

**Air Pollution Control Board**

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Air Pollution Control District

R. J. Sommerville	Director
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NOTICE OF WORKSHOP FOR DISCUSSION OF PROPOSED NEW RULE 59.1 - MUNICIPAL SOLID WASTE LANDFILLS

The San Diego County Air Pollution Control District will hold a public meeting to consider comments concerning the proposed adoption of new Rule 59.1 - Municipal Solid Waste Landfills. The purpose of this rule is to implement the requirements of Subpart Cc of the Code of Federal Regulations - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills.

Comments and questions concerning the proposed rule may be submitted in writing before, or made at, the workshop which is scheduled as follows:

DATE: September 11, 1997 (Thursday)

TIME: 1:30 p.m.

PLACE: Conference Room 139
Air Pollution Control District
9150 Chesapeake Drive
San Diego California, 92123

In March 1996, the Environmental Protection Agency (EPA) promulgated new regulations for municipal solid waste landfills which apply throughout the country. These regulations include both New Source Performance Standards (NSPS) for new landfills and Emission Guidelines and Compliance Times for existing landfills. They are codified in 40 Code of Federal Regulations (CFR) Part 60, as Subparts WWW and Cc, respectively. A new landfill is defined as any landfill that commenced construction or modification or began accepting waste on or after May 30, 1991. An existing landfill is a landfill for which construction or modification commenced before May 30, 1991 and which has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

Subpart WWW (new landfills) is scheduled for adoption by reference by the Air Pollution Control Board on August 13, 1997. Following adoption, the applicable Federal Register citation and the EPA promulgation date for Subpart WWW will be included in District Regulation X (Standards of Performance for New Stationary Sources). In addition, the full text of Subpart WWW will be included in Appendix C of the District Rules and Regulations.

Subpart Cc (existing landfills) cannot be adopted directly by reference because it is not written by EPA in regulatory format. Instead, Subpart Cc requires each state (or air district) to develop its own plan to implement the emission guidelines and outlines the conditions for plan approval by EPA. The state or air district regulation implementing the Subpart Cc emission guidelines must include the emission standards, monitoring, testing, recordkeeping and reporting requirements of Subpart WWW (or references to those requirements).

To comply with this federal mandate, the District is proposing to adopt new Rule 59.1. While written in a conventional District rule format, Rule 59.1 does not specify standards, monitoring, testing, recordkeeping or reporting requirements. Instead, similar to Subpart Cc, it refers to corresponding sections of Subpart WWW for those requirements. Proposed Rule 59.1 also contains additional definitions and a compliance schedule for existing landfills.

Specifically, new proposed Rule 59.1 will:

- Require emission controls for landfills with a design capacity of 2.8 million tons or more and with uncontrolled emissions of non-methane organic compounds (NMOC) of 55 tons per year or more as specified in 40CFR 60.752(b)(2);
- Require owners of all existing municipal waste landfills to submit an initial design capacity report as specified in 40CFR 60.752(a) within three months after rule adoption;
- Require owners of existing municipal waste landfills with a design capacity of 2.8 million tons or more to comply with the NMOC emission rate reporting requirements as specified in 40CFR 60.752(b) within three months of rule adoption and periodically thereafter;
- Specify test methods and emission calculation procedures as stated in 40CFR 60.754;
- Specify operational standards and monitoring requirements according to 40CFR 60.753 and 60.756, respectively;
- Require that compliance tests and instrument specifications and monitoring procedures be conducted according to 40CFR 60.755;
- Require that reporting and recordkeeping be conducted according to 40CFR 60.757 and 60.758, respectively;
- Exempt landfills with a design capacity of less than 2.8 million tons or uncontrolled NMOC emissions less than 55 tons per year from the emission control requirements;
- Provide a compliance schedule for landfills subject to the emission control requirements and landfills exempt from the emissions control requirements.
- Specify that any landfill subject to this rule will likely also be subject to District Rule 59 - Control of Waste Disposal Site Emissions.

If you would like a copy of proposed Rule 59.1 or a copy of Subpart Cc please contact Juanita Ogata at (619) 694-8851. If you have any questions concerning this proposal, please contact Angela Durr at (619) 694-3413, Natalie Zlotin at (619) 694-3312, or myself at (619) 694-3303.



RICHARD J. SMITH
Deputy Director

RJSm:NZ:AD:jo
8/4/97

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO**

PROPOSED NEW RULE 59.1

Proposed new Rule 59.1 is to read as follows:

RULE 59.1 MUNICIPAL SOLID WASTE LANDFILLS

(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 MSW landfill subject to the requirements of New Source Performance Standards Subpart WWW- Standards for Municipal Solid Waste Landfills (40 CFR 60.750).

(3) Any MSW landfill subject to this rule may also be subject to Rule 59.

(b) EXEMPTIONS

The provisions of Section (d) shall not apply to MSW landfills with a design capacity less than 2.8 million tons (2.5 million megagrams) or 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, except that the Air Pollution Control Officer shall not have the authority to approve alternate test methods.

(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 specified in the construction or operating permit issued by the state, local, or tribal agency responsible for regulating the landfill.

(4) **"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.

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

(6) **"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 (40CFR 257 and 258) wastes such as commercial solid waste, non-hazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste.

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

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

(d) **STANDARDS**

Every owner or operator of an existing MSW landfill with a design capacity 2.8 million tons (2.5 million megagrams) or more and with uncontrolled emissions of 55 tons per year (50 megagrams per year) or more of non-methane organic compounds shall:

(1) install an emissions collection system meeting the requirements of 40 CFR 60.752(b)(2)(ii), and

(2) install an emissions control system meeting the requirements of 40 CFR 60.752(b)(2)(iii), and

(3) comply with the operational standards and monitoring requirements specified in 40 CFR 60.753 and 60.756, respectively.

(e) **RECORDKEEPING AND REPORTING**

(1) Every owner or operator of an existing MSW landfill subject to this rule shall submit an initial design capacity report in accordance with 40 CFR 60.752(a) by (*three months after rule adoption*), and

(2) Every owner or operator of an existing MSW landfill with a design capacity of 2.8 million tons or more, shall comply with the non-methane organic compound emission rate reporting requirements of 40 CFR 60.752(b) by (*three months after rule adoption*) and at least once every 12 months, unless otherwise approved in writing by the Air Pollution Control Officer.

(3) In addition, every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall comply with the reporting and recordkeeping requirements specified in 40 CFR 60.757 and 60.758, respectively.

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

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.

(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(a) and 60.755(c), (d) and (e), respectively.

(h) 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 *(15 months after rule adoption)*, submit to the Air Pollution Control Officer a proposed emission collection and control system design plan prepared by a professional engineer as provided in 40 CFR 60.752(b)(2)(i), and an application for Authority to Construct and Permit to Operate the emission collection and control system.

(ii) By *(33 months after rule adoption)*, install the emission collection and control system as provided in 40 CFR 60.752(b)(2)(ii).

(iii) By *(39 months after rule adoption)*, demonstrate compliance with Section (d) 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 *(date of adoption)* shall, upon becoming subject to Section (d), meet the following increments of progress:

(i) By twelve months after first becoming subject to Section (d), submit to the Air Pollution Control Officer a proposed emission collection and control system design plan prepared by a professional engineer as provided in 40 CFR 60.752(b)(2)(i), 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 Section (d), install the emission collection and control system as provided in 40 CFR 60.752(b)(2)(ii).

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

(3) Every owner or operator of an existing MSW landfill subject to the requirements of Section (d) of this rule shall also comply with the Compliance Provisions of 40 CFR 60.755(b).