



COUNTY of YOLO

Department of Community Services Division of Integrated Waste Management

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Clerk's Office
California Air Resources Board
1001 I Street
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Subject: Comments on the Modified Text and Availability of Additional Documents and/or Information, Proposed Amendments to the Regulation on Methane Emissions from Municipal Solid Waste Landfills, Title 17 California Code of Regulations, Sections 95460 to 95476

Dear Members of the Air Resources Board:

The purpose of this letter is to provide comments on the *Modified Text and Availability of Additional Documents and/or Information, Proposed Amendments to the Regulation on Methane Emissions from Municipal Solid Waste Landfills* (Proposed 15-day changes). We support and appreciate the goals of the Landfill Methane Rule (LMR) and the changes made to the regulatory text between the 45-day comment period draft and the 15-day comment period draft. Our feedback is to specific regulatory text and targets what we believe will help move these goals forward as effectively as possible considering the intrinsic nuances and variability of landfill operations.

Comments on Specific Sections and Issues

The following section is organized with the text of the regulation section in Italics, and our comment or suggested changes below.

95464(a)(2) *Design Plan for Gas Control Systems (Control System Design Plan): The owner or operator of a gas control system shall submit a Control System Design Plan to the Executive Officer at least 6 months before accepting landfill gas. This requirement only applies to gas control systems that begin accepting landfill gas after July 1, 2027. The Executive Officer shall review and either approve or disapprove the Control System Design Plan within ~~120~~180 calendar days. The Executive Officer may request that additional information be submitted to substantiate the requirements below as part of the review of the Control System Design Plan. The Control System Design Plan shall meet the following requirements:*

Comment:

The County supports the realism of the 180 days review period, but requests either interim concurrence milestones or a mechanism for partial/priority implementation while review is pending.

95464(a)(3) *Any owner or operator of an active MSW landfill shall install and operate a gas collection and control system within ~~six~~ 12 months after approval of the GCCS Design Plan.*

Comment:

While we support the extension of the timeframe to install the approved systems, 12 months is still a fairly short timeframe to install a complete system from the beginning. For situations where the approval is for an expansion, or upgrade of an existing system, 12 months seems reasonable.

95469(a)(4) *Recurring Surface Exceedances: The owner or operator of a MSW landfill that experiences either five initial (i.e., not including re-monitoring) exceedances of the instantaneous surface emissions limit specified in section 95465(a)(1) ~~exceedances or three initial integrated exceedances of the integrated surface emissions limit specified in section 95465(a)(2)~~ within a single grid over a rolling ~~12-month~~ 12-month period, including exceedances detected during monitoring pursuant to section 95469(a) (1) and (2) by the owner or operator and during compliance inspections, shall do the following in the grid that exceeded the threshold and all adjacent grids (i.e., grids that share an edge or corner):*

- (A) *In the grid that exceeded the threshold and all adjacent grids (i.e., grids that share an edge or corner), ~~Complete a collection system assessment as described in section 95471(j) and a cover integrity assessment as described in section 95471(k) within 30 calendar days after reaching the threshold in section 95469(a)(4) and correct any issues identified in the assessments that could be contributing factors to the surface exceedances within 60 calendar days after reaching the threshold.~~*
- (B) *In the grid that exceeded the threshold, ~~increase the frequency of surface emissions monitoring performed pursuant to section 95469(a) to monthly. The first monthly monitoring shall occur within 30 calendar days of reaching the threshold in section 95469(a)(4). The frequency can be reverted to quarterly after six consecutive monthly monitoring periods show no exceedances in the area in which the monitoring frequency was increased~~grid.*

Comment:

The County reiterates our previous comment to this section. Specifically, the requirement to complete a collection system assessment and a cover integrity assessment for 'all adjacent grids' changes the assessment area from 50,000 sf. to 450,000 sf. We recommend changing this requirement to doing the assessments in (A) to the grid, but either not

including or significantly limiting the additional surface emissions monitoring in adjacent grids.

The County appreciates that the adjacent grids were dropped from the requirement for the monthly monitoring requirement. The County continues to recommend three months with no exceedances be the threshold for returning to quarterly monitoring for the grid that exceeded the threshold. This seems like plenty of time to ensure that repairs/changes are holding, without creating excessive extra work.

95469(e)(8) *If monitoring is performed more frequently than weekly (e.g., wells equipped with a continuous wellhead monitoring system) as the means of complying with any of the monitoring requirements in ~~If any of the parameters required in section 95469(e) are monitored more frequently than weekly (e.g., wells equipped with a continuous wellhead monitoring system),~~ the following apply:*

- (A) *The conditions which require action to be taken in sections 95469(e)(1), (3), (4), and (5) are based on exceeding the parameter threshold in at least 15 percent of the readings over the prior 30 calendar days (e.g., a positive pressure reading is established for purposes of section 95469(e)(1) when positive pressure is measured in at least 15 percent of the readings over the prior 30 calendar days on a rolling basis) or an exceedance that persists for five consecutive days.*
- (B) *The monthly parameter value used in sections 95469(e)(2), (6), and (7) is the average of all readings within each calendar month.*

Comment:

The County believes that remote continuous wellhead monitoring and automated well head adjustment is one of the most important tools a landfill operator can use to improve the performance of the gas collection and control systems at municipal solid waste landfills to optimize gas capture and minimize fugitive landfill methane emissions. To this end, the County recommends including elements in the LMR that incentivize adoption of remote wellhead monitoring by landfill operators, including protections for operators from notices of violations in some circumstances. At a minimum this section should include text that states that exceeding parameter thresholds in fewer than 15 percent of the readings is not a violation of this section. Landfill operators may also be compelled to move towards use of automated wellheads by the inclusion of some type of data privacy rights under this section.

95470(b)(5) *Scheduled Surface Emissions Monitoring Notification: Any owner or operator subject to the requirements of this subarticle shall report to the Executive Officer as specified in section 95470(b)(8) the scheduled date for each surface emissions monitoring event pursuant to section 95469(a) at least 15 calendar days prior to the event. This requirement does not apply to re-monitoring following the ~~discovery~~initial detection of surface methane exceedances.*

Comment:

The County reiterates our previous comment on this section. Section (5) is entirely impractical. Surface emissions monitoring is conducted when wind and precipitation requirements are met. A 15-day notice will almost always have no relation to the conditions needed for monitoring and will not result in any improvement to the monitoring event or the landfill's compliance.

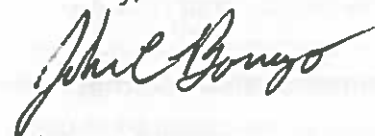
95471(j) *Collection System Assessment: Wellhead monitoring data from the previous 12 months shall be analyzed and the gas collection system shall be physically investigated. The analysis shall identify any unusual changes (outside the range of each well's typical historical month-to-month variation) in gas flow rate, gas composition, and gauge pressure and determine the reasons for any changes. The investigation shall include checking for cracked, damaged, broken, pinched, plugged, watered-in, or otherwise impaired collection system components and wellbore seals. If a collection system component is determined to be pinched, broken, or otherwise compromised it shall be repaired or a replacement well shall be installed within 120 calendar days. A new collection system assessment shall not be required if one has already been performed for the same area within the past six months.*

Comment:


CARB should provide quantitative definitions of "unusual changes" (e.g., >20% month-to-month deviation, or greater than 2 standard deviations over the 12 month mean) to ensure consistent implementation across sites and avoid subjective enforcement.

The Yolo County Central Landfill appreciates the outreach and willingness to gather information from the experiences of those implementing the existing regulation by CARB staff. If you have follow up questions or would like clarification, please contact us via phone or email below.

Sincerely,



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cc: Anthy Alexiades, Short-Lived Climate Pollutant Policy Manager, California Air Resources Board