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P.O. Box 607  
Clovis, CA  
93613-0607  
916.441.CRRA [2772]  
Fax 916.676-4882

# California Resource Recovery Association



Speaker Nancy Pelosi  
US House of Representatives  
235 Cannon HOB  
Washington, DC 20515

June 25, 2009

Honorable Speaker Pelosi,

Re: HR 2454 – SUPPORT with Amendments offered

The California Resource Recovery Association (CRRRA) and the Grassroots Recycling Network (GRRN) support HR 2454 “The American Clean Energy and Security Act of 2009 (ACES)” as a comprehensive approach to America's energy policy that charts a new course towards a clean energy economy. However, as with any legislation with such breadth and depth, we feel that some ideas in this bill are critically flawed and may result in unintended consequences far greater than the benefits by which they are promoted. For instance, categorizing waste-to-energy (WTE) and landfill-gas-to-energy (LFG-to-energy) technologies as “renewable” is one such case.

We summarize our concerns below, and ask for your support in revising HR 2454 to include reconciliation of these concerns.

### **Incineration and landfilling are not renewable, drive climate change and should not be subsidized or encouraged in climate legislation**

Energy created from the byproduct of unsustainable production, consumption, and disposal is certainly *not* renewable. Bestowing WTE technologies with the status of “renewable” and giving them the attendant economic benefits will encourage further unsustainable cycles of waste and consumption.

WTE plants are waste magnets that indiscriminately consume materials to support their enormous debt burden and to achieve return on investment. Subsidies and incentives for these technologies will encourage wasting, inefficient resources use, and increased consumption, all of which are fundamental drivers of greenhouse gas emissions and climate change.

### **Prevention, recycling and composting are the best climate options for dealing with waste.**

Dollar for dollar, recycling can manage more material, reduce more emissions, save more energy, create more local jobs, and add more value to the nation's economic and environmental bottom line than WTE and LFG-to-energy. Recycling saves three to five times the energy WTE plants produce. On a percentage basis, recycling saves almost eighteen times the eCO2 reductions from WTE plants. This is because recycling replaces virgin materials - and the energy and emissions associated with extraction and intensive processing - with far more energy-efficient feed stocks for everything from manufacturing to building products and roads and infrastructure.

**Composting is the fastest, easiest, cheapest way to reduce greenhouse gas emissions right now.**

Addressing landfill gas emissions at operating landfills by making LFG-to-energy projects a profit center, instead of a pollution control point, will have the unintended consequence of perpetuating disposal of organic materials in landfills, much the same way that WTE plants enable and promote waste. The only proven method to prevent methane emissions from landfills is to keep compostable organic materials out of landfills in the first place. The cost is low, the technology exists, and the nation's farmlands desperately need replenishing.

Compost production and use have a profoundly beneficial impact on GHG emissions. Composting *saves* energy in a number of significant ways, including displacing fossil-fuel-intensive products such as fertilizers, and reducing the demand on irrigation water, another energy-intensive product. Compost use in crop production also boosts carbon sequestration in crops and soils, increasing biotic carbon and building healthy croplands. And compost use reduces the toxic runoff of chemicals from fertilizers and the associated environmental damage to watersheds and devastating "dead zones" in oceans.

**Our Key Point:**

Composting and recycling are lower-cost management practices with superior environmental outcomes and co-benefits. They must be allowed to compete with WTE and LFG-to-energy on a level playing field.

**We offer the following recommendations on HR2454:**

- Amendment addition: *Identify reuse, recycling, and composting (including anaerobic digestion) as preferred practices under any greenhouse gas reduction program.*
- Amendment addition: *Landfills should be regulated as a capped source under any greenhouse gas reduction program.*
- Amendment addition: *Waste-to-energy facilities should be a capped source in any greenhouse gas reduction program.*
- Amendment addition: *Landfill gas and waste-to-energy are polluting sources of energy and should NOT be included in any federal renewable portfolio standard.*
- Amendment addition: *Keep waste-to-energy ineligible in the federal renewable purchasing program.*

The profound benefits of recycling and composting are grossly undervalued in the national discussion. This fundamental error is the basis for subsidies and incentives for WTE and LFG-to-energy, which undermine investment in composting and recycling.

Waste, or as much waste as we currently produce, is *not* inevitable. It is a choice between the one-way use of energy-intensive resources (our "waste") to create disposable energy vs. the recycling of those resources back into the value-added economy for a vastly more energy-efficient product and crop supply chain. We urge you to support the latter.

Cc: Chairman Henry A. Waxman of the Energy and Commerce Committee  
Chairman Edward J. Markey of the Energy and Environment Subcommittee

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