

**RULE 59.1 MUNICIPAL SOLID WASTE LANDFILLS**  
(Adopted and Effective 6/17/98)

(a) **APPLICABILITY**

(1) Except as provided in Section (b) below, this rule is applicable to each existing municipal solid waste (MSW) landfill.

(2) This rule does not apply to any new MSW landfill subject to the requirements of New Source Performance Standards Subpart WWW - Standards for Municipal Solid Waste Landfills (40 CFR 60.750).

(3) Except as provided in Subsection (i)(3), any MSW landfill subject to the requirements of Section (d) of this rule shall not be subject to Rule 59.

(b) **EXEMPTIONS**

The provisions of Section (d) shall not apply to MSW landfills with a design capacity less than 2.75 million tons (2.5 million Megagrams) in mass units or less than 3.27 million cubic yards (2.5 million cubic meters) in volume units, or with uncontrolled non-methane organic compound emissions less than 55 tons per year (50 Megagrams per year).

(c) **DEFINITIONS**

Except as noted below, all terms in this rule shall be defined as in 40 CFR 60.751 (Definitions).

(1) **"Administrator"** (as referred to in 40 CFR 60.750) means the Air Pollution Control Officer of the San Diego County Air Pollution Control District or his designee.

(2) **"Construction"** means fabrication, erection, or installation of a municipal solid waste landfill.

(3) **"Design Capacity"** means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the state, local, or tribal agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass units or from mass to volume units, the calculations must include a site specific density, which must be recalculated annually.

(4) **"Emission Collection and Control System Design Plan (Design Plan)"** means the site-specific plan for the gas collection and control system proposed by the owner or operator of an MSW landfill.

(5) **"Existing Municipal Solid Waste Landfill"** means a landfill:

(i) for which construction or modification was commenced before May 30, 1991; and

(ii) which has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

(6) **"Landfill Gas Transfer Path"** means any connection or fitting in the gas collection and control system including, but not limited to, gas wells, piping, flanges, valves, blowers, flame arresters, pipe fittings, and sampling ports.

(7) **"Modification"** means any increase in the permitted volume or mass design capacity of the landfill by either a horizontal or vertical expansion.

(8) **"Municipal Solid Waste (MSW) Landfill"** means an entire disposal facility in a contiguous geographical space, publicly or privately owned, where household waste is placed in or on land. Portions of an MSW landfill may be separated by access roads. An MSW landfill may also receive other types of Resource Conservation and Recovery Act (RCRA) Subtitle D (40 CFR 257 and 258) wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste.

(9) **"New Municipal Solid Waste Landfill"** means a landfill that commenced construction or modification or began accepting waste on or after May 30, 1991.

(10) **"Professional Engineer"** means a person who is legally licensed to engage in engineering practice in the State of California.

(11) **"Stationary Source"** means the same as defined in Rule 2.

(d) **STANDARDS**

(1) Every owner or operator of an existing MSW landfill with a design capacity of 2.75 million tons (2.5 million Megagrams) and 3.27 million cubic yards (2.5 million cubic meters) or more and with uncontrolled emissions of 55 tons per year (50 Megagrams per year) or more of non-methane organic compounds shall:

(i) install an emissions collection system meeting the requirements of 40 CFR 60.752(b)(2)(ii)(A). The provisions of 40 CFR 60.752(b)(2)(ii)(B) concerning passive collection systems shall not apply to MSW landfills subject to this rule; and

(ii) install an emissions control system meeting the requirements of 40 CFR 60.752(b)(2)(iii)(B) or (C). The provisions of 40 CFR 60.752(b)(2)(iii)(A) concerning the use of open flares shall not apply to MSW landfills subject to this rule.

(2) Every owner or operator of an existing MSW landfill subject to the requirements of Subsection (d)(1) of this rule shall:

(i) operate the collection system as specified in 40 CFR 60.753(d), so that the methane concentration is less than 500 parts per million by volume (ppmv) above background at the surface of landfill as measured pursuant to Subsection (g)(1), and

(ii) not allow any gas leaks along the landfill gas transfer path, which result in a concentration of 1375 ppmv or more, measured as methane, at a distance of 1.3 centimeters (0.5 inches) from the transfer path, other than non-repeatable momentary readings, and

(iii) not allow leachate and/or condensate from the landfill to reach any surface where non-methane organic compounds can be evaporated into the atmosphere, and

(iv) comply with all other operational standards and monitoring requirements specified in 40 CFR 60.753 and 60.756, respectively, and

(3) Flares used to control the emissions of landfill gases shall be equipped with automatic shutoff mechanisms designed to immediately stop the flow of landfill gases when a flame-out occurs. During restart or startup, there shall be sufficient flow of propane or commercial natural gas to the burners to ensure that unburned landfill gases are not emitted to the atmosphere, and

(4) Whenever landfill material is to be brought to the surface during the installation or preparation of wells, piping, or other equipment, or when landfill waste is to be excavated and moved, the owner/operator shall first obtain and then follow mitigation measures approved in writing by the Air Pollution Control Officer to prevent public nuisance and to minimize the release of non-methane organic compounds.

**(e) RECORDKEEPING AND REPORTING**

(1) Every owner or operator of an existing MSW landfill subject to this rule shall submit to the Air Pollution Control Officer an initial design capacity report and amendments (if any) in accordance with 40 CFR 60.752(a) by September 17, 1998.

(2) Every owner or operator of an existing MSW landfill with a design capacity of 2.75 million tons (2.5 million Megagrams) and 3.27 million cubic yards (2.5 million cubic meters) or more, shall comply with the non-methane organic compound emission rate reporting requirements of 40 CFR 60.752(b) by September 17, 1998 and at least once every 12 months, unless otherwise approved in writing by the Air Pollution Control Officer.

(3) Every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall:

(i) comply with the reporting and recordkeeping requirements specified in 40 CFR 60.757 and 60.758, respectively, and

(ii) comply with the recording requirements, associated with surface emission monitoring, specified in 40 CFR 60.755(c)(4).

**(f) TEST METHODS AND EMISSION CALCULATION PROCEDURES**

(1) Compliance with and applicability of this rule shall be determined using the test methods, calculation procedures and measurement procedures specified in 40 CFR 60.754 and 40 CFR 60.755.

(2) An alternative test method may be used provided such method has been approved, in advance, by the Air Pollution Control Officer and U.S. Environmental Protection Agency.

**(g) COMPLIANCE TEST REQUIREMENTS**

Every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall comply with the compliance test requirements and the instrument specifications and monitoring procedures specified in 40 CFR 60.755, except as provided below:

(1) surface emission monitoring, as required by 40 CFR 60.755(c)(3), shall be conducted with the probe inlet placed within 1.3 centimeters (0.5 inches) of the ground, and

(2) any surface emission concentration of 500 ppmv or more, measured as methane, with the probe inlet placed within 5 to 10 centimeters (2 to 4 inches) of the ground, not recorded as specified in Subsection (e)(3)(ii) and identified at the time of the District compliance inspection, shall be considered a violation of this rule.

**(h) EMISSION COLLECTION AND CONTROL SYSTEM DESIGN PLAN**

(1) The owner or operator of any MSW landfill subject to the requirements of Subsection (d)(1) of this rule shall submit to the Air Pollution Control Officer for approval a site-specific emission collection and control system design plan prepared by a professional engineer as provided in 40 CFR 60.752(b)(2)(i).

(2) The design plan shall either meet the specifications for active collection system outlined in 40 CFR 60.759 or demonstrate to the satisfaction of the Air Pollution Control Officer that the alternative collection system is sufficient to comply with the requirements of 40 CFR 60.759.

(3) The design plan shall also include alternatives, if any, to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting requirements of 40 CFR 60.753 through 40 CFR 60.758.

(i) **COMPLIANCE SCHEDULE**

(1) Every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall meet the following increments of progress:

(i) By June 17, 1999 submit to the Air Pollution Control Officer, a proposed emission collection and control system design plan as specified in Section (h), and an application for Authority to Construct and Permit to Operate the emission collection and control system.

(ii) By December 17, 2000 install the emission collection and control system as specified in Subsection (d)(1).

(iii) By June 17, 2001 demonstrate compliance with all applicable provisions of this rule.

(2) Every owner or operator of an existing MSW landfill not subject to the requirements of Section (d) of this rule on June 17, 1998 shall, upon becoming subject to such requirements, meet the following increments of progress:

(i) By 12 months after first becoming subject to the requirements of Section (d), submit to the Air Pollution Control Officer a proposed emission collection and control system design plan as specified in Section (h), and an application for Authority to Construct and Permit to Operate the emission collection and control system.

(ii) By 30 months after first becoming subject to the requirements of Section (d), install the emission collection and control system as specified in Subsection (d)(1).

(iii) By 36 months after first becoming subject to the requirements of Section (d), demonstrate compliance with all applicable provisions of this rule.

(3) Every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall comply with Rule 59 until compliance with all applicable provisions of Rule 59.1 has been achieved.