

June 13, 2014

Gary Wolff, P.E., PhD
Executive Director
Alameda County Waste Management Authority
1537 Webster Street
Oakland, CA 94612

Dear Mr. Wolff:

Thank you for taking the time to meet with us on May 12 and June 6, 2014 to discuss the East Bay Municipal Utility District (EBMUD) anaerobic digestion program. As you are aware, EBMUD has historically made available a portion of the digestate generated by this program for use as alternative daily cover (ADC). EBMUD understands that Alameda County Waste Management Authority (Authority) Ordinance 2012-01 (Ordinance) requires recycling of all Covered Materials, which by definition includes discarded food and Compostable paper. EBMUD further understands that beneficial reuse as defined by the State, including ADC, is not considered recycling under the Ordinance. Accordingly, in the event that Covered Materials generated in Alameda County are delivered to EBMUD for anaerobic digestion, EBMUD will ensure that no digestate will be deposited in landfills, as ADC or otherwise.

EBMUD will implement this commitment as follows:

- When EBMUD begins accepting Covered Materials generated in Alameda County for processing, all digestate will be land applied as an agricultural soil amendment. EBMUD will notify the Authority in writing immediately when it begins to accept Covered Materials generated in Alameda County.
- EBMUD will continue to land apply or compost all digestate for as long as EBMUD processes Covered Materials generated in Alameda County. During this period, EBMUD will prohibit its digestate hauling contractors from delivering any digestate or digestate-derived products to landfill.
- In the future, EBMUD may elect to install separate processing trains for Covered Materials and sewage sludge (i.e. construct separate dewatering). If this occurs, the commitment to land apply or compost digestate will apply to all digestate from the train processing Covered Materials.
- In compliance with 40 CFR Part 503 and EBMUD's Environmental Management System, all land application of digestate will occur at agronomic rates for the purpose of fertilizing the soil and growing crops. Such rates will be calculated based on the crops being grown. Crops grown using EBMUD's digestate soil amendment will be

sold in competitive markets and will not be deposited in landfill. Land application practices, as well as crop production and sale, will be verifiable by EBMUD and the Authority.

- If, in the future, EBMUD should elect to use its digestate as a feedstock for compost, such composting will occur at facilities that are permitted under applicable regulations found in Title 14 of the California Code of Regulations. EBMUD will ensure that the permit for any selected composting facility explicitly states that the facility can accept the type of digestate EBMUD will send to the facility (i.e. digestate containing biosolids and/or digestate derived from non-biosolids organic wastes). Such compost shall not be deposited in landfill, as ADC or otherwise.
- EBMUD will process only Source Separated organic material containing more than 90% Phase 2 Covered Materials by weight and/or organic material delivered from a High Diversion Mixed Waste Processing Facility certified by the Authority. All discarded food and Compostable paper (Phase 2 Covered Materials under the Ordinance) will be digested. Loads with less than 90% Phase 2 Covered Materials by weight will be rejected, and inspection data will be made available to the Authority upon request.

We are requesting written concurrence from the Authority that the co-digestion of Covered Materials and sewage sludge at EBMUD's facility, or separate digestion of Covered Materials as described in the third bullet above, will be fully compliant with the Ordinance when the commitments above are implemented.

Sincerely,



Alexander R. Coate
General Manager

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cc: Brian Mathews, Alameda County Waste Management Authority