

Key Federal EPA Interpretations and Clarifications to the Mandatory Reporting of Greenhouse Gases 40 CFR, Part 98

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Objective -

Help clarify some of the ambiguousness in the Federal GHG reporting rule as it pertains to MSW facilities.

EPA Actions Following Rule Adoption

- **October 26, 2009 meeting between EPA and MSW landfill sector (represented by Waste Management, Republic Services, and Veolia Environmental Services)**
- **November 23, 2009 conference call between EPA and MSW landfill sector**
- **December 17, 2009 SWANA webinar featuring Rachel Schmeltz, EPA Climate Protection Specialist**

Key Points of October 27, 2009 Clarification Letter to EPA

- Word “install” under §98.344(b) not meant by EPA to exclude the use of portable, hand-held instrumentation for compliance monitoring
- Use of non-dispersion infrared instrumentation (i.e., portable GEM and Envision instruments) for LFG methane monitoring is acceptable
- Thermal mass flow meters, annubar, V-cone, and averaging pitot tube meters are acceptable for LFG flow monitoring on LFG control equipment (i.e., flares, LFGTE equipment, etc)

Key Points of November 24, 2009 Clarification Letter to EPA

- “Passive” flares (i.e., tiki torches, solar flares, and vent flares) are exempt from monitoring and GHG reporting
- EPA is considering rule changes to include a new definition for “weekly” monitoring; current language has multiple expressions
- In reporting a facility’s waste composition; both decomposable and inert waste components must be included. However, for material-specific methane generation calculations Table HH-1 has no DOC and k values for inert waste. EPA will be expanding Table HH-1 to include DOC and k values for inert waste material.

Key Points of November 24, 2009 Clarification Letter to EPA (cont)

- Row A5 of Table HH-3 in Subpart HH specifies the default GCCS collection efficiency for landfill areas with a final cover system and an active GCCS. As written, the term “final cover” is described as having both final cover soil and a geomembrane cover system. Industry is requesting it read “and/or”.
- EPA is currently considering changes; written response and clarifications forthcoming.

Key Points of December 19, 2009 SWANA Webinar

- Waste scales must be used for rule compliance. BMM can be used during 1st Quarter 2010. After 4/1/2010 scales are required; unless EPA approves BMM extension through 12/31/2010
- No BMM extensions will be granted past 12/31/2010 for any GHG reporting rule requirements
- “Facility” definition based on common ownership, common control
- The 350,000 metric ton of waste-in-place used in the EPA Applicability Tool is not a reporting threshold; it is used for guidance only

Key Points of December 19, 2009 SWANA Webinar (cont)

- Definition of “treatment equipment” means LFG destruction device; does not include condensate removal equipment, blowers, compressors, etc.
- In §98.346(i)(4), the work “temperature” is incorrect and should read “pressure”
- Continuous LFG flow and methane concentration monitors must be initially calibrated by 4/1/2010; BAMM can be used during 1st Quarter 2010
- Annual NMOC determination is required only if the methane concentration is measured using a monitor that measures total hydrocarbons

Key Points of December 19, 2009 SWANA Webinar (cont)

● Moisture determination

- Required only when LFG flow rate and methane concentration are measured on a different basis; one wet-basis, one dry-basis
- Acceptable methods include EPA Method 4, wet bulb-dry bulb techniques, and drying bulb/condensation techniques
- Must be done weekly (once per calendar week, with minimum 3 days between measurements)

Key Points of December 19, 2009 SWANA Webinar (cont)

- No hybrid calculations permitted; all GHG reporting rule calculations must be performed in accordance with EPA rule requirements
- Methane generation can be calculated using either the IPCC Waste Model or the EPA LandGEM. If using the LandGEM for material-specific waste types, separate model runs must be performed for each waste type
- Annual site-specific destruction device source test data can be used for determining its DE factor; however the value cannot exceed 0.99 (99%)

Key Points of December 19, 2009 SWANA Webinar (cont)

- EPA is considering further rule changes to take into account variability in the industry practice of leachate recirculation
- A synchronized recorded playback of the SWANA webinar may be accessed at:

<https://swana.webex.com/swana/lsr.php?AT=pb&SP=MC&rID=36541767&rKey=b96dd1e96e0c0372>