



# San Diego County Air Pollution Control District

March 24, 2023

## COMPLIANCE ADVISORY

### New Rule 69.7 – Landfill Gas Flares

On March 9, 2023, the San Diego County Air Pollution Control District (District) Governing Board adopted District new [Rule 69.7 – Landfill Gas Flares](#). The San Diego Air Basin was reclassified in July 2021 by the U.S. Environmental Protection Agency (EPA) as a Severe Nonattainment Area for both the 2008 and 2015 eight-hour ozone National Ambient Air Quality Standards (NAAQS). Because of this reclassification, new Rule 69.7 was adopted to meet federal requirements to control emissions from sources that emit or have the potential to emit 25 tons per year (tpy) or more of nitrogen oxides (NO<sub>x</sub>), such as landfill gas flares, to satisfy federal Reasonably Available Control Technology (RACT) requirements.

In an effort to minimize NO<sub>x</sub> emissions in San Diego County that contribute to ozone pollution and to meet federal requirements, new Rule 69.7 will ensure that flares subject to the rule are properly operated and ensure they do not exceed NO<sub>x</sub> and carbon monoxide (CO) emission limits by requiring additional source testing.

New Rule 69.7 includes the following new requirements:

- **Section (a) Applicability**: Landfill gas flares operating at municipal solid waste (MSW) landfills in San Diego County, where the aggregate actual or potential emissions from such flares are at or above the current federal major stationary source threshold of 25 tpy or more of NO<sub>x</sub>.
- **Section (b) Exemptions**: Existing open landfill gas flares are not subject to Sections (d) Standards, (h) Test Methods, or (i) Source Test Requirements.
- **Section (d) Standards**: Enclosed flares cannot exceed 0.06 pounds of NO<sub>x</sub> per million British thermal units of heat input (lbs/MMBtu), or 0.20 lbs/MMBtu of CO.
- **Section (h) Test Methods**: Approved test methods for determining NO<sub>x</sub> and CO emissions (lbs/MMBtu) from enclosed landfill gas flares.
- **Section (i) Source Test Requirements**: Existing and new enclosed flares must show compliance by conducting an initial source test. An initial source test for existing flares may not be required if the facility confirms compliance with documentation no older than three calendar years. A new flare shall be source tested in accordance with the California Air Resources Board (CARB) Landfill Methane Regulation (LMR), which requires source testing for three consecutive years, then once every third year if it remains in compliance during three consecutive years. Existing flares may continue to follow their current LMR source test schedule after the initial source test is conducted and compliance is confirmed.

- Section (j) Compliance Schedule: Compliance schedule for an existing enclosed flare subject to new Rule 69.7 includes submitting documentation to the District demonstrating compliance by *September 9, 2023*, or conducting an initial source test and demonstrating compliance by *March 9, 2024*. New flares must comply at the time of startup.

Other requirements such as operational, continuous monitoring and record keeping, Sections (e), (f), and (g), respectively, specified in new Rule 69.7 are consistent with the CARB LMR for MSW landfills and other applicable federal regulations.

A copy of the adopted rule is available on the District's website at <https://bit.ly/SDAPCDRules>. If you have any questions, please contact the Compliance Division at (858) 586-2650 or by email at [apcdcomp@sdapcd.org](mailto:apcdcomp@sdapcd.org).