



CARBON SOLUTIONS GROUP

155 N. MICHIGAN AVE; SUITE 411
CHICAGO, ILLINOIS 60601
866.499.1456 TEL
312.803.1833 FAX
www.carbonsolutionsgroup.com

6.7.10

To Whom it may Concern,

I would like to thank CAR for the opportunity to participate in the process of developing this protocol for composting, which I found enlightening and rewarding. I think those of us involved truly appreciate the hard work and initiative that has been displayed by the staff and representatives of the Climate Action Reserve. Although the working group did not see eye to eye on all issues, we were in agreement that this is a positive step forward for the industry and the environment. That being said, there are a few points I would like to address:

-CAR's approach for creating protocols that seek to quantifying and verifying in a more standardized manner allows project proponents to follow clear, straight forward approaches when determining GHG emissions avoided. However, this system can be rigged and severely restrict project eligibility. In the case of this protocol, the lack of flexibility can negatively impact project developers, keeping them from utilizing technological innovations and making advancements in composting efficiencies. A standardized approach does not do enough to maximize the efforts of composters and the amount of organic material aerobically composted.

With more flexibility allowed in the protocol, project proponents could have the opportunity to prove the accuracy and efficiency of their procedural or technological innovations, streamlined applications, and combinations of BMPs. The onus would be on the projects to improve the amount CRTs created, a valuable incentive because projects need these CRTs to exist. Participants should be able to submit protocol and protocol revisions for review and approval to the Reserve board. Allowing the market to participate in the protocol development process will increase innovation and the economic efficiency of projects. CAR would benefit from more market participation. It would increase dialogue between CAR and potential project developer's, encourage more flexible problem solving solutions, and provide a public forum for industry participants to ascertain and adopt BMPs.

-The protocol states that food waste must be incorporated into an active composting pile within 48 hours of delivery to the facility. Additional language needs to be inserted to clarify situations in which food waste is delivered on a Friday afternoon and unable to be actively composted until the following Monday, or delivered on a Friday and unable to be composted the following Monday due to a holiday where the facility may be closed. In these scenarios the 48 hour window to incorporate feedstocks into an active pile may be exceed unintentionally.

-Inclusion of Green Waste: CAR should add a provision that speaks to the political initiatives in some states, calling for reversals on the land-filling bans on green waste. An increasing of the amount of green waste landfilled and decreasing of the amount composted in enough states could decrease the percentage of green waste, yard waste, or other vegetative waste composted below a 50% threshold, making land-filling BAU, and warranting the inclusion of such



feedstocks in future versions of this protocol. Likewise, it would be beneficial to determine the prevalence of green waste or other compostable materials that are currently being used as ADC at landfills, as this could significantly alter the percentage of green waste diverted from landfills.

-Inclusion of Bio-solids: The Reserve should reconsider the inclusion of bio-solids or begin the process of creating a separate protocol for composting bio-solids.

-Grocery Store Food Waste: The protocol states that grocery store food waste is ineligible unless it can be proven that such wastes were landfilled for a period of 36 months prior to inclusion in the proposed composting project. The 36 month time frame is an arbitrary number that makes little sense in the context of this protocol. It seems this issue should be revisited.

-Industrial Food Waste: The project developer should be able to provide a case for the inclusion of industrial food waste streams if they can in fact be proven additional at the jurisdictional level.

-LFG diversion rates: If a local mandate is in place to divert organic wastes from landfills, but actual diversion percentages are falling below those applicable legal mandates, it could then be argued that composting is itself beyond BAU (BAU being the noncompliance of such mandates).

According to the IPCC's Additionality Tool, "If an alternative does not comply with all mandatory applicable legislation and regulations, then show that, based on an examination of current practice in the country or region in which the law or regulation applies, those applicable legal or regulatory requirements are systematically not enforced and that noncompliance with those requirements is widespread in the country. If this cannot be shown, then eliminate the alternative from further consideration." This passage from the IPCC Additionality Tool shows that when the local compliance levels are not being met, then it is the project proponents right to prove that their project is creating real and actual reductions of GHGs and that the regulatory body of the overseeing carbon program has a responsibility to review the application and make a judgment as to its accuracy and validity. Furthermore, the "environment" does not know the difference between a law that does not exist and one that does not work. In other words, local mandates should not preclude a project from participation, but rather the level of compliance should be a determining factor.

Thank you for your time and attention to this matter.

Regards,

Thornton Schaaf
Carbon Solutions Group, LLC
312-423-7952
tschaaf@carbonsolutionsgroup.com
www.carbonsolutionsgroup.com