

Governor Edmund Gerald Brown  
State Capitol  
Sacramento, CA 95814

June 27, 2016

Re: Opposition to Efforts to Increase Garbage Incineration in California

Dear Governor Brown,

We write to you today concerned that the state of California appears to be embarking on an effort to push for the incineration of garbage. High ranking members of the Governor's Administration seem to be advocating for the use of incineration to solve our state's waste issues instead of moving forward on policies to aggressively increase recycling rates and embrace producer responsibility as solutions which protect communities, the climate, and encourage job creation.

At a ceremony in San Francisco this past April, the 2016 Goldman Environmental Prize was awarded to Destiny Watford for defeating an incinerator proposal in her hometown of Baltimore, Maryland. She realized the negative impacts incineration would pose to the health and environment of her community, and was driven to action.<sup>1</sup> Because of her work, the Maryland Secretary of the Environment recently acknowledged that environmental justice is "one of the fundamentally most difficult and biggest challenges" of incineration.<sup>2</sup>

Additionally, in 2014 nine previous Goldman Environmental Prize recipients released a statement to the state of California in response to the announcement of a CalRecycle workshop on "waste-to-energy" (which was later postponed). The attached statement concludes: "We urge you to reconsider your approach and reject incineration, not only because zero waste alternatives will be better for California's air, economy, health, and environment, but also because of the example California sets for other places in the world."

Californians have opposed repeated efforts to site these incineration facilities in their communities. Gasification and plasma arc facility proposals have targeted the low-income, Spanish-speaking Latino communities of Watsonville and Gonzales, and the working class community of Red Bluff. This industry has a track record of failed proposals in California (as well as around the United States) due to false claims about emissions and the allegedly "proven" nature of the technology. The operational and emissions problems at a test facility in Romoland prevented the facility from obtaining air pollution permits. These incinerator technologies are simply not worthy of consideration by the state of California as a waste solution.

Yet the University of California, Berkeley Law – Center for Law, Energy & the Environment published a report in May 2016 entitled "Wasting Opportunities: How to Maximize the Environmental & Clean Energy Benefits of Municipal Solid Waste Energy Recovery." The report puts forward recommendations for the state to expand the use of "waste-to-energy" technologies to address residual waste.

The "waste-to-energy" incineration technologies referred to in the report include waste combustion, gasification, and plasma which are inherently energy intensive, polluting, and expensive. Many of the so-called "conversion technologies" proposed in California over the past decade have been notable for false and exaggerated claims and the targeting of communities of color and low-income and working class communities.

Despite this recent experience in California, it seems that the convening that led to this report did not include critics with the most on-the-ground experience with these approaches, nor did it include environmental justice communities on the frontlines of incineration in the state of California, such as near the state's three existing incinerators or where incineration has been proposed in recent years. However, it did include members of the Governor's staff and incinerator companies.

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<sup>1</sup> *Washington Post*, This Baltimore 20-year-old just won a huge international award for taking out a giant trash incinerator, 2016. <https://www.washingtonpost.com/news/energy-environment/wp/2016/04/18/this-baltimore-20-year-old-just-won-a-huge-international-award-for-taking-out-a-giant-trash-incinerator/>

<sup>2</sup> Daily News, "States, Industry Tout Waste-To-Energy Efforts But Equity Concerns Linger," April 25, 2016.

## INCINERATION-LIKE SCHEMES ARE NOT THE WAY FORWARD

“Waste conversion” facilities, including both “mass burn” and “gasification” incinerators, are the most toxic, expensive, and climate-polluting energy industries in the U.S. These facilities are predominantly sited and built in low-income, communities of color across the country,<sup>3</sup> burdening these communities with mercury, dioxins and particulate matter<sup>4</sup> while undermining investments for local economic resilience and job creation.<sup>5</sup>

California’s three existing incinerators in Stanislaus County, Long Beach, and Commerce have long attempted to create financial life-lines to sustain their exorbitant and polluting practices. Falsely marketing their technologies as “green” has been a key strategy of the waste combustion industry in attempts to access hundreds of millions of dollars in tax breaks and incentives from policy mechanisms such as the Renewable Portfolio Standards.

“Waste conversion” technologies such as gasification, pyrolysis, and plasma incinerators are carbon-intensive and prone to toxic pollution. For example, two gasification incinerators in the United Kingdom were recently exposed for excessive dioxin emissions violations, one of these facilities was forced to shut down by the Scottish Environmental Protection Agency, and a separate pyrolysis facility faced serious operational problems.<sup>6</sup>

Because these technologies produce such a small amount of energy, they are both the most expensive means of waste disposal and energy generation. According to 2013 U.S. Energy Information Administration data, the operating costs of waste incinerators are over ten times that of coal power plants, and the capital costs are twice that of nuclear.<sup>7</sup> No cities in California need such an excessive additional and unnecessary financial burden.

## ADDRESSING THE PROBLEM OF "RESIDUAL" WASTE

This UC report sets out to address the problem of “residual” waste pollution, yet tackles the problem from the wrong angle. Waste “residuals” are often comprised of items that are actually reusable, recyclable or compostable, but were not sorted properly, or products and packaging that do not fit into most of the recycling and composting programs. Instead of burning or burying these products, these residual wastes can be reduced through greater education, outreach, and enforcement of recycling and composting separation, as well as greater awareness about product redesign.

The issue of non-recyclable and non-compostable products and packaging is one that must be addressed by manufacturers. As California’s cities succeed at recovering higher rates of recyclables and food waste, the problem of irresponsibly designed products and packaging will become more and more apparent. Manufacturers must minimize materials in products and packaging, and design recyclable, compostable, and reusable products and packaging.

As the Goldman Prize winners indicated, California is looked to as a thought leader in advancing the principles and practice of zero waste. Governments from around the world travel to California to learn about the state’s leading practices in reduction, reuse, recycling, and composting. The recommendations to burn our waste, pollute our air, and place our most vulnerable communities further at risk are a major step backward, and if adopted would weaken California’s role as a leader in zero waste.

Our organizations urge the state of California to seek better, more equitable, and just strategies for reducing waste.

Sincerely,

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<sup>3</sup> Bullard, Robert. *Dismantling Energy Apartheid in the U.S.*, Black History Month Special Report. February 2011.

<sup>4</sup> NY Department of Conservation, Comments to New York State Public Service Commission in the Matter of the application of Covanta Energy Corporation. 19 August 2011

<sup>5</sup> Global Alliance for Incinerator Alternatives: *Burning Public Money for Dirty Energy: Misdirected Subsidies for “Waste-to-Energy” Incinerators*, 2011. Available at: <http://www.no-burn.org/burning-public-money-for-dirty-energy>

<sup>6</sup> A) Herald Scotland. Pioneering waste plant faces legal action after pollution leaks and an explosion. 23 January 2013. B) Let’s Recycle.com, “Energos Isle of Wight plant fails further emissions tests, 1 Oct 2010. C) PT Williams and JR Barton, University of Leeds, Research, monitoring and evaluation of the Scarborough Power / GEM pyrolysis facility in Seamer Carr, Scarborough, Yorkshire, 2010.

<sup>7</sup> A) Herald Scotland. Pioneering waste plant faces legal action after pollution leaks and an explosion. 23 January 2013. B) Let’s Recycle.com, “Energos Isle of Wight plant fails further emissions tests, 1 Oct 2010. C) PT Williams and JR Barton, University of Leeds, Research, monitoring and evaluation of the Scarborough Power / GEM pyrolysis facility in Seamer Carr, Scarborough, Yorkshire, 2010.

## Organizations in California

Action Now  
Mitzi Schpak  
Director  
Pasadena, CA

American Veterans (AMVETS)  
Chaplin Anthony Quezada  
Director  
Long Beach, CA 90810

Apostolic Faith Center  
Pastor Alfred Carrillo  
Wilmington, CA 90744

Asamblea de Gonzales  
Roberta Camacho, Treasurer  
Gonzales, CA

Association of Irrigated Residents  
Tom Frantz  
President  
Wasco, CA

California Communities Against Toxics  
Jane Williams  
Executive Director  
Rosamond, CA

California Environmental Justice Coalition  
Thomas Helme  
Coordinator/Advocate

California Kids IAQ  
Drew Wood  
Executive Director  
Wilmington, CA 90744

Jena Price  
Legislative Affairs Manager  
California League of Conservation Voters  
Sacramento, Ca 95814

California Safe Schools  
Robina Suwol  
Executive Director  
Toluca Lake, CA

Center for Community Health and Environmental Justice  
Penny Newman  
Executive Director  
Riverside, CA

Central California Asthma Collaborative  
Kevin Hamilton  
CEO

Fresno, CA  
Central California Environmental Justice Network  
Nayamin Martinez  
Coordinator

Clean Water Action, California  
Miriam Gordon  
California Director  
Oakland, CA

Clean Water and Air Matter  
Renee Nelson  
President  
Kern County, CA

Coalition for a Safe Environment  
Jesse Marquez  
Executive Director  
Wilmington, CA

Comite Civico del Valle  
Luis Olmedo, Humberto Lugo  
Executive Director  
Brawley, CA

Community Dreams  
Ricardo Pulido  
Executive Director  
Wilmington, CA 90744

Del Amo Action Committee  
Cynthia Medina  
Torrance, CA

Desert Citizens Against Pollution  
Lyle Talbot  
Director  
Lancaster, CA

Desert Protection Society  
Donna Charpiet  
Desert Center, CA

East Yard Communities for Environmental Justice  
Taylor Thomas  
Research and Policy Analyst  
Commerce, CA

Ecology Center  
Martin Bourque, MA  
Executive Director  
Berkeley, CA

El Monte Residents Against Pollution  
Joe Blackburn  
Director  
El Monte, CA

El Pueblo Para el Aire y Agua Limpia  
Maricela Mares Alatorre  
Kettleman City, CA

EMERGE  
Magali Sanchez-Hall, MPH  
Executive Director  
Wilmington, CA 90744

EndOil/Communities for Clean Ports  
Gisele Fong  
Executive Director  
Long Beach, CA

Environmental Health Trust – West Coast Working Group  
Antoinette Stein  
Deputy Director of West Coast Operations

5 Gyres  
Anna Cummins  
Santa Monica, CA

Food Empowerment Project  
Lauren Ornelas  
Founder, Executive Director  
Cotati, CA

Global Alliance for Incinerator Alternatives (GAIA)  
Monica Wilson  
US & Canada Director  
Berkeley, CA

Global Recycling Council (of the California Resource  
Recovery Association)  
Ted Ward  
Co-Chair

Grassroots Recycling Network  
Ruth Abbe  
President

Grayson Neighborhood Council  
John Mataka  
President  
Grayson, CA

Greenaction for Health and Environmental Justice  
Bradley Angel  
Executive Director  
San Francisco, CA

Idle No More SF Bay  
Pennie Opal Plant  
Cofounder  
San Pablo, CA

Long Beach Alliance for Childhood Asthma  
Sylvia Betencourt  
Director  
Long Beach, CA

Los Angeles Environmental Justice Network  
Cynthia Babich  
Rosamond, CA

Mothers of East Los Angeles  
Teresa Marquez  
Boyle Heights, CA

Movement Generation  
Gopal Dayaneni  
Staff Collective Member  
Oakland, CA

NAACP, San Pedro-Wilmington Branch # 1069  
Joe R. Gatlin  
Vice President  
San Pedro, CA 90731

Pacoima Beautiful  
Veronica Padilla-Campos  
Executive Director  
Pacoima, CA

Philippine Action Group for the Environment (PAGE)  
Fe P. Koons  
President  
Carson, CA

Physicians for Social Responsibility  
Martha Arguello  
Los Angeles, CA

Plastic Pollution Coalition  
Diana Cohen  
CEO & Co-Founder  
Santa Monica, CA

Pro Uno  
Felipe Aguirre  
Director  
Maywood, CA

Rooted in Resilience  
Nahal Ghoghaie  
Resilient Communities Initiative Associate  
Berkeley, CA

Shore Up Marin  
Terrie Green, Douglas Mundo, Hannah Doress  
Marin City, CA

Society for Positive Action, Inc.  
Shabaka Heru  
Director

Surfrider Foundation  
Angela Howe, Esq.  
Legal Director

Tri-County Watchdogs  
Katherine King  
Secretary

Tri-Valley CAREs  
Marylia Kelley  
Executive Director  
Livermore, CA

Valley Improvement Projects  
Bianca Lopez  
Director/Advocate  
Modesto, CA

West Berkeley Alliance for Clean Air and Safe Jobs  
Janice Schroeder  
Core Member  
Berkeley, CA

Wilmington Improvement Network  
Anabell Romero Chavez  
Board Member  
Wilmington, CA 90744

Deborah Bell Holt (Love and Respect Youth Foundation)  
Los Angeles, CA

Gary Liss (President, Gary Liss + Associates)

Mari Taruc (Board Chair, Filipino/American Coalition for  
Environmental Solidarity - FACES)

***Organizations and individuals in other regions  
(Including organizations in incinerator-impacted communities)***

Apollo Kauai  
Sustainable Energy Policy  
Pam Burrell, Laurel Brier co-chairs  
Hawaii

Black Mesa Water Coalition  
Jihan Gearon  
Executive Director  
Black Mesa, AZ

Breathe Easy Susquehanna County  
Rebecca Roter  
Chairperson  
Susquehanna County, PA

Citizens' Environmental Coalition  
Jim Travers  
Treasurer  
Albany, NY

Citizens for a Safe Environment, INC.  
Karen Buck  
President  
Toronto, ON

Coalition of Anti Incineration Organizations  
Myrna Conty  
General Coordinator  
Puerto Rico  
Don't Waste Arizona  
Stephen Brittle  
President  
Phoenix, AZ

Durham Environment Watch  
Kerry Meydam, Founder  
Ontario, Canada

East Michigan Environmental Action Council (EMEAC)  
William Copeland  
Director  
Detroit, MI

Eureka Recycling  
Alex Danovitch  
Minneapolis, MN

Green Delaware  
Alan Muller  
Executive Director  
Port Penn, DE

Institute for Local Self-Reliance  
Neil Seldman  
President  
Washington, DC

Ironbound Community Corporation  
Molly Greenberg  
Environmental Justice Policy Manager  
Newark, NJ

Jamesville Positive Action Committee  
Vicki Baker  
Chair  
Jamesville, NY

Kentucky Environmental Foundation  
Craig Williams  
Program Director  
Berea, KY

Little Village Environmental Justice Organization  
Juliana Pino  
Policy Director  
Chicago, IL

Minnesota Public Interest Research Group  
Mahyar Sorour  
Campus Organizer, Hamline University and St. Catherine  
University  
Minneapolis, MN

Neighbors Against the Burner  
Nancy Hone  
Founder/coordinator  
St. Paul, MN

Nothing Left to Waste  
Susan Hubbard  
Minneapolis, MN

Oregon Physicians for Social Responsibility  
Kelly Campbell  
Executive Director  
Portland, OR

Sierra Club Lone Star Chapter

Neil Carman Ph.D (Former Texas state field investigator of  
industrial plants and incinerators)  
Austin, TX

Southwest Workers' Union  
Arty Trejo  
Environmental Justice and Climate Organizer  
San Antonio, TX

United Workers  
Greg Sawtell  
Leadership Organizer  
Baltimore, MD

Upstream  
Matt Prindville  
Executive Director  
Rockland, ME

Waste Not!  
Don West  
Carroll, MD

Zero Waste for Zero Loss  
Caroline Eader  
Clean Energy & Zero Waste Policy Support and  
Implementation

Zero Waste Kauai  
Sustainable Materials Management  
John Harder, president  
Pat Gegen, chair  
Hawaii

Ana Isabel Baptista (The New School)  
Newark, NJ

Ellen Connett  
Fluoride Action Network  
Office Manager and webmaster  
Editor, Waste Not (1986 -2000)

Jeffrey Morris, Ph.D. - Economics  
Sound Resource Management Group, Inc.  
[www.zerowaste.com](http://www.zerowaste.com)  
Olympia, WA

Mark Lichtenstein  
Lichtenstein Consulting; Adjunct Environmental Studies  
Faculty, SUNY College of Environmental Science and  
Forestry; and Past-President, National Recycling Coalition  
Syracuse, NY

Paul Connett, PHD  
American Environmental Health Studies Project Inc  
Author, *The Zero Waste Solution* (Chelsea Green, 2013)

Enclosure: Statement by Goldman Environmental Prize Recipients to California state government on incineration (2014)

Cc: Matthew Rodriguez, CalEPA Secretary  
Scott Smithline, CalRecycle Director  
Arsenio Mataka, Cal/EPA Assistant Secretary for Environmental Justice and Tribal Affairs  
Jordan Diamond , Executive Director of UC Berkeley, School of Law's Center for Law, Energy & the Environment (CLEE)  
Ethan Elkind, UC Berkeley, School of Law CLEE  
Daniel Gergely Szabo, UC Berkeley, School of Law CLEE

## Statement by Goldman Environmental Prize Recipients to California State Government on Waste Incineration

April 29, 2014

When we each traveled to California to receive the Goldman Environmental Prize, we learned more about the state's reputation as an environmental leader. This is why we were especially disappointed to learn that the government of California is considering increasing the dangerous practice of incineration, or so-called "waste to energy," in the state using mass burn, gasification, plasma, cement kilns, and related incineration approaches. Incineration is neither sustainable nor environmentally sound.

Instead, incineration:

- releases toxic pollution
- endangers public health and the environment,
- violates environmental justice, because these polluting facilities both target and operate in low income and communities of color that continue to be disproportionately impacted by pollution,
- worsens climate change,
- wastes valuable resources,
- undermines recycling, reuse, composting, and waste reduction and the jobs created by these approaches, and
- ensures that we have to continue the unsustainable extraction of additional natural resources to replace those we waste by burning.

Many of us have worked on these critical issues, from stopping the practice of incineration of various waste streams, to working towards responsible zero waste systems and the elimination of hazardous wastes.

As a global community, we need to challenge the idea that products and packaging can be "designed for the dump" or "built to be burned." Instead of trying to hide the problem of unrecyclable products and packaging by burning the evidence, we urge California to be a trailblazer once again and take up the critical goal of eliminating products and packaging that are not repairable, reusable, recyclable, or compostable. We also urge you to end subsidies for the three existing incinerators in the state, and move toward eliminating the practice of incineration.

We urge you to reconsider your approach and reject incineration, not only because zero waste alternatives will be better for California's air, economy, health, and environment, but also because of the example California sets for other places in the world. Thank you for your consideration.

Signed by:

Dr. Bobby Peek, groundWork, Friends of the Earth, South Africa, Goldman Environmental Prize 1998

Craig Williams, Chemical Weapons Project, KY Environmental Foundation, USA, Goldman Environmental Prize 2006

Kimberly Wasserman, Little Village Environmental Justice Organization, USA, Goldman Environmental Prize 2013

Nohra Padilla, Asociación Cooperativa de Recicladores de Bogotá, Colombia, Goldman Environmental Prize 2013

Dr. Olga Speranskaya, Eco-Accord, Russia, Goldman Environmental Prize 2009

Ricardo Navarro, CESTA, El Salvador, Goldman Environmental Prize 1995

Rossano Ercolini, Ambiente e Futuro, Zero Waste Italy, Italy, Goldman Environmental Prize 2013

Von Hernandez, Greenpeace Southeast Asia, Philippines, Goldman Environmental Prize 2003

Yuyun Ismawati, Indonesia Toxics-Free Network, Indonesia, Goldman Environmental Prize 2009