



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

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March 26, 2006

The Honorable Loni Hancock
Chair, Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

RE: AB 2118 (Matthews) Conversion technologies—OPPOSE

Dear Assemblywoman Hancock,

The Solid Waste Association of North America (SWANA) is composed of approximately 7000 public and private sector solid waste management professionals throughout North America dedicated to the development and enhancement of environmentally and economically sound practices and policies for the integrated management of municipal solid waste. There are approximately 900 members of SWANA in California, and on their behalf I am writing to urge you to oppose AB 2118 (Matthews).

SWANA believes AB 2118 would hinder the development of conversion technologies. Although SWANA agrees with the need for some of the definition changes contained in the bill, we have serious concerns with other aspects. Our major concern with AB 2118 is that it would require conversion facilities to report the tonnage that they process as disposal along with landfills resulting effectively in zero diversion credit for these facilities. There are significant environmental benefits when one compares conversion technologies to landfills, and in many cases transformation, that should be recognized. This should be done by allowing some level of diversion credit.

Our concerns are specified below:

- AB 2118 excludes conversion technology facilities from being considered as nondisposal facilities and classifies them as solid waste disposal facilities. This stifles the development of conversion technologies by having them comply with inappropriate regulations and siting/permitting requirements, resulting in unnecessary delays and higher costs
- The bill provides no diversion credit for conversion technologies, regardless of the process used or product produced. This in effect places conversion technologies in the same category and landfills and incineration facilities in the solid waste management hierarchy, even though there are comparative environmental benefits associated with conversion technology facilities when life cycle analysis is considered.
- AB 2118 places extraordinary permitting requirements on conversion technology facilities that no other type of solid waste facility (nondisposal or disposal) in California is required to comply with.
- This bill prohibits the Waste Board's LEA from issuing a new or revised Solid Waste Facility Permit to a conversion technology facility unless the proponent substantiates the facility (a) "maintains or enhances environmental benefits", and (b) "maintains or enhances the economic sustainability of the integrated waste management system." This requirement is not only unprecedented and exclusively applicable to conversion (and not other types of solid waste facilities), but it is difficult to achieve since it is ambiguous and too subjective.

SWANA would support AB 2118 if the following was incorporated: diversion credit for solid waste beneficially-recovered through conversion technologies; identify conversion technologies as beneficial-use technologies; appropriately place conversion technology in the waste management hierarchy in relation to their environmental and societal benefits; and correct inaccurate definitions.

For these reasons, the California Chapters of SWANA urge you to oppose AB 2118 when it is heard before your committee. Thank you for your consideration of our position.

Sincerely,

Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Members, Assembly Natural Resources Committee
The Honorable Barbara Matthews
Consultants, Assembly Natural Resources Committee
R. Scott Johnston, Chair, SWANA California Chapters Legislative Task Force
Mark Urquhart, Secretary, SWANA California Chapters Legislative Task Force