GAIL FARBER, CHAIR
MARGARET CLARK, VICE CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

March 15, 2011

Ventura County Planning Commission
800 South Victoria Avenue, L-1740
Ventura, CA 93009-1740

Dear Commissioners:

FINAL DRAFT ENVIRONMENTAL IMPACT REPORT FOR MAJOR MODIFICATION TO THE CONDITIONAL USE PERMIT NO. 3142-8 FOR THE SIMI VALLEY LANDFILL AND RECYCLING CENTER EXPANSION (APPLICATION CASE NO. LU07-0048)

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) has reviewed the Final Draft Environmental Impact Report (Final EIR) for the Simi Valley Landfill and Recycling Center Expansion Project released in December 2010 and would like to offer the following comments. It is important to note that the purpose of the Task Force's comments is not to alter the recommendations of this Final EIR, but to request that the alternatives analysis be completed in a thorough, accurate and unbiased manner. This is an EIR for a major expansion of a large existing landfill that considers alternative technologies as an option for the proposed project. As such, the analysis put forth in this Final EIR will likely set the precedence for future EIRs, so it is critical that its analysis and conclusions are well justified and accurate. Additionally, the Simi Valley Landfill is heavily utilized by jurisdictions within Los Angeles County and will likely continue to be so utilized if the expansion is approved. Therefore, the residents and businesses of the County of Los Angeles are important stakeholders in the development of the project.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended) and Chapter 3.67 of the Los Angeles County Code, 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 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.

A few of our comments submitted in letters dated December 22, 2009, and August 31, 2010 (enclosed), have been incorporated into the Final EIR. However, we continue to be concerned with the Final EIR's failure to provide a complete, accurate and unbiased analysis of alternative technologies in Chapter 5 – Project Alternatives. This analysis is not consistent with studies conducted by Los Angeles County, UC Riverside, the California Bioenergy Interagency Working Group, and the California Department of Resources Recycling and Recovery among others. The Task Force has been extensively involved with conversion technologies for over a decade. We believe these technologies offer an environmentally preferred alternative to landfills and an opportunity for jurisdictions to generate renewable energy and produce biofuels.

In each of our comments below, we provide specific suggested language changes as strike out (delete) or underlined (add), followed by background on our concern:

1. **Section 5.3.3.3: Summary of Alternative Technologies (page 5-8)**

   Proposed revised language: Most self-contained systems, regardless of technology, typically have capacity limits. ~~The range of~~ Facility capacities reported in several studies range up to approximately 250,000 metric tons per year; however, many self-contained systems are modular and can be combined to provide a desired capacity. The SVLRC would process 1,872,000 metric tons per year at full capacity, or about 7.5 times the capacity of one such modular self-contained system.

   Task Force comments: Many of the biological and thermal technology vendors evaluated by the County of Los Angeles in conjunction with the Task Force, utilized a modular design, so facilities could potentially be scaled up to meet increasing tonnage demands. The project location provides adequate space for such modular installations.

2. **Table 5.4-1: Alternatives Screening Analysis (page 5-15) – anaerobic bioreactor**

   Proposed revised language: Anaerobic bioreactor technology would replace portions of one or more phases. The key virtue of this technology is more rapid degradation of waste such that each bioreactor cell would decompose (and compact) more rapidly, allowing more waste to be accepted into the same physical space. ~~However, it would require substantial additional water to maintain the process~~:

   Task Force comments: As currently written, the screening analysis for the anaerobic bioreactor does not distinguish between a self-contained system and an in-situ bioreactor landfill cell. This distinction needs to be made in the analysis since there are many differences between the two technologies. For instance, the final statement regarding the large water demand of an anaerobic bioreactor

is a blanket statement that does not universally apply to these technologies. In their 2007 Phase II Assessment, Los Angeles County evaluated the ArrowBio self-contained anaerobic digestion process that actually **produced** water during the anaerobic digestion process. This water could be treated and used for irrigation, dust control or other beneficial purposes.

3. **Table 5.4-1: Alternatives Screening Analysis (page 5-15) – thermochemical technology (Ability of Applicant and/or County to Implement)**

Proposed revised language: Thermochemical technology may be challenging ~~is problematic~~ due to lack of a well-established regulatory structure in California for these facilities ~~air pollution control permit concerns as well as end uses of the intermediate products that result and for which marketability is unknown~~.

Task Force comments: The 2009 study *"Evaluation of Emissions from Thermal Conversion Technologies Processing Municipal Solid Waste and Biomass"* conducted by UC Riverside states, "Results from the analysis indicate that pyrolysis and gasification facilities currently operating throughout the world with waste feedstocks meet each of their respective air quality emission limits. With few exceptions, most meet all of the current emission limits mandated in California, the United States, the European Union, and Japan. In the case of toxic air contaminants (dioxins/furans and mercury), every process evaluated met the most stringent emission standards worldwide." Therefore, it would be incorrect to state that thermochemical technologies are "problematic" due to "air pollution control permit concerns." Additionally, no basis or reference is provided regarding the claim that intermediate products or byproducts from such technologies would be problematic to market.

4. **Table 5.4-1: Alternatives Screening Analysis (page 5-15) – thermochemical technology (Potential to Reduce Project Environmental Impacts)**

Proposed revised language: Thermochemical technology has the potential to ~~would~~ reduce the residual volume of waste from the landfill by 80-100 percent, but the residual ~~non-degradable~~ material would need to be disposed of conventionally. ~~Air pollutant permitting is a concern.~~

Task Force comments: Conversion technologies are highly efficient at reducing the amount of waste that is fed into the conversion process. Los Angeles County found that the technologies evaluated in their 2007 Phase II Assessment reduced the percent by weight of the solid waste received for processing by 87-100 percent.

The final statement regarding air permitting should be deleted entirely because alternatives should not be eliminated simply because they require a permit. Thermochemical technologies would follow the permitting process of most industrial equipment.

We appreciate your consideration of our comments. Because this document is widely circulated in the public domain, we encourage the applicant to carefully reconsider their analysis of alternative technologies as it may have detrimental impacts on future project proposals.

If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

TM/CS:ts
P:\eppub\ENGPLAN\TASK FORCE\Letters\Ventura Planning Commission.doc

Enc (2)

cc: Each Member of the Ventura County Board of Supervisors
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Task Force's Alternative Technology Advisory Subcommittee

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

GAIL FARBER
CHAIR

December 22, 2009

Ms. Becky Linder
Planning Division
Ventura County Resource Management Agency
800 South Victoria Avenue, L#1740
Ventura, CA 93009-1740

Dear Ms. Linder:

COMMENTS ON SEPTEMBER 2009 DRAFT ENVIRONMENTAL IMPACT REPORT FOR MAJOR MODIFICATION TO THE CONDITIONAL USE PERMIT (CUP) NO. 3142-8 FOR THE SIMI VALLEY LANDFILL AND RECYCLING CENTER EXPANSION (APPLICATION CASE NO. LU07-0048)

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force), I wish to thank you for the opportunity to review and comment on the Draft Environmental Impact Report (EIR) for Major Modification to the Conditional Use Permit (CUP) for Expansion of the Simi Valley Landfill and Recycling Center (Draft EIR). The proposed expansion would consist of extending the CUP boundary from 297 acres to 887 acres: 371 acres for waste disposal with a 516-acre buffer area surrounding the proposed disposal footprint. The height of the landfill would be increased by 152 feet, from 1,118 to 1,270 feet above mean sea level. The landfill closure date would be extended from 2034 to 2054, increasing the daily maximum disposal rate from 3,000 to 6,000 tons per day and reducing the facility's existing recycling capacity from 6,250 to 3,250 tons per day.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), 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 10 million. Consistent with these responsibilities, and to ensure a coordinated 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, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

We have reviewed the subject Draft EIR and would like to offer the following comments:

WASTE DIVERSION CAPACITY

The document states that one of the specific objectives of the proposed project is to provide a minimum of 15 years of waste diversion capacity to meet State-mandated waste diversion goal. The Task Force is not aware of such a requirement by state law and the said statement needs to be corrected or deleted. However, Section 41700 of the Public Resources Code requires each county to prepare a Countywide Siting Element (CSE) identifying 15 years of disposal capacity to address the disposal needs of the cities within the county as well as the county unincorporated communities.

PROJECT ALTERNATIVES – ALTERNATIVE TECHNOLOGIES

The Task Force along with other entities, including the County of Los Angeles, has extensively evaluated various conversion technologies from around the world, in order to advance the development of alternatives to landfill disposal of post-recycled solid waste. Conversion technologies refer to a variety of biological, chemical, and non-combustion thermal processes capable of converting residual post-recycled solid waste into marketable products, including renewable energy. The Task Force has concluded that these technologies have the potential to change the way we manage waste: potentially diverting up to 100 hundred percent of the waste from landfill disposal; producing significant quantities of renewable energy and biofuels from that waste; reducing emissions, including greenhouse gas emissions; and creating high-tech green collar jobs.

Currently, conversion technology facilities are commercially operating worldwide, including Europe and Japan. In Southern California, the City of Los Angeles is currently pursuing development of seven alternative technology facilities in the City pursuant to their RENEWLA and "zero-waste" policy. The County of Los Angeles is pursuing the development of demonstration conversion technology facilities throughout Southern California. Additionally, the firm of Bluefire Ethanol has proposed to develop a facility in the unincorporated Los Angeles County, adjacent to the City of Lancaster. The County of Los Angeles has granted a CUP for the facility to receive up to 170 tons of waste per day which will be used to generate approximately 3.9 million gallons of ethanol.

As elaborated below, the Draft EIR fails to thoroughly consider alternatives to landfilling of post-recycled solid waste residuals such as conversion technologies. The Draft EIR lists high costs, toxic chemical emissions, air pollution, and large amounts of residual waste remaining after processing as disadvantages to the various conversion technologies discussed. We are concerned that these claims were made without adequately supplying the technical and economic data to support them.

Conversion technologies were inadequately analyzed and subsequently were eliminated during the initial screening process of identifying alternatives to the proposed project. Specifically, we have the following additional comments:

1. **The evaluation of alternative landfill technologies in Section 5 did not consider the breadth of conversion technologies available in the marketplace today.**

   The Draft EIR discussed bio-reactors, gasification, pyrolysis, and standard combustion technologies; however, studies developed by the California Integrated Waste Management Board, Los Angeles County, and other independent agencies confirm viable technologies beyond those considered in the Draft EIR.

   In 2005, the County of Los Angeles identified hundreds of companies around the world utilizing 13 categories of technologies (see table below). More recently in June 2009, the University of California at Riverside (UCR) released a report entitled *Evaluation of Emissions from Thermal Conversion Technologies Processing Municipal Solid Waste* identifying 100 gasification/pyrolysis facilities operating around the world.

Thermal Conversion	Thermal depolymerization
Gasification (fixed and fluid bed)	Catalytic cracking
Thermal microwave	**Biological/chemical Conversion**
Plasma gasification	Anaerobic digestion
pyrolysis	Aerobic composting
Pyrolysis/gasification	Ethanol fermentation
Pyrolysis/steam reforming	Syngas-ethanol

Each technology varies in diversion potential, feedstock, processing capability, space requirements, and generation of marketable products, environmental performance, and cost. As such, we recommend the Draft EIR be revised to acknowledge the full breadth of technologies, their capabilities, and potential benefits as a project alternative.

2. **Table 5.3-1 cites environmental disadvantages of thermochemical technologies as being air pollutant emissions and toxic emissions; however, our research and other third-party studies do not support this.**

The UCR report referenced above lists detailed emissions profiles of 16 thermochemical conversion facilities (four of which are operating in the United States) that indicate most of them already meet emissions standards in California, while meeting standards of their host country.

Los Angeles County analyzed emissions data from four conversion processes currently under consideration in their demonstration projects. The County's research and review of emissions test results found that these conversion technologies are capable of meeting U.S. Environmental Protection Agency and California regulations. For toxic emissions, such as dioxins and furans, conversion technologies have been shown in actual operation to produce emissions in amounts dramatically lower than the already low U.S. EPA limits.

Greenhouse gas (GHG) emissions are also not an issue for conversion technologies. In February 2008, California Air Resources Board's Economic and Technology Advancement Advisory Committee (ETAAC) released its report entitled "*Technologies and Policies to Consider for Reducing Greenhouse Gas Emissions in California*". The ETAAC report noted that by conservative estimates, conversion technologies have the potential to reduce annual GHG emissions by approximately five million metric tons of CO_2 equivalent in California. In fact, the Task Force estimates the potential GHG reduction of conversion technologies may be significantly greater than this estimate, since conversion technologies have a simultaneous triple benefit to the environment: (1) reduction of transportation emissions resulting from long distance shipping of waste; (2) elimination of methane production from waste that would otherwise be landfilled; and (3) displacement of the use of fossil fuels by net energy (fuel and electricity) produced by conversion technologies. As such, we recommend these statements be revised.

3. **Self-contained anaerobic digestion systems were excluded from consideration in Alternative 2, despite benefits.**

The Draft EIR correctly stated that the largest fraction of the waste stream is organic material, but estimated that only 50 percent of this material can be biodegraded through a bioreactor. The County has evaluated self-contained anaerobic digestion systems with front-end separation and preparation, and found that municipal solid waste received for processing can be reduced to approximately 12 percent of its original weight.

Self-contained anaerobic digestion systems have a short solids-retention time (11-12 weeks) compared to the in-situ anaerobic bioreactor cells (10 years); such self-contained anaerobic digestion systems should be considered as an alternative in the Draft EIR.

4. Off-site Waste-To-Energy Technologies

These technologies were also eliminated from further analysis on the basis that the process "would have involved siting multiple thermal incineration in proximity to residential and commercial land uses and would likely experience considerable local opposition, not least of which would be to air pollutant emissions associated with incineration" (emphasis added). It is unreasonable to assume that these facilities need to be located in proximity of residential land uses. The County of Los Angeles CSE has specifically developed siting criteria for development of disposal facilities and said document needs to be used as a part of the project alternative analysis.

Currently, there are two waste-to-energy facilities in Los Angeles County that have been operating for over 20 years. Namely, South East Resources Recovery Facility in the City of Long Beach and Commerce Waste-To-Energy in the City of Commerce. These facilities have fully complied with all requirements of the South Coast Air Quality Management District (SCAQMD), which implements the most restrictive air quality standards in the world, during their decades of continuous operation. The successful development and operation of these facilities needs to be acknowledged within the analysis.

5. Ventura County Bioenergy Policy

The analysis fails to discuss the requirements of the June 17, 2003, "Simi Valley Landfill Gas Royalties Agreement" between the Ventura County Board of Supervisors and Waste Management of California, which in part provided revenues and direction for research and development of conversion technologies. The project alternative analysis needs to be expanded to provide a summary of activities conducted since 2003 as well as findings relevant to the project.

We look forward to the Draft EIR being revised to more accurately reflect the current global status of conversion technologies and their potential environmental benefits, and would be happy to provide additional, specific information upon request to assist in this endeavor. The above referenced reports may be found and are available for download at www.SoCalConversion.org. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

TM/CS:kp
P:\SEC\TF Letter_Simi Valley EIR_11-12-09.docx

cc: Each Member of the Alternative Technology Advisory Subcommittee
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Ventura County Planning Commission
Jeff Pratt, Ventura County Public Works Director
Kim Rodriquez, Ventura County Planning Director
Marty Robinson, Ventura County Chief Executive Officer

GAIL FARBER CHAIR
MARGARET CLARK VICE CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

August 31, 2010

Ms. Becky Linder
Planning Division
Ventura County Resource Management Agency
800 South Victoria Avenue, L#1740
Ventura, CA 93003-1740

Dear Ms. Linder:

COMMENTS REGARDING *RECIRCULATED* DRAFT ENVIRONMENTAL IMPACT REPORT FOR MAJOR MODIFICATION TO THE CONDITIONAL USE PERMIT NO. 3142-8 FOR THE SIMI VALLEY LANDFILL AND RECYCLING CENTER EXPANSION (APPLICATION CAS NO. LU07-0048)

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) has reviewed the recirculated Draft Environmental Impact Report for the Simi Valley Landfill and Recycling Center Expansion Project (Recirculated DEIR) released for public comment on July 26, 2010. The DEIR has been recirculated for public comment because of significant new information added to the DEIR after the public notice period last year. We acknowledge that the Recirculated DEIR has recognized that state law does not require Ventura County to have a 15-year of diversion capacity nor a 15-year of in-County disposal capacity as it was incorrectly claimed in the initial DEIR and identified in the Task Force's comments letter of December 22, 2009, a copy enclosed. However, we are extremely concerned that the Recirculated DEIR does not address the Task Force's comments regarding Section Five – Project Alternatives.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989, 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 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 proposed project, if allowed to be developed, will cause unavoidable significant environmental impacts and as the lead agency, Ventura County will have to make a finding of overriding consideration as required by the California Environmental Quality Act (CEQA). CEQA also requires the EIR consider various project's alternatives that can meet the objective of the project. Within the September 2009 DEIR, alternative technologies were inadequately analyzed and subsequently eliminated during the initial screening process of identifying alternatives to the proposed project, claiming the technologies are inadequate alternatives due to alleged high costs, toxic chemical emissions, air pollution, and large amounts of residual waste remaining after processing. These are broad statements to make regarding processes that vary substantially in process application, feedstock composition, operating temperature, system enclosure, and emissions controls, among other variables. Furthermore, the assertions are contradicted by research and reports completed by government agencies and universities from around the world, including the former California Integrated Waste Management Board, the Task Force and the County of Los Angeles, as identified in detail in our letter of December 22, 2009. In fact, among hundreds of operating alternative technology facilities in the U.S. and around the world, it would be challenging to find any examples that would reinforce the assertions made in the DEIR, and maintained in the Recirculated DEIR, that such technologies are not viable alternatives to the project.

Pursuant to Section 15126.6 of the CEQA Guidelines, an EIR is required to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." CEQA also requires the lead agency to solicit and respond to comments from the public and other agencies concerned with the project. By failing to accurately evaluate alternative technologies, and failing to respond to the comments submitted by this Task Force, the Recirculated DEIR has not met the intent and requirements of CEQA.

If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

TM/CS:kp
P:\SEC\Task Force\Recirculated Draft EIR Simi Valley Landfill_8-30-10

Enc.

cc: Each Member of the Ventura County Board of Supervisors
Each Member of the Ventura County Planning Commission
Marty Robinson, Ventura County Chief Executive Officer
Jeff Pratt, Ventura County Public Works Director
Kim Rodriquez, Ventura County Planning Director
Each Member of the Los Angeles County Integrated Waste Management Task Force
Each Member of the Alternative Technology Advisory Subcommittee