New Source Performance Standards XXX

NSPS XXX published in Federal Register on August 29, 2016

New Landfills or Modifications that “commenced construction” after

July 17, 2014
Modified - Started construction on new air space associated with an expansion after July 17, 2014

Shovel in the ground.

What triggers construction? First day that you start to build the foundation of that first cell of the expansion.
What about NSPS WWW?

• It does not go away
• In most cases you will be subject to both

I thought XXX would Replace WWW?

From NSPS XXX Preamble:
The requirements in subpart WWW continue to apply to MSW landfills for which construction, reconstruction, or modification was commenced on or after May 30, 1991 and on or before July 17, 2014.

So EPA believes that preamble clearly states that WWW & XXX does not apply at same time per NSPS.
The Rest of the Story

• No “book ends” in the rule - just the preamble language
• And then there is NESHAP AAAA

NESHAP AAAA:

§ 63.1955 What requirements must I meet?
(a) You must fulfill one of the requirements in paragraph (a)(1) or (2) of this section, whichever is applicable:
(1) Comply with the requirements of 40 CFR part 60 subpart WWW
(2) Comply with the requirements of the Federal plan or EPA approved and effective State plan or tribal plan that implements 40 CFR part 60, Subpart Cc.

Since AAAA, requires a site to follow WWW then any XXX site over 50 Mg/yr will also have to comply with WWW.
Can we change AAAA???

- EPA is looking at options on how to resolve the XXX vs WWW conflict, but have not yet offered any.

- The court has ordered the EPA to change AAAA by March of 2020.

- No Draft Rule out yet - Maybe June?
OK so I am subject to XXX - What Next?

**Day 0:** Start construction

**Day 90:** Submit Initial Design Capacity (DC) Report with Tier 1 within 90

- Tier 1 includes:
  - NMOC 4000ppm, k=0.05, Lo=170
  - If Tier 2 < 5 yrs & less than 34 Mg, it can be included in the DC report
  - If greater than 34 Mg, then:
    - **12 months** Design Plan from date of DC report
    - **30 months** start GCCS from date of DC report

- Very first batch of XXX sites - 30 months ends at end of May
What stayed the same?

Answers you all want to hear

- Monthly wellhead monitoring
- SEM methane limit is still 500 ppm
- 5/2 yr rule for installing wells still the same
- Total days to correct exceedance
- Only applies to MSW Landfills
- 15 years to operate after closed
- Steep slopes and dangerous areas still excluded
- Corrected exceedances in timeframe still not violations
- Temperature and pressure operating values
What Changed?

Some of the major changes - the ones we will cover today

- Route Cause and Corrective Actions
- Penetration Monitoring
- GPS Monitoring of SEM exceedances
- Oxygen Calibration
- Temperature Probe Calibrations
- Annual Leachate recirculation reporting
- Report all control device downtime and total GCCS downtime
More items that changed

Rapid Fire

- Threshold changed from 50 Mg to 34 Mg
- Closed site subset
- Oxygen no longer required to be less than 5%
- Monitor System malfunction exclusion
- Actual definition of treatment system
- Work Practice standard for control device downtimes
- Definition of Household waste
- Electronic Reporting
Wellfield Exceedances - The First 15 Days

NSPS WWW wellhead corrective action timeline
• oxygen/temperature/pressure
• 5 days: Initiate corrective action for exceedance
• 15 days: If exceedance corrected no further action

NSPS XXX timeline is in addition to NSPS WWW
• oxygen/temperature/pressure
• 5 days: Initiate corrective action for exceedance
• 15 days: If exceedance corrected no further action

Really no change during the first 15 days of exceedance
Wellfield Exceedances - After 15 Days

NSPS WWW - Expand the GCCS or ask for alternative time line

NSPS XXX - include Root Cause - Corrective Action Analysis and timeline

16 to 60 days: Exceedance
• Conduct root cause analysis & correct exceedance
• Document action & timing
• Include root cause in the NSPS Report

61 to 120 days: Still having exceedance
• complete corrective action analysis and timeline;
• if corrective action timeline will exceed 120 days, submit a root cause/corrective action analysis/timeline to Administrator for approval by Day 75
• Include root cause and corrective action analysis in the NSPS Report
Surface Emission Monitoring

Stayed the Same:
• Methane > 500 ppm above background
• monitor perimeter of area required to have a NSPS GCCS
• Continue to monitor 30 meter path
• Continue to monitor areas that possibly indicate elevated methane like distressed vegetation
• Corrective action and remonitoring the same
Changes to Surface Emission Monitoring (SEM)

What changed:

• Now required to monitor *Penetrations*. 
Changes to Surface Emission Monitoring (SEM)

“Cover penetrations include wellheads, but do not include items such as survey stakes, fencing or litter fencing, flags, signs, trees, and utility poles.”
Changes to Surface Emission Monitoring (SEM)

What changed:

- GPS location of exceedance
  - accuracy of at least 4 meters
  - coordinates in decimal degrees with at least five decimal places
Changes in Oxygen Calibration

Determine the oxygen level by an oxygen meter using Method 3A, 3C, or ASTM D6522-11 (if sample location is prior to combustion) except that:

(A) The span must be set between 10 and 12 (25) percent oxygen;
(B) A data recorder is not required;
(C) Only two calibration gases are required, a zero and span; and ambient air may be used as the span;
(D) A calibration error check is not required;
(E) The allowable sample bias, zero drift, and calibration drift are ±10 percent.

(60.766 (a)(2)(ii) Monitoring of operations)
Changes - Required Temperature Probe Calibration

- Temperature measuring device must be calibrated **annually** using the procedure in 40 CFR part 60, appendix A-1, Method 2, Section 10.3 (60.766 (a)(3) Monitoring of operations)

- Calibration is based on **individual probe**
  - Need to track calibration for probe
NEW - Annual Liquids Addition Reporting

Required if liquids added within past 10 years

Reporting Schedule for Initial Subpart XXX sites

First Report

• September 27, 2017

Subsequent Reports

• Annually
  • If initial report was submitted, then need to report regardless if liquids added during the reporting period
Annual Liquids Addition Reporting

Reporting Schedule Sites expand after August 29, 2016

First Report

• 13 months after the date of commenced construction, modification, or reconstruction for landfills

Subsequent Report

• Annually
Changes for the Control Device Downtimes

Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating

- Description & duration for individual control device downtime
- For example automatic shutdowns, power outages, etc.

Changes for the Collection System Downtimes

All periods when the collection system was not operating

- Description & duration for ALL GCCS downtime
- Need to evaluate when all control devices are shutdown
Any Questions?

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