



April 24, 2009

The Honorable Felipe Fuentes
Chair
Assembly Committee on Utilities and Commerce
Room 4126
State Capitol
Sacramento, CA 95814

RE: AB 222 (ADAMS) ENERGY: BIO-FUELS

POSITION: SUPPORT

Dear Chairman Fuentes:

On behalf of Republic Services, Inc. and our California Divisions I urge your support of AB 222.

AB 222 proposes to update the Integrated Waste Management Act of 1989 to incorporate changes that will enable and expedite the production of advanced, non-food derived bio-fuels, green power and other bio-based products from biomass.

Republic Services, Inc. and Allied Waste Industries, Inc. completed their merger on December 5, 2008, to create one of the nation's leading waste and environmental services providers. The new Republic Services now provides non-hazardous solid waste collection services for commercial, industrial, municipal, and residential customers through 427 collection companies in 40 states. Republic also owns or operates 255 transfer stations, 219 solid waste landfills and 86 recycling facilities. Republic serves millions of residential customers under terms of contracts with more than 3,000 municipalities for waste collection and residential services. They also serve commercial customers throughout its expansive service area.

California's largest source of biomass is found in its municipal waste stream. 70%–75% of the more than 40 million tons of post-recycled urban solid waste that California placed in landfills each year represents a tremendous untapped resource for the in-state production of bio-power and bio-fuels. From this single source, clean 21st Century bio-refineries, now commercially available, could safely and efficiently produce some 2.7 billion gallons of advanced bio-fuels and 3600 megawatts of power.

By providing a pathway for new investments in technologies to occur in California, while retaining California's stringent environmental protections, AB 222 will allow California to lead the nation in the establishment of advanced technology facilities. Such facilities address a number of California's most pressing issues/challenges, and will:

- Expand the beneficial use of California's waste streams, and in so doing, stimulate economic investment and provide high level green collar manufacturing jobs in California;
- Significantly reduce greenhouse gas emissions and assist the State in reaching its AB 32 GHG reduction goals;
- Provide alternatives to the open-field burning of agricultural residues;
- Promote energy independence and national security by enabling the in-state production of advanced bio-fuels;
- Reduce by up to 90% CO₂ emissions from automobiles as compared to an energy-equivalent amount of gasoline,
- Help California achieve the goals of its Renewable Portfolio Standard, Low Carbon Fuel Standard and Bio-energy Action Plan.

WHAT DOES AB 222 DO?

In compliance with objectives set forth in the state's Bio-energy Action Plan, the bill:

- Adds to statute and defines the term "Bio-refinery" and enable bio-refineries to be permitted under the same provisions as are required for other manufacturing facilities, while at the same time, requiring them to meet or exceed all state and local standards for air pollution and water quality control.
- Revises the definition of the term "transformation" to mean the incineration of solid waste with or without the recovery of energy. "Transformation" does not include:
 - a. Composting,
 - b. Bio-mass conversion, or
 - c. Solid waste conversion at a bio-refinery.
- Requires that, to the maximum extent feasible, solid waste feedstock has been pre-processed to remove all recyclable materials prior to the conversion process.

- Clarifies that green power and advanced bio-fuels, when produced from carbon-based wastes, will qualify as renewable energy for purposes of the state's RPS, and therefore will not count as disposal. This additional clarity will provide stability to the private sector, and allow companies to invest in the development of advanced technologies with confidence.

We, therefore, urge your support of AB 222.

Thank you for considering our views.

Sincerely,



Kevin Finn
Area President

cc: The Honorable Anthony Adams
Members, Assembly Committee on Utilities and Commerce
Elizabeth Huber, California Integrated Waste Management Board
John Moffatt, Office of the Governor