



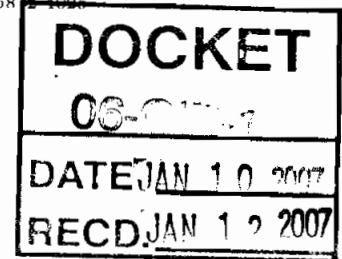
LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



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January 10, 2007

California Energy Commission
Docket Unit
Attn: Docket No. 06-OIR-1
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

RE: Docket No. 06-OIR-1: Greenhouse Gases Emission Performance Workshops

To Whom It May Concern:

California Integrated Waste Management Board (CIWMB) staff has reviewed the January 2007 Staff White Paper entitled "Staff-Proposed Regulations For Implementing The Greenhouse Gases Emission Performance Standard For Local Publicly Owned Electric Utilities" (CEC-700-2007-001). This report, which the California Energy Commission (CEC) prepared pursuant to SB 1368, is the subject of the above-referenced Docket No. 06-OIR-1.

The CIWMB is vitally interested in policy directives and regulations that might affect the ability to produce biofuels and bioenergy both from materials that are currently disposed of in landfills and from the gas generated at landfills. As such, CIWMB staff support the CEC's determination in Section 2905 of the regulations that "Facilities using biomass, biogas, or landfill gas as fuels(s) are determined to be compliant with the EPS."

However, CIWMB staff suggests that Section 2905 be further clarified. The Section states that "Biomass fuels are agricultural and wood wastes and digester and landfill gases that would otherwise be disposed of utilizing open burning, forest accumulation, landfill, flaring, spreading, or composting." It is unclear whether this definition, particularly use of the term "wood wastes", is narrowly defined here to include only agricultural and forestry residues, or whether it would also include other biogenic materials such as green waste, yard trimming, paper, and food waste that are typically generated as a portion of the solid waste stream. CIWMB staff believes that the intent of Section 2905 is to foster the development of facilities that use a wide range of biomass fuels, so we recommend that the CEC clarify this definition to explicitly include mention of these and other biogenic materials.



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Thank you for your consideration of these comments. If you have any questions, please feel free to contact me at (916) 341-6311.

Sincerely,

A handwritten signature in cursive script, reading "Howard Levenson".

Howard Levenson, Ph.D.
Deputy Director, Permitting & Enforcement

Cc: CIWMB Board Members
Mark Leary, CIWMB Executive Director
Scott Walker, CIWMB