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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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January 6, 2021

Ms. Karen Ross, Secretary
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814

Dear Ms. Ross:

SENATE BILL 1383 (2016) ORGANIC WASTE DISPOSAL REDUCTION REGULATIONS: POTENTIAL SPREAD OF QUARANTINE PLANT MATERIAL AND OTHER CONCERNS

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to request the California Department of Food and Agriculture's (CDFA) opinion regarding the safety of various methods of handling organic waste pursuant to the Senate Bill 1383 (SB 1383, 2016) implementing regulations, which were recently adopted by the California Department of Resources Recycling and Recovery (CalRecycle) and approved by the Office of Administrative Law on November 3, 2020.

SB 1383 established targets to achieve a 50 percent reduction in the level of the statewide landfill disposal of organic waste (from the 2014 level) by 2020 and a 75 percent reduction by 2025. The SB 1383 implementing regulations require local jurisdictions to (1) provide mandatory organic waste collection services to all residents, businesses, and local government facilities; and (2) recycle organic waste through various methods, such as mulching, composting, "dry" anaerobic digestion, co-digestion at wastewater treatment plants, and biomass conversion. Reducing landfill disposal of organic waste by 75 percent would require over 20 million tons of organic waste per year to be source reduced, recycled, or otherwise diverted from landfill disposal.

The Task Force is concerned that processing significant amounts of organic waste through these various methods could have unintended adverse impacts on public health and environmental safety. Therefore, the Task Force respectfully requests the CDFA's opinion regarding the effectiveness and safety of the above-mentioned methods of managing organic waste in reducing or eliminating potentially harmful bacteria.

The Task Force also recommends that the CDFA in collaboration with CalRecycle jointly address the following concerns which may negatively impact public health and safety and environment:

- Local agricultural commissioners and entities in the chain of custody may not be able to prevent all quarantined plant materials from being transported outside of quarantine zones. Any mulch or compost that contains plant material from quarantined locations/jurisdictions should not be allowed to leave the composting facility location and/or marketed or given away to the agriculture industry, landscapers, local jurisdictions, or any other consumer of compost without proper testing for the presence of harmful constituents or bacteria. The improper transport or land application of quarantined plant material may spread harmful pests or invasive species that adversely impact the natural environment.
- Some of the listed organic waste management processes may not properly reduce the presence of pathogens, such as E. coli. Compost or mulch created from contaminated organic waste may still contain pathogens after the mulching, composting, or digestion process is complete. If contaminated compost or mulch were applied to land used to grow food products, the harvested food could contain pathogens and potentially harm consumers.
- Composting facilities may receive materials that they cannot adequately process. These incompatible materials include certain types of food scraps, such as dairy, meat, animal waste, fats and greasy foods as well as non-compostable materials such as plastics, bioplastics, trash, food packaging containing per- and polyfluoroalkyl substances (PFAS), and coated or contaminated paper and cardboard. If contaminants are not removed from the incoming waste stream or from the final product, harmful materials such as microplastics and PFAS will be land applied along with the finished compost, which may have adverse impacts on the environment such as soil, water, and agriculture.
- Since the SB 1383 implementing regulations require local jurisdictions to procure recovered organic waste products, such as compost and mulch, jurisdictions may utilize more compost and mulch than necessary on parklands, protected open areas, dam basins, etc. Excessive land application of compost and mulch may cause fire and/or could result in unnecessary exposure of the citizens and resident wildlife/pets to possible infection or injury.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated

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and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force respectfully requests that the CDFA take appropriate actions to address these concerns with CalRecycle so that local jurisdictions can implement the SB 1383 regulations without adverse impacts to public and environmental health and safety. Considering the fast approaching deadlines mandated by SB 1383 and its implementing regulations, we would welcome your written response within the next 90 days.

If you have any questions regarding these comments, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor, City of Rosemead

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cc: California Department of Resources Recycling and Recovery (Rachel Wagoner, Mark de Bie, Matt Henigan, Cara Morgan, Georgianne Turner, Christopher Bria, Marshalle Graham, Gwen Huff, and Ashlee Yee)
Los Angeles County Agricultural Commissioner/Weights & Measures (Kurt Floren, Adrian Zavala, Maximiliano Regis, Erin Zavala)
League of California Cities - Los Angeles Division
Each City Mayor/Manager in the County of Los Angeles
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force