



Pierce County Recycling, Composting and Disposal, LLC dba LRI

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Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

To Whom it May Concern

LRI and Waste connections appreciates the opportunity to comment on the proposed Washington Landfill Methane Rules (173-408) that are currently under development. We appreciate the extensive efforts that have been invested in this process and understand that development of rules requires input from many different stakeholders. The comments below are intended to be constructive in nature and support implementation of the rule.

WAC 173-408-110 Monitoring

173-408-110 (1)(b)

Existing Text - The owner or operator of a MSW landfill must notify the department or local authority within two working days of any corrective actions taken to address exceedances detected pursuant to (c) or (d) of this subsection, and subsection (2)(c) of this section.

Comment - Reporting of any corrective action taken to address exceedances is included in routine reporting. In certain circumstances there may be several corrective actions taken for a single exceedance and they may be taken a different times. The prescribed reporting requirements will create a significant burden on the owner and will likely create confusion regarding the steps taken and the effective nature of these steps. Waste Connections proposes the following language for this section.

Proposed Text - The owner or operator of a MSW landfill must notify the department or local authority within 2-days after Corrective actions AND re-monitoring has been completed. Reporting must include a summary of the corrective actions taken to address the exceedance.

173-408-110 (1)(c)(ii)(B)

Existing Text - If the re-monitoring required by (c)(ii)(A) of this subsection shows a third exceedance, the owner or operator must install a new or replacement well, or an alternative active methane control approved by the department or local authority, as needed to achieve compliance no later than 120 calendar days after detecting the third exceedance.

Comment - In general completing corrective actions within 120 calendar days after detecting the third exceedance is practical and can be completed. However, during certain periods of inclement weather completing the required corrective action that may include the installation of additional collection devices may not be practical or desirable given that access to certain areas may be significantly limited in a manner that would not create other significant environmental issues. Waste Connections proposes the following language for this section.

Proposed Text - 173-408-110 (1)(c)(ii)(B) If the re-monitoring required by (c)(ii)(A) of this subsection shows a third exceedance, the owner or operator must install a new or replacement well, or an alternative active methane control approved by the department or local authority, as needed to achieve compliance no later than 120 calendar days after detecting the third exceedance. Or within a time-line that is agreed to in writing by the department or local authority.

WAC 173-408-120 Test methods and procedures

173-408-120 (1)(b)

Existing Text - Other approved EPA test methods with concurrent department or local authority approval.

Comment - The only "Other approved EPA test method" at this time is OTM 51 as approved by EPA in December 2022. OTM 51 should be explicitly approved as part of this rule and leave the door open for other test methods that may be approved in the future as this technology is rapidly developing. Waste Connections has implemented the use of Drone Technology and the use of OTM-51. Utilization of this technology has had significant positive impacts on the operations at the site. Waste Connections proposes the following language for this section.

***Proposed Text - 173-408-120 (1)(b) OTM 51 as approved by EPA in December 2022
173-408-120 (1)(c) Other approved EPA test methods with concurrent department or local authority approval.***

173-408-120 (3) (a) (ii) (A)

Existing Text - If the owner or operator measures no exceedances of the limits specified in WAC 173-408-100(2), after any four consecutive quarterly monitoring periods, the walking pattern spacing may be increased to 100-foot intervals. The owner or operator must return to a 25-foot spacing interval upon detection of any exceedances of the limits specified in WAC 173-408-100(2) that cannot be remediated within 10 calendar days or upon any exceedances detected during a compliance inspection.

Comment - A large operating landfill may include significant portions/areas where no exceedances are measured on an ongoing basis. While the intent of the rule is to assure adequate inspections energy would be better focused on areas where exceedances may be noted on a regular basis. Waste Connections proposes the following language for this section.

Proposed Text - 173-408-120 (3) (a) (ii) (A) If the owner or operator measures no exceedances of the limits specified in WAC 173-408-100(2), over the entire surface of the landfill or significant landfill areas after any four consecutive quarterly monitoring periods, the walking pattern spacing may be increased to 100-foot intervals over the entire surface of the landfill or specified areas where no exceedances have been noted. The owner or operator must return to a 25-foot spacing interval upon detection of any exceedances of the limits specified in WAC 173-408-100(2) that cannot be remediated within 10 calendar days or upon any exceedances detected during a compliance inspection.

173-408-120 (3) (a) (iii)

Existing Text - Surface testing must be terminated when the average wind speed exceeds five miles per hour, or the instantaneous wind speed exceeds 10 miles per hour. Surface testing can continue when the average wind speed is five miles per hour or less. The department or local authority may approve alternatives to this wind speed surface testing termination for MSW landfills consistently having measured winds in excess of these specified limits. Average wind speed must be determined on a 15-minute average using an on-site anemometer with a continuous recorder for the entire duration of the monitoring event.

Comment - The use of an on-site anemometer depending on the installed location may provide data that is not relevant to the area/location where the monitoring is being conducted. Wind speeds can vary significantly over the surface of the landfill depending on the wind direction topography of the landfill, surrounding conditions and other atmospheric conditions. Completing the prescribed surveys requires significant planning and resources and wind speed measurements that are not indicative of conditions that would invalidate the testing may place significant unneeded burden on the owner. Waste Connections proposes the following language for this section.

Proposed Text - 173-408-120 (3) (a) (iii) Surface testing must be terminated when the average wind speed exceeds five miles per hour, or the instantaneous wind speed exceeds 10 miles per hour. Surface testing can continue when the average wind speed is five miles per hour or less. The department or local authority may approve alternatives to this wind speed surface testing termination for MSW landfills consistently having measured winds in excess of these specified limits. Average wind speed must be determined on a 15-minute average if using an on-site anemometer or a 1-minute average if using an anemometer that is co-located with the methane measurement; instantaneous wind speed shall be measured at a frequency of at least 0.1Hz and recorded with a continuous recorder for the entire duration of the monitoring event."

Sincerely
Pierce County Recycling Composting and Disposal



George Duvendack
Western Region Engineer

Cc: e-mail only – Kevin Green, Samantha Winkle, Olivier Moi, Ryan Roth (LRI)
Mark Gingrich, Kelly Kincella, Jody Snyder (Waste Connections)