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Air Enforcement: U.S. Environmental Protection Agency and Lawrence County, Kansas, Landfill Operator Enter into Consent Agreement (Including Use of Drone Technology)

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The United States Environmental Protection Agency (“EPA”) issued a December 12th news release indicating it had entered into a Consent Agreement with Hamm Inc. (“HI”) addressing alleged violations of the Clean Air Act.

HI is described as the owner/operator of a municipal sanitary landfill (“Facility”) in Lawrence, Kansas.

EPA states that the company:

- Exceeded the regulatory standard for methane emissions
- Failed to take required corrective actions to address the emissions

The alleged violations were stated to have been identified during a March 2022 inspection of the Facility.

A civil penalty of \$4,206 is assessed. However, the company also agreed to pay for drone technology to monitor methane emissions. Light detection and ranging (“LiDAR”) would be employed to assess the landfill’s coverage integrity to prevent potential future releases of landfill gases.

The use of unmanned aerial systems (i.e., drones) as an alternative method to determine compliance with the surface methane operational standards has been a recent focus. For example, EPA approved in 2021 the use of the SnifferDrone as an alternative to the surface emission monitoring procedures currently set forth in certain federal landfill regulations. (See link [here.](#))

Drones continue to be used in a variety of activities in the environmental and energy areas. A February 20, 2021, Environmental Council of the States report notes that state environmental agencies have used drones to undertake activities such as:

- Surveillance
- Enforcement
- Permit support documentation
- Waste and landfill inspections
- Illegal dumping of chemicals, oils, or waste tires
- General emergency response functions including facility discharges, train derailments, truck accidents, and oil spills

- Investigation of unusual events

A copy of the EPA news release can be downloaded [here](#).