



San Diego County
**Air Pollution
Control District**

May 26, 2026

**NOTICE OF PROPOSED AMENDMENTS TO
RULE 69.7 – LANDFILL GAS FLARES**

The San Diego County Air Pollution Control District (District) invites you to provide input on proposed administrative amendments to Rule 69.7 – Landfill Gas Flares of the District's Regulations IV – Prohibitions, to satisfy federal requirements and to provide greater clarity of the rule language for stakeholders and District personnel.

To address federal requirements by the U.S. Environmental Protection Agency (EPA), the District proposes to amend Section (h) – Test Methods, specifically subsections (h)(3)(i) and (h)(3)(ii), to reference the most current EPA-approved test methods. These minor administrative amendments are required to be completed and submitted to the EPA in a timely manner to satisfy requirements associated with a proposed conditional approval of Rule 69.7 (91 FR 24765). Failure to complete the requested amendments could result in the rule being disapproved by the EPA.

In addition, the District is proposing other minor administrative amendments to further improve implementation and clarify rule language for affected stakeholders and District staff, including:

- Revising Subsection (d)(1) to express the NO_x emission limit to two significant figures (i.e., 0.06 pounds per million Btu of heat input, being amended to 0.060 pounds per million Btu of heat input).
- Clarifying Subsection (e)(2) to specify that if a landfill gas flare becomes inoperable, only the gas flow to the flare shall cease, to allow other permitted landfill gas control devices to continue operation.
- Adding new Subsection (g)(5) to specify records that are required pursuant to Subsection (e)(2), in the event that landfill gas flares become inoperable.
- Updating Subsection (h)(4) to remove the requirement for California Air Resources Board (CARB) approval of test methods.

Rule 69.7 was adopted and became effective on March 9, 2023, and applies to enclosed landfill gas flares at municipal solid waste (MSW) landfills in San Diego County whose facilities are major sources of nitrogen oxides (NO_x), emitting or capable of emitting at least 25 tons per year. Rule 69.7 establishes emission limitations, and operating and testing requirements to ensure landfill gas is properly controlled and combusted to help reduce air pollution and protect public health. Rule 69.7 ensures compliance with federal Reasonably Available Control Technology (RACT) for NO_x and CO in a severe ozone nonattainment area, supporting EPA and California Air Resources Board (CARB) air quality goals.

The District will be accepting comments for the proposed amendments during a 30-day comment period – see below for information. The District will consider scheduling a public workshop if there are substantive concerns or questions with the proposed amendments during the 30-day comment period. If there are no concerns during the 30-day comment period, the District will proceed with submitting the proposed amendments to the Air Pollution Control Governing Board for consideration of adoption in late 2026 (tentative).

Draft Documents & Comment Deadline

Copies of the draft proposed amendments to Rule 69.7 are available on the District's website at <https://bit.ly/workshops-public-notice>. Those unable to access the document may contact Janet McCue at (858) 586-2712 or Janet.McCue@sdapcd.org. Comments and questions regarding the draft proposed amendments to Rule 69.7 may be submitted in writing within 30 days and no later than June 30, 2026. Please email all written comments directly to APCDRules@sdapcd.org.

More Information

Please contact Miriam Sanchez (858-586-2850, Miriam.Sanchez@sdapcd.org) or Nick Cormier (858-586-2798, Nick.Cormier@sdapcd.org) with any questions.

****Assistance for Persons with Disabilities & Language Interpreter Requests**

Information will be available in alternative formats upon request. To the extent reasonably possible, requests for disability-related accommodation including sign language interpretation and language interpreter services should be submitted no later than 7 calendar days from the date of this notice, so that arrangements may be made. Contact Janet McCue at (858) 586-2712 or Janet.McCue@sdapcd.org with questions or to make requests.

****Solicitudes de asistencia a personas con discapacidad e intérpretes de idiomas**

La información estará disponible en formatos alternativos previa solicitud. En la medida de lo razonablemente posible, las solicitudes de adaptaciones relacionadas con la discapacidad, incluidos los servicios de interpretación del lenguaje de señas y de intérpretes de idiomas, deberán presentarse en un plazo máximo de 7 días naturales a partir de la fecha del presente aviso, a fin de que puedan adoptarse las disposiciones oportunas. Póngase en contacto con Janet McCue llamando al (858) 586-2712 o escribiendo al Janet.McCue@sdapcd.org con preguntas o para hacer solicitudes.

****Tulong para sa Mga Taong may Mga Kapansanan at Mga Kahilingan para sa Interpreter sa Wika**

Magkakaroon ng available na impormasyon sa mga alternatibong format kapag hiniling. Sa makatwirang possible, dapat isumite ang mga kahilingan para sa accommodation na may kaugnayan sa kapansanan kasama ang sign language interpretation at mga serbisyo ng interpreter sa wika nang hindi lalampas sa pitong araw sa kalendaryo mula sa petsa ng abisong ito, para makagawa ng mga arrangement. Kontakin si Janet McCue sa (858) 586-2712 o Janet.McCue@sdapcd.org sa anumang mga tanong o para gumawa ng mga kahilingan.

****残障人士协助与语言翻译服务申请**

如有需求，我方可用其他格式提供信息。在可能的合理范围内，如需申请残障相关便利安排，包括手语翻译和语言翻译服务，请在本通知发布之日起七个工作日内提交，以便我们及时做出安排。如有疑问或需要提出申请，请联系Janet McCue，电话：(858) 586-2712，电子邮箱：Janet.McCue@sdapcd.org。

****Hỗ Trợ dành cho Người Khuyết Tật và Yêu Cầu Cung Cấp Thông Dịch Viên**

Thông tin sẽ được cung cấp theo các định dạng thay thế khi có yêu cầu. Trong phạm vi khả thi hợp lý, quý vị phải gửi các yêu cầu xin điều chỉnh liên quan đến tình trạng khuyết tật, bao gồm dịch vụ thông dịch ngôn ngữ ký hiệu và thông dịch viên nói chung chậm nhất là bảy ngày dương lịch kể từ ngày trên thông báo này để chúng tôi có thể sắp xếp. Nếu có câu hỏi hoặc đưa ra yêu cầu, hãy liên lạc với Janet McCue theo số (858) 586-2712 hoặc địa chỉ email Janet.McCue@sdapcd.org.

****مساعدة الأشخاص من ذوي الهمم وطلبات الترجمة الفورية**
ستتوفر المعلومات في تنسيقات بديلة عند الطلب. وبقدر الإمكان، يجب تقديم طلبات الحصول على التسهيلات الخاصة بالأشخاص من ذوي الهمم المشتملة على خدمتي لغة الإشارة والترجمة الفورية في موعد لا يتجاوز سبعة أيام تقويمية من تاريخ هذا الإشعار، حتى يمكن اتخاذ الترتيبات اللازمة. في حال كانت لديكم أي استفسارات أو لتقديم الطلبات، يُرجى التواصل مع Janet McCue (جانيت ماكوي) على رقم (858) 586-2712 أو عبر البريد الإلكتروني Janet.McCue@sdapcd.org.

RULE 69.7 LANDFILL GAS FLARES (Adopted and Effective ~~March 9, 2023~~ (date of adoption))

(a) APPLICABILITY

This rule shall apply to all landfill gas flares at a municipal solid waste (MSW) landfill where the aggregate actual or potential emissions, from such flares, are at or above the federal major stationary source threshold for nitrogen oxides (NO_x).

(b) EXEMPTIONS

Sections (d) Standards, (h) Test Methods, and (i) Source Test Requirements of this rule shall not apply to existing open landfill gas flares.

(c) DEFINITIONS

For the purposes of this rule, the following definitions shall apply:

- (1) **“Btu”** means British thermal unit.
- (2) **“Calendar Year”** means the same as defined in Rule 2 – Definitions.
- (3) **“CFR”** means Code of Federal Regulations.
- (4) **“Enclosed Flare”** means a flare composed of multiple gas burners that are grouped in an enclosure, which operates at a wide range of flow rates and constant limited peak temperature.
- (5) **“Existing Flare”** means a flare which commenced operation on or before March 9, 2023.
- (6) **“Federal Major Stationary Source”** means the same as defined in Rule 20.1 – New Source Review – General Provisions.
- (7) **“Flare Maintenance Event”** means a regularly scheduled course of procedure designed to prevent equipment failure or decline of equipment function.
- (8) **“Gas Mover Equipment”** means the equipment (e.g., fan, blower, compressor) used to transport landfill gas through the header system.
- (9) **“Landfill Gas”** means any gas derived through a natural process from the decomposition of waste deposited in a landfill.
- (10) **“Landfill Gas Flare”** means a combustion device that oxidizes combustible landfill gases or vapors, where the combustible landfill gases or vapors being destroyed are routed into the burner. Types of landfill gas flares include open and enclosed flares.

(11) **“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 Parts 257 and 258) wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste.

(12) **“New Flare”** means a flare which commenced operation after March 9, 2023.

(13) **“Open Flare”** means a flare without enclosure or shroud.

(14) **“Pilot”** means an auxiliary burner used to ignite the vent gas routed to a flare.

(d) **STANDARDS**

A person shall not install and/or operate an enclosed landfill gas flare subject to this rule unless:

(1) Emissions of NO_x, calculated as nitrogen dioxide, do not exceed 0.060 pounds per million Btu of heat input.

(2) Emissions of carbon monoxide (CO) do not exceed 0.20 pounds per million Btu of heat input.

(e) **OPERATIONAL REQUIREMENTS**

(1) The landfill gas flare shall be properly maintained and operational at all times when the collected landfill gas is routed to the flare.

(2) In the event the ~~landfill gas collection system or~~ landfill gas flare is inoperable, ~~the gas mover equipment shall be shut down and~~ gas flow to the flare shall cease and all valves in the landfill gas collection system and flare contributing to venting of the gas to the atmosphere shall be closed within one hour.

(3) An enclosed flare shall be:

(i) Equipped with automatic dampers, an automatic shutdown device, a flame arrester, and continuous-recording temperature sensors.

(ii) Operated within the parameter ranges established during the initial or most recent source test.

(4) An open flare shall be:

(i) Equipped with a heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the flare pilot flame or the flare flame itself to indicate the continuous presence of a flame. The heat-sensing device shall be maintained and calibrated in accordance with the manufacturer's specifications and recommendations.

(ii) Operated in accordance with Title 17, California Code of Regulations, Subsection 95464(b)(2)(B).

(f) MONITORING REQUIREMENTS

An owner or operator of any landfill gas flare shall install and maintain in good working order the following:

(1) A gas flow rate measuring device to monitor, display, and record the landfill gas flow rate to each flare at least once every 15 minutes. The gas flow rate measuring device shall be calibrated at least once per calendar year in accordance with the manufacturer's specifications and recommendations.

(2) For an enclosed flare: a gas temperature measuring device equipped with a continuous recorder which has an accuracy of $\pm 1\%$ of the temperature being measured. The gas temperature measuring device shall be calibrated in accordance with the manufacturer's specifications and recommendations.

(3) For an open flare: a heat device to continuously monitor for the presence of a flare pilot flame or flare flame using an ultraviolet beam sensor or thermocouple, and any additional monitoring requirements as specified by the Air Pollution Control Officer.

(g) RECORD KEEPING REQUIREMENTS

An owner or operator of a landfill gas flare shall maintain, at a minimum, the following:

(1) Records of the landfill gas flow rate.

(2) Records of all landfill gas flow rate-measuring device calibrations pursuant to Subsection (f)(1).

(3) Records of the landfill gas throughput in standard cubic feet, which shall be recorded based on actual readings of the landfill gas flow rate-measuring device.

(4) Records of all periods when the flare is non-operational.

(5) Records of the time(s) of all valve openings and closings, and records of the start and end times of gas flow to the flare, pursuant to Subsection (e)(2).

~~(5)(6)~~ Records of all flare maintenance events, including dates maintenance was performed and the nature of the maintenance.

~~(6)~~(7) Records of any source test as conducted in accordance with Section (i) Source Test Requirements.

~~(7)~~(8) A manual of recommended maintenance as provided by the flare manufacturer, or other maintenance procedures as approved in writing by the Air Pollution Control Officer.

~~(8)~~(9) For an enclosed flare:

(i) Records of all 3-hour periods of operation during which the average temperature difference was more than 82°F (28°C) below the average combustion temperature during the most recent source test at which compliance with Title 17, California Code of Regulations, Sections 95464(b)(2) and 95464(b)(3)(A) was determined.

(ii) Records of the flare temperature, expressed in °F or °C.

(iii) Records of all flare temperature-measuring device calibrations pursuant to Subsection (f)(2).

~~(9)~~(10) For an open flare:

(i) Records of the flare pilot flame or flare flame continuous monitoring.

(ii) Records of all periods of operation during which the flare pilot flame or the flare flame is absent.

All records shall be retained in electronic and/or hardcopy format on-site for at least five calendar years and made available to the District upon request.

(h) **TEST METHODS**

When more than one test method or set of test methods are specified in this section, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of this rule.

(1) Measurement of NO_x and CO emissions in pounds per million Btu of heat input shall be determined using the emission concentrations measured in accordance with Subsection (h)(2) and the gas composition of the total gas or vapor combusted in the landfill gas flare measured in accordance with Subsection (h)(3), and calculated using the procedures in 40 CFR Part 60, Appendix A, Method 19 (Determination of Sulfur Dioxide Removal Efficiency and Particulate, Sulfur Dioxide and Nitrogen Oxides Emission Rates).

(2) Measurement of NO_x, CO and oxygen content of the exhaust gas shall be determined in accordance with the San Diego County Air Pollution Control District Test Method 100 (Test Procedures for the Determination of Nitrogen Oxides, Carbon Monoxide and Diluent Gases by Continuous Emission Monitoring), May 1995, or its most current version approved by the U.S. Environmental Protection Agency (EPA).

(3) Landfill gas composition shall be determined in accordance with the following methods:

(i) ASTM D3588-98(2017)e1 (Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels), or its most current version approved by EPA; and

(ii) ASTM D1945-14(2019) (Standard Test Method for Analysis of Natural Gas by Gas Chromatography), or its most current version approved by EPA; or

(iii) EPA Method 25C (Determination of Nonmethane Organic Compounds (NMOC) in Landfill Gases).

(4) Other test methods which are determined to be equivalent to the test methods specified in this rule and approved in writing by the Air Pollution Control Officer, ~~the California Air Resources Board~~, and EPA may be used in place of the test methods specified in this rule.

(i) SOURCE TEST REQUIREMENTS

Source tests for enclosed landfill gas flares shall be conducted according to the following:

(1) For initial compliance determination with Section (d) Standards, a landfill gas flare shall be source tested under the following conditions:

(i) For an existing flare: at typical operating conditions according to the facility specifications. An initial compliance determination is required if source test documentation demonstrating compliance with Subsections (d)(1) and/or (d)(2) is older than three calendar years.

(ii) For a new flare: at typical operating conditions according to the facility specifications and at maximum temperature and maximum fuel flow according to the manufacturer's specifications.

(2) After initial compliance has been determined, any landfill gas flare shall be source tested under typical operating conditions according to the facility specifications, and with the following frequency:

(i) For an existing flare: in accordance with the current compliance schedule pursuant to Title 17, California Code of Regulations, Section 95464 (b)(4)(A), or

(ii) For a new flare: in accordance with Title 17, California Code of Regulations, Section 95464 (b)(4)(A).

(3) Measurement of NO_x and CO emission concentrations shall be based on a continuous sampling period of 15 minutes or more, and not to exceed 60 minutes. For the purpose of averaging, a minimum of five data sets with averaging intervals no greater than three minutes shall be used.

(4) Emissions source testing shall be conducted using the test methods specified in Section (h) Test Methods and a source test protocol approved in writing by the Air Pollution Control Officer prior to testing.

(j) COMPLIANCE SCHEDULE

(1) All new landfill gas flares shall comply with all applicable requirements of this rule upon initial startup.

(2) The owner or operator of an existing enclosed landfill gas flare shall:

(i) By September 9, 2023, submit to the Air Pollution Control Officer current documentation which demonstrates that the flare is in compliance with Section (d) Standards emission limits, or

(ii) By March 9, 2024, conduct a source test in accordance with Subsections (i)(1)(i), (i)(3), and (i)(4), and submit to the Air Pollution Control Officer documentation which demonstrates that the flare is in compliance with all applicable requirements of this rule.