

Fact Sheet

Proposed Federal Plan for 2016 Municipal Solid Waste (MSW) Landfills Emission Guidelines

ACTION

- On August 14, 2019 the US. Environmental Protection Agency (EPA) issued a proposed federal plan that would apply to municipal solid waste (MSW) landfills in any state, tribe, or locale that has not submitted a satisfactory plan.
- The emission guidelines for MSW landfills were finalized in 2016 and require existing landfills that reach a landfill gas emissions threshold of 34 metric tons of non-methane organic compounds or more per year (written as megagrams in the rule) to install a system to collect and control landfill gas. Non-methane organic compounds also are referred to as NMOC.
- In this action, EPA is proposing to implement emission guideline requirements for existing municipal solid waste landfills located in states and Indian country where state plans or tribal plans are not currently in effect because:
 - The state or local agency failed to submit a plan; or
 - A plan has not yet been approved.
- Upon approval of a state plan, the federal plan will no longer apply to MSW landfills in that state.
- Pursuant to a court order, EPA is obligated to promulgate a federal plan by November 6, 2019.
- This action implements the emission limits, compliance schedules and testing, monitoring, reporting and record keeping requirements that were established in the emission guidelines for MSW landfills.
- The proposed federal plan summarizes mechanisms for implementation and options for the delegation of authority of the MSW Landfills federal plan that allow states to play a primary role in implementing and enforcing the federal plan.
- This proposed federal plan also includes an inventory of designated facilities and an estimate of emissions from those designated facilities.
- EPA estimates about 1,900 landfills would potentially be covered by this proposed federal plan. These landfills are in all 50 states and the U.S. territories of Puerto Rico and the Virgin Islands. Additionally, one tribal entity, the Salt River Pima Maricopa Indian Community, would be covered by this federal plan.
- EPA will accept comment on the proposed federal plan for 45 days after publication in the Federal Register and hold a public hearing if requested.

BACKGROUND

- On August 29, 2016, EPA promulgated revisions to the emission guidelines for MSW Landfills. EPA determined that a well-designed and well-operated landfill gas collection-and-control system is the best system of emission reduction for controlling landfill gas.
- The emission guidelines require designated landfills to install and operate a gas collection control system within 30 months after reaching the NMOC threshold.

- The Clean Air Act regulations implementing emission guidelines require states with existing MSW landfills subject to the EG, to submit state plans to EPA to implement and enforce the emission guidelines. The 2016 MSW Landfills emission guidelines state plans were due on May 30, 2017.
- The Clean Air Act requires EPA to develop, implement, and enforce a federal plan for MSW landfills in those states that did not submit an approvable plan by the May 2017 deadline.

HOW TO COMMENT

- Comments on the proposal should be identified by Docket ID No. EPA-HQ-OAR-2019-0338, and may be submitted by one of the following methods:
 - Online: Go to <https://www.regulations.gov> and follow the online instructions for submitting comments to Docket ID No. EPA-HQ-OAR-2019-0338.
 - Email: Comments may be sent to a-and-r-Docket@epa.gov. Include Docket ID No. EPA-HQ-OAR-2019-0338 in the subject line of the message.
 - Fax: Fax your comments to: (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2019-0338.
 - Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mail Code 28221T, Attention Docket ID No. Docket ID No. EPA-HQ-OAR-2019-0338, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.
- For additional information, including the full EPA public comment policy, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR MORE INFORMATION

- The fact sheet and a copy of the proposed federal plan, as well as a copy of the 2016 emission guidelines, are available on EPA's website at <https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-new-source-performance-standards>.