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FACT SHEET

INTERPRETIVE AND TECHNICAL AMENDMENT TO THE DIRECT FINAL NEW SOURCE PERFORMANCE STANDARDS AND EMISSION GUIDELINES FOR MUNICIPAL SOLID WASTE LANDFILLS

TODAY'S ACTION...

- ! The Environmental Protection Agency (EPA) is amending the direct final rule to regulate emissions of non-methane organic compounds from municipal solid waste landfills. Although these amendments clarify the regulation for landfill owners and regulatory agencies, they do not change the emission control requirements or the impact of the regulation.
- ! This interpretive amendment clarifies EPA's original intent regarding what actions constitute a modification.
- ! This amendment clarifies EPA's original intent regarding the reporting and record keeping schedule for existing sources.
- ! This amendment corrects typographic errors in the direct final rule.
- ! EPA expects this amendment to be of interest to landfill owners and operators subject to this rule and to State and local air pollution control agencies with municipal solid waste landfills in their jurisdictions.

SUMMARY OF THE AMENDMENT TO THE EPA'S MUNICIPAL SOLID WASTE LANDFILL DIRECT FINAL RULE

- ! The direct final rule language regarding what actions constitute a modification was inconsistent with the part 60 general provisions and the definition of a new source in section 111(a)(2) of the Clean Air Act. The rule implied that a modification occurs at the time of an increase in the permitted volume design capacity whether or not the owner/operator has commenced construction on the vertical or horizontal expansion cited in the permit.
- ! The direct final rule requires existing sources to comply with the same reporting and record keeping requirements required of new sources. While the rule specifies when reports are due for new sources, it does not address when the reports are due for existing sources. This makes it difficult for existing sources to plan for and comply with these requirements.

- ! The direct final rule language and preamble contained typographic errors that could be confusing and misleading.
- ! The amendment clarifies EPA's intent regarding when a modification has occurred and makes the rule language consistent with the part 60 general provisions and section 111(a)(2) of the Clean Air Act.
- ! The amendment clarifies the reporting and record keeping schedule for existing sources.
- ! The amendment corrects typographic errors.

BACKGROUND

- ! On March 12, 1996 the Environmental Protection Agency (EPA), under authority of the Clean Air Act, issued a final regulation that controls emissions of a variety of air pollutants from new and existing large municipal solid waste landfills. The regulation included a New Source Performance Standard (NSPS) that applied to new, modified, and reconstructed landfills as well as emission guidelines that applied to existing landfills.
- ! The regulation requires installation of gas collection and control systems for new and existing landfills designed to hold 2.5 million megagrams and 2.5 million cubic meters or more of waste that emit greater than or equal to 50 megagrams per year of non-methane organic compounds (NMOC). The gas control systems must reduce landfill emissions by 98 percent. Landfills subject to EPA's regulation accept and handle everyday household waste; they do not handle regulated hazardous waste.
- ! On June 16, 1998 EPA published a direct final rule in the Federal Register that amended the promulgated regulation. The direct final rule amendments modified definitions and clarified the timing of a landfill's permit obligations. In addition, several editorial modifications were made for consistency and clarity. The changes to the regulation did not have significant impacts on the originally projected compliance costs, environmental benefits, burden on industry, or the number of affected facilities.

ENVIRONMENTAL BENEFITS OF EPA'S DIRECT FINAL RULE TO REDUCE NON-METHANE ORGANIC COMPOUND EMISSIONS FROM MUNICIPAL SOLID WASTE LANDFILLS

- ◆ EPA's final air rule for municipal solid waste landfills will achieve significant reductions in emissions of VOCs and air toxics, such as benzene, carbon tetrachloride, and chloroform. It will reduce emissions of VOCs, air toxics, and malodorous compounds from existing and new landfills by over 90,000 tons annually (a 53 percent reduction from current levels). It will also result in significant reductions in emissions of methane, a major

constituent of landfill gas and a potent greenhouse gas. By reducing methane emissions, EPA's regulation will also increase safety in and near landfills.

- ◆ Today's technical amendments will not change the costs or emission reductions of the final rule issued in March 1996 (as amended in June 1998).

HOW WILL THE AMENDMENT AFFECT INDUSTRY?

- ! The amendment makes clear EPA's intent on what actions constitute a modification. This will assist industry in their determination as to the applicability of the rule to their facility.
- ! The amendment clarifies the reporting and record keeping schedule for key reports. This will remove reporting and record keeping ambiguity and reduce the potential for non compliance with the regulation.

FOR FURTHER INFORMATION

- ! Interested parties can download the amendment from EPA's web site on the Internet under recent actions at the following address: <http://www.epa.gov/ttn/oarpg/>. For further information on the amendment, contact Ms. Michele Laur of EPA's Office of Air Quality Planning and Standards at (919) 541-5256.
- ! EPA's Office of Air and Radiation's homepage on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's home page address is: <http://www.epa.gov/oar/>.