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March 2, 2015

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



RE: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT AND PROPOSED
GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMPOSTING OPERATIONS

Dear Ms. Townsend:

On behalf of the 22 rural county members, the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) appreciates the opportunity to provide comments on the proposed Draft Environmental Impact Report and Proposed General Waste Discharge Requirements for Composting Operations.

Please contact me at (510) 703-0898 or lsweetser@rcrcnet.org with any questions.

Sincerely,

Larry Sweetser
ESJPA Consultant

cc: Felicia Marcus, Frances Spivy-Weber, Tam Doduc, Steven Moore, Dorene D'Adamo, Matt Rodriguez, Carol Mortenson, Cliff Rechtschaffen, Martha Guzman, Graciela Castillo, Members, Rural Counties' Environmental Services Joint Powers Authority

General Concerns

The ESJPA joins other composting industry stakeholders in concerns regarding this proposed regulatory package. There was a number of critical questions raised at the February 13th workshop were not addressed. The industry group has requested the opportunity for an interactive workshop in order for constructive dialogue to occur. California mandates on organic diversion require a viable composting industry. Many key stakeholders with significant concerns are the same ones California is relying on to achieve the mandatory diversion. These concerns deserve full consideration if compost operations are to be successful in California. In addition, small composting operations are essential to organic diversion in rural areas since the push to anaerobic digesters is not economically viable. Realistic protective measures need to be implemented so that rural areas can develop viable composting operations. Continued discussions should allow for available composting infrastructure while maintain water quality.

Our most significant concerns are:

- In sufficient evidence that the strict liner standards are justified.
- The financial considerations for the sampling requirements
- The package is not clear that existing composting facilities within the footprint of a Regional Board-approved WDR are actually included in the General Order.

Page 6, Scope, Item 30 c. and Definitions

The ESJPA appreciates the exclusion for “Lot clearing” and the recognition that storage woody material from these mandatory fire protection measures will not active compost and are of temporary nature.

Page 6, Scope, Item 30 f.

Preventing offsite runoff is important for water quality protection. The requirement for “completely” covering all materials during rain events does not allow for a facility design that contains runoff. Covering a stockpile might not be feasible especially if rain starts when the facility is not operating. This alternative should be included in this section.

Page 15, Item 59, Other Regulatory Considerations and Page 26, Item 12 Effective Date

Existing composting facilities will not have sufficient time to comply with the general order. The proposed effective date is upon adoption by the SWRCB with an enrollment date of July 1, 2015. These requirements are not yet final and there will be insufficient time for existing composters to obtain all necessary local permits, revise CalRecycle permits, and arrange financing for the required structural changes. Some levels of CalRecycle permits require 180 days’ notice prior to a facility design or operational change and that does not account for the time for any required environmental review. Some of these changes could take one year or more. The effective date should be delayed and allow sufficient time for existing facilities to complete those processes.

Page 20, Items 2 and 3, Design, Construction and Operation Requirements

There is not sufficient justification to impose solid waste landfill like standards on detention ponds.

Page B-3 to B-5, Item 2, Waste water Detention Pond Monitoring

There is no explanation of why such extensive sampling is needed and there is limited acknowledgement that some parameters may attribute background levels of constituents to the composting operation.