



Californians Against Waste

Conserving Resources. Preventing Pollution. Protecting the Environment.

11-RPS-01

March 23, 2012

Chairman Robert Weisenmiller
California Energy Commission
1516 Ninth Street, MS-1
Sacramento, CA 95814

DOCKET

02-REN-1038

DATE MAR 23 2012

RECD. MAR 26 2012

RE: Suspension of the RPS Eligibility Guidelines Related to Biomethane (RPS Proceeding, Docket No. 11-RPS-01 and Docket No. 02-REN-1038)

Dear Chairman Weisenmiller:

Californians Against Waste (CAW) appreciates the Commission's efforts to efforts to successfully implement the Renewable Portfolio Standard, and we have strongly supported the Commission's efforts to promote the expansion of proven renewable energy technologies, such as organic waste digesters. While the Notice of Suspension seemed to have been directed largely at out-of-state landfill gas injection projects, the suspension is unnecessarily broad, and should be limited as to not include in-state organic waste digesters that do not have the inherent risks described in the suspension notice.

The development of anaerobic digestion in California is a critical element of the state's efforts to divert materials from landfills, reduce greenhouse gases, achieve the bioenergy action plan, develop distributed generation, produce low carbon fuels and generate renewable electricity. Food is the single most prevalent item in California's waste stream, making up 15.5% of the materials we dispose. In landfills, this material undergoes rapid anaerobic decomposition and produces significant quantities of methane, a greenhouse gas 25 times more potent than CO₂, much of which is released into our atmosphere. Conversely, if diverted to an anaerobic digester this material can produce renewable biogas that can be used to generate electricity or fuels, either onsite or through pipeline injection. Moreover, the process also produces other products that are essential to reducing greenhouse gas emissions in the agricultural sector and reducing the inherent environmental and financial risks associated with landfill disposal.

The Notice of Suspension contends that biomethane injection might not have the environmental benefits it is purported to because there is no verification that out-of-state biomethane is actually delivered to California. This would clearly not be a concern for in-state digesters, where gas injection can be readily verified, as can the sale of environmental attributes. The Notice then makes the point that "if the biomethane was previously being used on the site of production for purposes such as power generation or heating, or was being disposed of through other means such as flaring, the environmental consequences associated with these uses and disposal options need to be considered to determine any incremental environmental benefits to California." Currently 98% of food waste is disposed of in landfills that have significant environmental impacts, and the development of infrastructure to divert this material from landfills to digesters, will not only have the benefit of avoiding fossil energy generation, but will also provide significant and quantifiable co-benefits. In other words, in the case of in-state

digesters, the “incremental environmental benefits to California” would likely be even greater than the direct benefits of reducing fossil fuel energy production.

For these reasons, we strongly urge the Commission not to include in-state organic waste digesters in the biomethane suspension. These types of projects were likely not the intended target of the suspension and clearly do not warrant the concerns outlined in the Notice. Moreover, project developers and investors need clear regulatory certainty to continue to invest in the development of a statewide food waste digestion infrastructure.

Sincerely,

A handwritten signature in dark ink, appearing to read "N. Lapis", written over the printed name.

Nick Lapis
Legislative Coordinator