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February 20, 2013

Chair Huizar
Energy & Environment Committee
councilmember.huizar@lacity.org

Chair Alarcón
Ad Hoc Committee on Waste Reduction and Recycling
councilmember.alarcon@lacity.org

RE: Council File 10-1797-S15 – Exclusive Waste Franchising Implementation Plan

Dear Chairs Huizar and Alarcon and members of the committees:

On behalf of the Natural Resources Defense Council, Sierra Club, Coalition for Clean Air, and Sustain LA, we write regarding the Implementation Plan for Exclusive Commercial and Multifamily Franchise Hauling System – V.1 (hereinafter “draft implementation plan”). We are pleased with the large amount of progress since the November full city council hearing where the council sent a strong message for an environmentally forward thinking program to address Los Angeles’ waste system. Importantly, the draft implementation plan highlights the urgency of the issues faced by the City of Los Angeles. Collectively the commercial and multifamily sectors are responsible for 69% of the waste Los Angeles sends to landfills (p. 1-2).

Our coalition has identified four major issues that must be addressed in a real and substantial manner – ensuring strong diversion and recycling standards, ensuring robust standards for facility certification, minimizing impacts from trucks and truck routes, and promoting workplace health and safety. While we will not address each of these points, we want to highlight a few specific points to help improve and maintain the strength of this report moving forward.

First, public education must play a critical role in this program. To make this program work, we need a wholesale education program. While the draft implementation plan alludes to this issue, more can be added. Specifically, the City needs to clearly articulate that it wants innovative and robust education programs. For example, haulers could collaborate with organizations that work with tenants to oversee educational programs for tenants. Haulers could also work with environmental organizations that have already developed tools for educating residents about Zero Waste practices and principles. To reach Zero Waste, all residents and businesses need to do their part. Public education is important to making that happen.

Second, we are pleased to see the draft implementation plan address food waste (p. 3-14--3-16). As the report articulates, food waste is responsible for 27% of waste for the multifamily sector and 29% of waste for the commercial sector (p. 1-3). Achieving Zero Waste necessarily requires robust attention to food waste. While in skeleton form, the organics proposal in the draft implementation plan (p. 3-14 – 3-16) is a good start. It ensures that the city keeps its existing organics programs while proposing a phased expansion. We look forward to more details on this important aspect of the waste problem.

Third, facility certification is of paramount importance to ensuring the long-term success of this program. In particular, commodity-specific diversion requirements and robust accounting on diversion are necessary. We look forward to working together to more fully develop a rigorous set of standards to ensure top-rated facilities receive L.A.'s waste.

Fourth, the draft implementation plan gives strong attention to minimizing the impacts of trucks (p. 3-8 -- 3-9, 3-20). This is a good start to ensuring the most efficient system is realized. Specifically, we are pleased that the Bureau of Sanitation plans to “move beyond the requirements of the [South Coast Air Quality Management District (SCAQMD)],” (p. 3-20), and we look forward to more details on how that will be accomplished. We see two main ways to exceed SCAQMD’s requirements in Rule 1193. First, the City can require a quick phase-in of the cleaner trucks. We think that the 12 month phase-in proposal makes sense (p. 3-20), and we encourage that the award of the franchise take place more than 12 months in advance of the start date to ensure that on day one residents see these clean trucks servicing commercial and multifamily units. Importantly, the City should be specific with what it considers a clean fuel truck. As an initial matter, the 2010 emissions standard (.2 g/bhp-hr NO_x and .01 g/bhp-hr PM) should be the minimum standard. Second, the City should incentivize even more advanced technology than what is required by SCAQMD 1193 (e.g. hybrid alternative fuel vehicles or zero emission vehicles). Finally, we are pleased that the Bureau has indicated that it can also reduce impacts by minimizing the number of trucks and miles traveled. Though it was not mentioned in the draft implementation plan, one way this could be achieved through the RFP process would be by giving preference to proposals that include the use of multi-compartment trucks. We appreciate the strong provisions in the draft implementation plan on smart routing and reducing Vehicle Miles Traveled.

Fifth, companies and buildings that are high performers from an environmental standpoint should receive special consideration in this process. For example, buildings that are LEED certified should be addressed in this process. We want to make sure that businesses that have made the intelligent decision to be LEED certified receive the requisite service to continue their LEED ratings. We are pleased that the Bureau has identified this as a matter for further development (p. 3-18), and we look forward to further reporting on how this program will require haulers to tailor waste collection to the needs of businesses with LEED buildings.

We appreciate the diligence of these committees on the serious issue of reforming L.A.'s broken system for hauling waste from businesses and large apartment buildings. While there is still ample work and analysis to be done, the product received at the hearing today represents a significant effort. Please do not hesitate to contact us if you have questions about our input.

Sincerely,

A handwritten signature in black ink that reads "Adriano L. Martinez". The signature is written in a cursive style with a long horizontal stroke at the end.

Adriano Martinez
Natural Resources Defense Council

Hillary Gordon
Sierra Club

Candice Kim
Coalition for Clean Air

Leslie VanKeuren
Sustain LA