

**NEW SOURCE PERFORMANCE STANDARDS (NSPS)  
SUBPART WWW - STANDARD OF PERFORMANCE FOR  
MUNICIPAL SOLID WASTE (MSW) LANDFILLS**

**WORKSHOP REPORT**

A workshop notice was mailed to all companies in San Diego County that may be subject to the Municipal Solid Waste Landfill NSPS. Notices were also mailed to all Economic Development Corporations and Chambers of Commerce in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties.

The workshop was held on February 20, 1997, and was attended by 11 people. The comments and District responses are as follows:

**1. WORKSHOP COMMENT:**

Why is the District adopting this NSPS by reference?

**DISTRICT RESPONSE:**

Adopting federal NSPS regulations by reference eliminates a time consuming and costly local rule development process. It also minimizes potential conflicts between local and federal rules. In July 1995, the Air Pollution Control Board approved a procedure for adopting by reference all new and amended federal NSPS. This procedure is encouraged by EPA and is used by all other air districts in California.

**2. WORKSHOP COMMENT:**

Will the District hold other workshops to discuss alternatives to Subpart WWW emission standards?

**DISTRICT RESPONSE:**

No. The District is proposing to adopt Subpart WWW by reference without any changes. In general, after any New Source Performance Standards regulation has been promulgated by EPA, it is very difficult for the District to deviate from the NSPS emission standards or establish equivalency for a local rule that differs significantly from the federal regulation.

However, an owner or operator of a landfill who is subject to Subpart WWW and is required to submit a collection and control system design plan may propose alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of Subpart WWW. Such alternatives must be approved by the District and EPA.

**3. WORKSHOP COMMENT:**

Do all existing landfills (whether active or closed) with a design capacity less than 2.8 million tons have to submit an initial design capacity report?

**DISTRICT RESPONSE:**

Yes. The Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Subpart Cc) requires that all landfills, regardless of their design capacity, that accepted waste at any time since November 8, 1987 or that have additional design capacity available for future waste deposition submit an initial design capacity report.

**4. WORKSHOP COMMENT:**

The City of San Diego owns several landfills located on the same property. The city considers these landfills to be separate stationary sources. Other Government agencies have also permitted these landfills as separate stationary sources. Do Subparts WWW and Cc consider these landfills to be one or separate stationary sources?

**DISTRICT RESPONSE:**

Based on EPA guidance, a landfill is considered a single stationary source if the landfill cells are contiguous and under common ownership or control, even if a road or golf course separates the landfill cells. Therefore, the landfills described in this comment constitute a single stationary source.

**5. WORKSHOP COMMENT:**

Who will be developing the reporting forms for the various reports required by Subpart WWW?

**DISTRICT RESPONSE:**

The EPA has developed example forms for these reports for sources that elect to use them. These report formats can be found in Appendix H of the draft Enabling Guidance document available from the District or EPA. The District and landfill owners may use another report format as long as all the information specified by Subparts WWW or Cc is included.

**6. WORKSHOP COMMENT:**

Subpart Cc requires that the state develop a plan to implement and enforce the guidelines. When is EPA expected to approve the California state plan?

**DISTRICT RESPONSE:**

The State plan has not yet been forwarded to EPA by ARB. ARB plans on submitting the State plan by the end of May, 1997.

**7. WORKSHOP COMMENT:**

When are the landfill owners required to submit the initial design capacity report?

**DISTRICT RESPONSE:**

To comply with Subpart WWW, the owner/operator of a new or modified landfill must submit the design capacity report by no later than the earliest of the following: a) 90 days of the issuance of the State, Local, Tribal, or RCRA construction permit; or b) 30 days of the date of construction or reconstruction; or c) 30 days of the initial acceptance of solid waste.

Subpart Cc, which applies to existing landfills, does not identify the specific dates for the submittal of the initial design capacity report. The District will adopt a separate rule for existing landfills based on requirements of Subpart Cc and the appropriate provisions of Subpart WWW. The rule will contain the schedule for submitting design capacity reports and for demonstrating compliance with other applicable requirements.

**8. WORKSHOP COMMENT:**

District Rule 59 (Control of Waste Disposal Site Emissions) regulates the majority of existing landfills in San Diego County. Now, four of these landfills, which are also major stationary sources of VOC emissions, are subject to Subpart Cc. There are some inconsistencies between the requirements of Rule 59 and federal regulations. How will the District address these inconsistencies?

**DISTRICT RESPONSE:**

All landfills that are major sources of VOC emissions are required to obtain Title V federal operating permits. The District will use Title V streamlining procedures to try to resolve any conflicting requirements between Rule 59 and federal regulations.

**9. WORKSHOP COMMENT:**

If a facility currently has emission collection and control systems in place, will any requirements of Subpart WWW or Subpart Cc, other than reporting, be applicable to this facility?

**DISTRICT RESPONSE:**

Yes. The emission collection and control system at the facility must meet all the requirements of Subpart WWW. These include emission standards, operational standards for emission collection and control systems, monitoring, reporting, and recordkeeping requirements and compliance provisions.

**10. WORKSHOP COMMENT:**

According to Subpart WWW, if a source exceeds the 500 ppm emission standard for non-methane organic compounds (NMOC), there are various mitigating steps that the source can take to correct the exceedance before it will be considered a rule violation. The District policy in the past was to consider the same exceedance a violation of Rule 59 without providing a source an opportunity to apply corrective measures. How will the District handle this situation now?

**DISTRICT RESPONSE:**

The District intends to resolve this conflict for major stationary sources through the Title V Operating Permit program as was described in the response to Comment #8. The District is considering whether to incorporate the referenced NSPS compliance approach in determining compliance with Rule 59. This is being evaluated in conjunction with the permitting of the San Marcos landfill expansion.