



WASHINGTON REFUSE & RECYCLING ASSOCIATION

July 15, 2022

Joshua Grice
Department of Ecology
Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

RE: WAC 173-446 Climate Commitment Act Rulemaking Comments

Dear Joshua Grice:

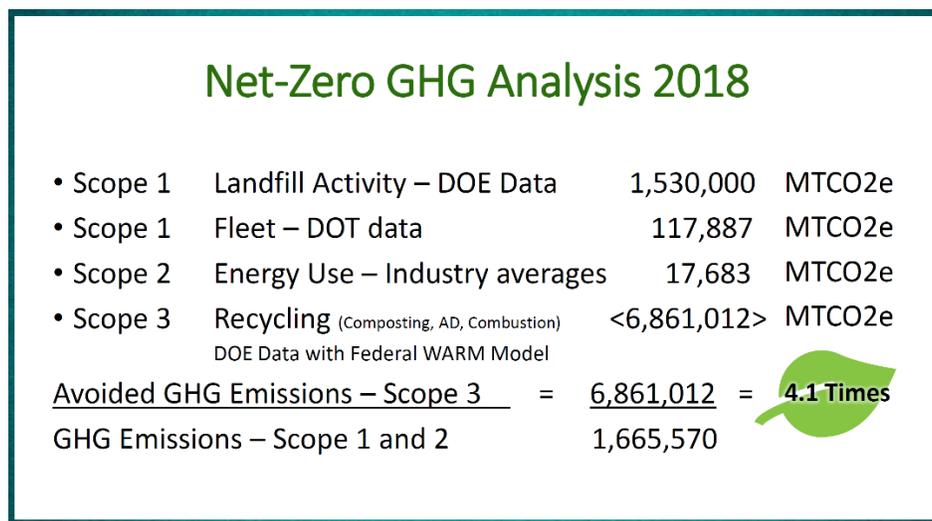
The Washington Refuse and Recycling Association (WRRA) represents the private sector solid waste and real recycling industry in Washington from curbside collection services to our state-of-the-art recycling facilities, composting operations, and landfills. WRRA was founded 75 years ago and represents most solid waste collection companies in Washington State. WRRA member companies and the solid waste industry serve a vital role in our state's public health, safety, and environmental protection.

Our members work in their communities every day and provide essential services. Washington's solid waste system is a successful public-private partnership. Washington's regulated and municipal solid waste collection system provides for excellent service, has consistently beat the national recycling rate by double digits, and maintains family wage jobs in every community in which we operate, all at a transparent and affordable price. We have an obligation to serve and to provide universal service as directed by the state and local governments.

Thank you for the opportunity to comment on the 173-446 Climate Commitment Act Rulemaking. WRRA actively participated in the development of SB 5126, the Climate Commitment Act (CCA), during the 2021 legislative session and ultimately supported the legislation. WRRA members that operate landfills and other waste and recycling facilities in Washington may also provide comments on the draft rule.

WRRRA Members are Environmental Leaders

WRRRA supports the Department’s goal to implement the CCA. WRRRA members have always been environmental leaders that get real results. Through a successful public-private partnership, Washington has become a national leader on recycling. Our recycling rates hover around 50% and beat the national recycling of 32% rate by double digits. Across all the materials we recycle, our industry is net zero on greenhouse gas emissions. In fact, Washington’s recycling and solid waste industry has avoided 4.1 times more GHGs than have been emitted based on 2018 (See the attached 2017 Net-Zero GHG Analysis study produced by Edgars & Associates. The report is currently being updated to 2018 data, but the graphic below includes the updated numbers for 2018).



WRRRA members were also early adopters of cleaner burning compressed natural (CNG) collection fleets and operate methane capture and gas-to-energy facilities at landfills, efficient waste-by-rail networks, composting, and material recovery facilities responsible for real recycling. WRRRA members are producing renewable natural gas and electricity from landfill gas in Washington. WRRRA requests that the Department continue to develop strong incentives to produce renewable energy from landfill gas wherever possible.

Clarification Regarding Landfills and HB 1663 (2022)

WRRRA member facilities, particularly landfills, do not fit the traditional mold for emission reduction programs because our industry does not produce the waste we receive. Rather, our members have the obligation to manage the waste generated by others, an essential public health service. Furthermore, landfill emissions cannot be directly measured, only estimated.

Prior draft language in WAC 173-446-030 (1) incorrectly stated that landfills would be included the first compliance period (emissions years 2023 through 2026). In SB 5126, the legislature granted the Department authority to include landfills as covered entities beginning

July 31, 2031, based on 2027-2029 data. Since then, the legislature adopted with HB 1663 in the 2022 session. HB 1663 established a comprehensive landfill emissions monitoring program and exempts landfills covered by that program from the CCA.

The current rule draft corrects/deletes the compliance period for landfills and clarifies that emissions from landfills covered by HB 1663 are not considered covered emissions in the proposed section WAC 173-446-040(2)(ii)(C). Thank you for correcting the compliance period and exemption status for landfill emissions.

Recognizing and Incentivizing Energy Production at Landfills

As the Department works to implement the CCA, WRRRA supports incentives to produce energy from landfill gas. Several Washington landfills already produce electricity and renewable natural gas. A 2018 report by the Washington State University Energy Program, “Harnessing Renewable Natural Gas for Low-Carbon Fuel: A Roadmap for Washington State,” recognized the potential for renewable natural gas (RNG) projects at Washington landfills.¹ The report identified RNG production opportunities at 8 to 12 Washington landfills (see below).

Table 2. RNG Opportunity at Landfills

Potential number of projects	8 to 12
Total estimated RNG potential	16,519,219 MMBTU/yr
Electricity – Megawatt hours per year	1,738,865 MWh/yr
RNG Fuel – Diesel gallon equivalents	122,364,586 DGE/yr

Note: Heat rating for power 9,500 BTU/kWh, Fuel factor 135,000 BTU/DGE

WRRRA requests that the Department ensure that the CCA rules create meaningful incentives to produce energy from landfill gas and give credit for existing projects. Landfills are essential public health facilities and can be an excellent source of clean energy.

Respectfully submitted,



Brad R. Lovaas

Executive Director

¹ Harnessing Renewable Natural Gas for Low-Carbon Fuel: A Roadmap for Washington State, <http://www.commerce.wa.gov/wp-content/uploads/2018/02/Energy-RNG-Roadmap-for-Washington-Jan-2018.pdf>