



May 1, 2005

SWANA[®]
SOLID WASTE ASSOCIATION
of North America

The Honorable Richard Alarcón
California State Senator, 20th District
State Capitol, Room 4035
Sacramento, CA 95814

RE: SB 411 (Alarcón) Solid waste: nonbiodegradable materials: landfills--OPPOSE

Dear Senator Alarcón,

The Solid Waste Association of North America (SWANA) is composed of approximately 7,000 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. SWANA is opposed to your SB 411, as amended on April 26, 2005.

SB 411 would require the California Integrated Waste Management Board (CIWMB) to develop a schedule for excluding solid waste used as an alternative daily cover and that is comprised of woody and green material from being included in meeting the 50% diversion requirements of the California Integrated Waste Management Act of 1989. This bill would also require the CIWMB to adopt or revise regulations which establish conditions for the use of alternative daily cover (ADC) to additionally consider specified conditions regarding the biomass conversion industry.

ADC is cover material, other than earthen material, placed on the surface of the active face of a municipal solid waste landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging. Green material is currently one of several waste-derived material types that are approved by the CIWMB and can be reported as diversion.

SWANA has some strong concerns with this bill, as outlined below:

ADC REDUCES OVERALL OPERATING COSTS

Advancements in the field of solid waste management have led to the emergence of daily cover materials other than six inches of compacted soil. These materials typically include foam, tarps, shredded tires, shredded C&D wastes, and certain industrial materials. The end result is that a wide range of products, materials and operational practices have been introduced as alternate daily covers. When landfill owners/operators do not have sufficient soil on-site for daily cover and must purchase and import cover materials, it can represent significant increased operating costs. Hauling cover from off-site also increases traffic, road wear and tear, increased fuel consumption and increased air emissions. **ADC materials, which may be less expensive than importing soil to a site, could significantly reduce the overall operating costs for landfill operations.**

ADC TAKES UP LESS SPACE IN A LANDFILL

With the high cost to develop landfills, it makes considerable sense to save as much room for solid waste as possible. Daily cover material can take up precious space. Donald Breaux, President of Landfill Solutions, Baton Rouge, Louisiana, claims that the space that landfills are selling is worth about "\$20 to \$32 per cubic yard." "If a landfill applies 6 inches of dirt using 1,000 yards of dirt to do that and the space is worth \$25 per cubic yard, it actually wastes \$25,000 dollars of space." Several ADC options,

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however, provide a less bulky alternative to 6 inches of dirt—including green waste—that is required to be placed on the landfill at the end of each working day.

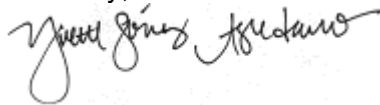
2000 50% DIVERSION GOAL UNMET

The most current data available by the CIWMB on diversion progress of all jurisdictions in California is preliminary data from 2003. The data reveals that **246 jurisdictions in California have diversion rates below 50 percent.** To date in 2005 the CIWMB has considered 15 applications to establish alternative diversion requirements or time extensions to the 50 percent by 2000 diversion requirement. SB 411 is proposing to eliminate one of the diversion factors allowed by the CIWMB in reaching the 50% diversion goal set by AB 939 (Sher, 1989). This bill would only impede these 246 jurisdictions of meeting that requirement; not to mention hamper those jurisdictions which have already met their 50% goal.

With legislation currently before the Legislature which proposes to increase the diversion goal to the neighborhood of 75%, now is not the time to also eliminate one diversion credit which is widely utilized by jurisdictions and also promotes reuse of a waste-derived material, saves space within the landfill, and assists jurisdictions in meeting (and at times exceeding) their diversion goals.

In conclusion, SWANA supports the appropriate use of field-proven alternative daily cover materials for sanitary landfills. Such usage should be based on site-specific characteristics of each disposal site. The use of ADCs, as a substitute for compacted soil, should be based upon economic analysis, performance of the ADC material to provide protection of human health and environmental quality under specific site conditions and other complementary management practices which achieve comparable results similar to that of soil. For these reasons, the California Chapters of SWANA must oppose your SB 411.

Sincerely,



Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Members, Senate Environmental Quality
Consultants, Senate Environmental Quality
Will Dickinson, Chair, SWANA California Chapters Legislative Task Force
Mike Urquhart, Secretary, SWANA California Chapters Legislative Task Force