



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

New Source Performance Standards/Clean Air Act: Environmental Organizations Petition U.S. Environmental Protection Agency for Stricter Landfill Methane Limits

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Fourteen environmental organizations submitted a June 22nd Petition to the United States Environmental Protection Agency (“EPA”) asking that it strengthen the Clean Air Act Section 111 New Source Performance Standards (“NSPS”) for municipal solid waste landfills.

A focus of the Petition are methane emissions associated with municipal solid waste landfills.

The 14 environmental organizations executing the Petition include:

- Environmental Integrity Project
- Harahan/River Ridge Air Quality Group
- Californians Against Waste
- South Baltimore Community Land Trust
- California Communities Against Toxics
- Texas Campaign for the Environment
- Black Warrior Riverkeeper
- Chesapeake Climate Action Network
- Idaho Conservation League
- Clean Air Task Force
- Sierra Club
- Environmental Defense Fund
- RMI
- Industrious Labs

The organizations ask that EPA revise the NSPS and emission guidelines for municipal solid waste landfills under Section 111 of the Clean Air Act. They seek revision of Subpart XXX and Subpart Cf to 40 C.F.R. Part 60.

In addition, their Petition states that:

... Because EPA emissions standards issued under CAA Section 112, called the National Emissions Standards for Hazardous Air Pollutant (“NESHAP”), cross-reference the NSPS and EGs for MSW landfills,

Petitioners also petition EPA for a rulemaking to revise the NESHAP for MSW landfills at 40 C.F.R Part 63, Subpart AAA to the extent necessary to incorporate its revisions to the Section 111 rules.

The Petition argues in part that:

- U.S. landfills emit approximately 3.7 million metric tons of methane per year
- The nationwide standards for the control of landfill emissions issued by EPA fall short of meeting the required Best Demonstrated Technology for controlling methane from municipal solid waste landfills
- EPA has identified feasible and cost-effective technologies for reducing landfill methane but has not issued the required standards
- Technology for measurement of landfill methane has greatly advanced in recent years
- In August of 2024 EPA is legally required under the Clean Air Act to reassess whether its standards require the best systems of emission reductions for landfills

The revisions the Petition seeks include:

- Treat methane as the proxy pollutant for landfill gas rather than non-methane organic compounds;
- Adopt lower emission thresholds for the installation of gas collection and control systems, which will require smaller landfills to install and operate systems;
- Require installation and expansion of gas capture systems within one year after waste is placed, rather than the more extended time frames currently allowed;
- Improve design planning procedures for gas collection and control systems and mandate best practices to boost collection system performance;
- Solicit information on the effectiveness of landfill well “autotuning” systems, a relatively recent technological development;
- Require phase-out of unenclosed flares and mandate a minimum 99% methane flare destruction efficiency;
- Improve upon and create new monitoring and testing requirements to gather data more representative of source emissions and system performance;
- Require detection and repair of leaks from equipment components, allowing operators to use a wide selection of EPA-approved advanced methane detection technologies;
- Establish requirements for methane reduction through effective cover practices; and
- Allow the use of organics diversion as an alternative compliance mechanism and prescribe criteria for states to consider and approve requests to use this option.

A copy of the Petition can be downloaded [here](#).