



U.S. EPA Proposes New Standards for Municipal Solid Waste Landfills and Requests Information on Methods to Reduce Emissions from Existing Landfills

The United States Environmental Protection Agency (EPA) on July 1 issued notices of two proposed rules.

The first is proposed new Standards of Performance for Municipal Solid Waste (MSW) Landfills (landfill New Source Performance Standards or landfill NSPS). The new requirements will apply to MSW landfills that commence construction, reconstruction or modification after the date the proposed standards are published in the *Federal Register* (sometime in July). The final rule is scheduled for promulgation on March 10, 2015.

The second proposed rule, an Advanced Notice of Proposed Rulemaking (ANPRM) entitled Emission Guidelines and Compliance Times for Municipal Solid Waste (MSW) Landfills, would apply to existing MSW landfills.

EPA will be accepting public comment on the two proposed rules for 60 days following their publication in the *Federal Register*, which is likely to occur sometime in July. Links to EPA press releases and fact sheets on both proposed rulemakings can be found at <http://www.epa.gov/ttn/atw/landfill/landflpg.html>.

New Landfill NSPS – New Landfill Construction, Modification, and Reconstruction

The proposed NSPS for new landfills would make a number of changes to the current landfill NSPS that applies to MSW landfills on which construction, modification or reconstruction was commenced on or after May 30, 1991, and before the date of publication of the proposal in the *Federal Register*. The changes include:

Thresholds for Installing Controls. Under the current NSPS, an MSW landfill that has a design capacity of 2.5 million megagrams (Mg) and 2.5 million cubic meters (m³) must install and start up a gas collection control system within 30 months after landfill gas emissions reach or exceed a level of 50 Mg non-methane organic compounds (NMOC) per year. The newly proposed rule retains the same design capacity threshold, but reduces the NMOC emission threshold to 40 Mg/yr. The owner or operator of a landfill may control the gas by routing it to a non-enclosed flare, an enclosed combustion device, or a treatment system that processes the collected gas for subsequent sale or beneficial use.

Landfill Gas Treatment. The EPA is addressing two issues related to landfill gas treatment. First, the EPA is proposing to clarify that the use of treated landfill gas is not limited to use as a fuel for a stationary combustion device but also allows other beneficial uses such as vehicle fuel, production of high-Btu gas for pipeline injection, and use as a raw material in a chemical manufacturing process. Second, the EPA is proposing to clarify what constitutes landfill gas treatment. For filtration and dewatering, the definition contains specific numerical values that would provide long-term protection of the combustion equipment, which would support good combustion. EPA also proposes to clarify monitoring, recordkeeping, and reporting requirements for treatment systems.





Startup, Shutdown and Malfunction. The EPA's proposed update specifies the standards would apply at all times, including periods of startup or shutdown, and periods of malfunction. In order to determine the severity of an emissions exceedance for periods when the gas collection system or a control device is not operating, the EPA proposal adds a recordkeeping and reporting requirement for landfill owners or operators to estimate emissions during such periods.

Other Clarifications. The EPA is proposing other clarifications to address issues that have been raised by landfill owners or operators during implementation of the current NSPS. These other clarifications include improvements to criteria for exempting areas from collection and control, adding criteria for when an affected source must update its design plan, and clarifying when landfill owners or operators must submit corrective action timeline requests.

Section 111 of the Clean Air Act (CAA) requires the EPA to review standards of performance at least every eight years and if appropriate, revise the standards to reflect improvements in methods for reducing emissions. EPA was sued by the Environmental Defense Fund (EDF) for failure to revise the existing landfill NSPS and, under a consent decree, agreed to propose and take final action on new standards.

The final rule is scheduled for promulgation on March 10, 2015.

Advanced Notice of Proposed Rulemaking (ANPRM) entitled Emission Guidelines and Compliance Times for Municipal Solid Waste (MSW) Landfills

In its ANPRM, EPA indicated its intention to consider the information received in response to the ANPRM in evaluating whether additional changes beyond those in the proposed revisions for new sources are warranted. Some existing landfills are currently subject to control requirements in either the current NSPS or the federal or state plans implementing the landfill emission guidelines; both the NSPS and emission guidelines were promulgated in 1996. The EPA believes that these guidelines merit review to determine the potential for additional reductions in emissions. EPA lays out a series of issues and questions on which it would like comment.

As with the other proposal, comments must be received by EPA on or before 60 days after the publication of the ANPRM in the *Federal Register*.

