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Mr. Ken Decio
Waste Permitting, Compliance and Mitigation Division
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812-4025

December 4, 2014

RE: Proposed amendments to California Code of Regulations, Title 14, Division 7, Chapters 1, 3, 3.1 and 5 and create Chapter 3.2 and a proposed amendment to Title 27 Appendix 1.

Dear Mr. Decio:

Athens Services is the owner and operator of American Organics, a composting facility located in Victorville. We have reviewed the proposed amendments and have the following concerns.

1. Amendment to Section 17852. (a) (24.5) (A) 1.: The proposed amendment, defining the composition of compostable material that is suitable for "land application," is onerous in that it's required level of physical contaminants is unachievable.
2. Amendment to Section 17852. (a) (24.5) (A) 4.: The proposed amendment, requiring that compostable material would be prohibited from being used more than one time during a twelve month period, places an unnecessary burden on those that would use compost for agricultural purposes and are pursuing the highest crop yields.
3. Amendment to Section 17852. (a) (27.5) (A): The proposed amendment, defining a "nuisance," is arbitrary and should be defined.
4. Amendment to Section 17868.3.1. (a): The proposed amendment, to not allow compost to contain more than 0.1% by weight of physical contaminants greater than 4 millimeters, is unfeasible and not practically achievable. With new regulations that will soon be imposed regarding the diversion of food waste from landfills, this new volume of material that will be sent to composting facilities will already be placing additional stress in a short period of time. Additionally, to achieve the proposed level of contamination will not be cost effective.

Thank you for your consideration of our comments regarding these proposed regulations.

Sincerely,


Brian Johsz
Director of Government Affairs