investments, and 3) creating an inefficient biogas production industry in landfills vs. more GHG efficient management technologies outside of landfills. Emissions of CHG from landfills is of great concern because it has been identified to be one of the largest by volume to address. However, the recommendation should support recycling options and processes that avoid placing organic wastes in landfills, especially if greater GHG emission reductions can be achieved with recycling, composting and anerobic digestion.

This includes adopting carbon trading protocols for landfill methane production avoidance via aerobic composting (or anaerobic digestion):

- a. Already exist under the UN Clean Development Mechanism (CDM, Kyoto) Protocols,
- b. Are under development by CCX (Chicago Climate Exchange), and
- c. Can be developed quickly by the California Climate Action Registry (CCAR) for continued use by California composters.

4. Work with CCAR to quickly develop a Landfill Methane Avoidance Protocol (like the UN CDM/Kyoto, and CCX protocols). Thus using existing cap & trade methods to continue methane reductions in addition to enhance land fill gas collection, but limit it to existing carbon in landfills, not causing a draw of recyclable carbon into landfills. This protocol is especially useful for landfills where it is not economic or technically feasible to install landfill gas capturing systems. [While improved land fill gas capture is important, enhancing landfill gas production over other methods (i.e. dedicated energy recovery and/or compost facilities) would likely enhance the need for landfills to continue to attract and need "new" compostable and energy rich organic material in them *for years to*

come, to "feed" the new capture and conversion system investments. Landfills are known to be very inefficient and not easy to control as functioning bioreactors. Transitioning to fully controllable bioreactors, by way of wet anaerobic or dry combustion, will help direct investment dollars toward a sustainable residuals bioenergy and organic soil amendment economy, rather than toward relatively inefficient landfill gas recovery investments.

5. Include Soil Carbon Sequestration Management in the Draft Scoping Plan:

The compost industry helps build an economically and environmentally sustainable carbon cycle by returning natural organics to the soil. As extensively researched and published by the USDA Soil Quality Institute, (<http://soils.usda.gov/sqi>) soil organic carbon plays a key role in managing sequestered organic carbon to benefit overall watershed health by building and maintaining soil quality and soil health. Unfortunately, CARB's Draft Scoping Plan did not adequately address the central role that sustainable organic carbon plays in resources management for GHG management, i.e. sequestering and managing carbon in plant materials and residuals. Soils are mentioned only once in the Draft Scoping Plan, stating that "...sound quantification protocols are not yet developed" (page 36). However, using the "Soil Conditioning Index" work of USDA, http://soils.usda.gov/sqi/concepts/soil_organic_matter/som_sci.html, where it is stated that "Soil organic matter is a primary indicator of soil quality and carbon sequestration," this deficiency could be quickly remedied with some short term work using existing knowledge. This should be remedied immediately so that policies flowing from the first Scoping Plan don't run counter to improving the health of California's soils, upon which all our biological carbon sequestering agricultural, forest urban forest and landscape biological resources critically depend.

In addition, we would like to see the following elements included in the final Scoping Plan:

- **By Including Composting in Recommendation 15 Californians also Support *Additional Environmental Benefits Beyond GHG mitigation*:** By returning carbon to soils and/or air (via composting and bioenergy recovery), not only do we get over to 5 times the GHG avoidance delivered by only landfill gas capture alone (by CARB's own estimates), there are many additional and GHG complimentary environmental benefits of compost that are not provided by landfill gas capture, including:
 - Water conservation from compost building high organic content soils on landscape and agriculture lands
 - Integrated organic materials movement and reuse infrastructure investments and economic sustainability (by local users)
 - Organics fertilizers (compost) energy reduction, vs. solely chemical nitrogen to soils, which have been shown by ARB Studies to reduce GHG production ("ARB has begun a research program to better understand the variables affecting emissions (Phase 1) and based on the findings will explore opportunities for emission reductions (Phase 2).")
- **Implement in all of CARB's Climate Change "rule making" for GHG reduction regulations and rules that are performance based, not best available technology (BAT) based.** The BAT method has proven over the years (at both the national and local levels) to limit technology innovation by causing environmental improvement implementation to get "stuck" with, or blocked by, old technologies. This limits rather than enhances ongoing new

methods of development and implementation. Continuous innovation is a hallmark of market and performance based approaches, but not BAT rules based approaches.

- **Include recommendations outlined in the CARB Economic and Technology Advancement Advisory Committee (ETAAC) report**

(<http://www.arb.ca.gov/cc/etaac/ETAACFinalReport2-11-08.pdf>) directly in the current Scoping Plan, i.e.

- J. Develop Suite of Emission Reduction Protocols for Recycling
- K. Increase Commercial-Sector Recycling
- L. Remove Barriers to Composting
- M. Phase Out Diversion Credit for Greenwaste Alternative Daily Cover Credit
- N. Reduce Agricultural Emissions through Composting

These are consistent with CIWMB's Strategic Directives

(<http://www.ciwmb.ca.gov/BoardInfo/StrategicPlan/>) which include specific steps to minimize waste (SD 3), move toward producer responsibility (SD 5) and support market development (SD 6). Subdirective 6.1 addresses removal of 50% of organics in the waste stream by 2020, addressing the largest category of disposed materials, and contributing, with the other measures to 10X the GHG reduction of simple landfill gas capture. We would like to see this incorporated into the plan.

In Conclusion:

The governor's Climate Action Team itself has identified Zero Waste/High Recycling Programs as a "high-confidence" strategy with significant GHG reduction potential of up to 11.8 million tons CO2 equivalent by 2020 (see:

http://climatechange.ca.gov/publications/factsheets/2005-06_GHG_STRATEGIES_FS.PDF, and cited above in the Draft Plan Appendix C).

ACP believes this >10 million tons CO2 equivalent by 2020 represents a conservative estimate of the emission reduction potential of composting and reuse/recycling to help contribute to our GHG reductions. Therefore, composting, along with other reduce, reuse and recycling systems have been identified as valuable climate protection factors by the Governor, as well as ETAAC and the composting industry. ***We strongly support the elevation of these strategies into the body of the Scoping Plan for immediate implementation by our industry in support of GHG reduction for our State.***

Thank you for your serious consideration of our recommendations.

Sincerely,



Dan Noble
Executive Director
and

ACP Board of Directors:

Bob Engel, Engel & Gray Inc.
Kathy Kellogg-Johnson, Kellogg Garden Products
John Gundlach, Garick Corporation
Lorrie Loder, Synagro
Mike Moore, Orange Co. Sanitation District
Mike Sullivan, Sanitation Districts of Los Angeles County
Jeff Ziegenbein, Inland Empire Utility Agency

CC: Climate Action Team