



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

May 2, 2013

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

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The Honorable Mike Gatto
California State Assembly, 43rd District
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

RE: AB 323 (Chesbro) – Organics Diversion
OPPOSE

Dear Chair Gatto,

The Solid Waste Association of North America (SWANA) is the world's largest association of solid waste professionals (7700 members). SWANA's California chapters represent more than 900 members. SWANA is committed to advancing the practice of environmentally and economically-sound management of municipal solid waste. SWANA's California Legislative Task Force (LTF) is responsible for representing the California Chapters on legislative and regulatory issues.

On behalf of SWANA, I must respectfully request that you **OPPOSE AB 323 (Chesbro)**, when it is heard in your committee on Appropriations. AB 323 would require the Department of Resources, Recycling and Recovery (CalRecycle) to adopt regulations to eliminate the diversion credit for the use of green waste as Alternative Daily Cover (ADC). SWANA believes strongly that this policy change needs to be evaluated in the context of the overall implementation of AB 341 (Chesbro, 2011).

AB 341 requires CalRecycle to prepare a report to the legislature by 1/1/2014 – the report is required to provide strategies to achieve the state's policy goal that not less than 75% of the solid waste generated be source reduced, recycled, or composted by 2020. The report, which has not yet been completed and is likely to be subject to additional public comment, will contain information that is vital if the legislature is going to properly evaluate the policy being advanced by AB 323.

Many local jurisdictions rely on the use of green waste as ADC to deal not only with their existing diversion mandate, but also to deal effectively with a waste stream that can be problematic on other fronts. For example, it can be incredibly difficult, if not impossible, to overcome air quality and odor issues in order to site a composting facility. SWANA is concerned by any effort to eliminate tools to accomplish diversion without appropriate study.

In addition, SWANA is concerned that the new requirements on large-quantity commercial organics generators are premature considering the lack of real options available for composting. The state needs to take action to provide solutions to the conflict between air quality and the desire to compost. Past experience tells us that it is not useful to force the issue when markets and infrastructure are not available to meet the demand.

SWANA believes that the legislature should wait until CalRecycle completes the report to the legislature before advancing policies that are directly related to AB 341 implementation. For this reason, we must respectfully **OPPOSE AB 323 (Chesbro)**.

Sincerely,

A handwritten signature in black ink that reads "Jason Schmelzer". The signature is written in a cursive, flowing style.

Jason Schmelzer
SWANA Legislative Advocate

Cc: The Honorable Members of the Assembly Appropriations Committee
Assembly Appropriations Committee Consultants
The Honorable Wesley Chesbro, 2nd Assembly District