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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 7, 2013

To: Texas Municipal Solid Waste Landfill Owners and Operators

Re: Landfill Gas Reporting and Corrective Action Procedures

Dear Owner and/or Operator:

This letter is being provided to clarify landfill gas reporting and corrective action procedures for municipal solid waste (MSW) landfills in Texas. The information presented here was originally communicated to owners and operators of active landfills, in a letter from the Texas Commission on Environmental Quality (TCEQ), MSW Permits Section dated May 14, 1999.

Please review the scenarios described below to determine which scenario fits the situation at your facility.

Scenario I

If your facility is performing quarterly landfill gas monitoring in accordance with Title 30 Texas Administrative Code (30 TAC), Chapter 330, §330.371, and the concentration of methane does not exceed either of the limits in §330.371(a):

- 1.25 percent by volume in facility structures (excluding gas control or recovery system components)
- and*
- 5 percent methane by volume in monitoring points, probes, subsurface soils, or other matrices at the facility boundary

then you are not required to submit quarterly landfill gas monitoring reports to the TCEQ. If you choose to submit reports when limits have not been exceeded, or if reporting is a requirement of your permit even if limits have not been exceeded, the TCEQ will **not** acknowledge or respond to the submission. Please note, however, that 30 TAC §330.125 requires all results from gas monitoring be maintained in the facility's site operating record.

Scenario II

If your facility is performing quarterly landfill gas monitoring in accordance with 30 TAC §330.371 and methane is detected at a concentration above either of the limits specified in §330.371(a), then you must submit monitoring reports and take the following actions in accordance with §330.371(c):

1. Immediately take all necessary steps to ensure protection of human health and notify the executive director, local and county officials, emergency officials, and the public;

2. Within seven days of detection, place in the operating record the methane gas levels detected and a description of the steps taken to protect human health; *and*
3. Within 60 days of detection, implement a remediation plan for the methane gas releases, place a copy of the plan in the operating record, provide a copy to the executive director, and notify the executive director that the plan has been implemented. The plan shall describe the nature and extent of the problem and the proposed remedy. After review, the executive director may require additional remedial measures.

Procedures for notification and implementing a remediation plan are outlined below:

- Notification to the executive director shall be made in writing to the TCEQ region office, and to the TCEQ MSW Permits Section at the following address:

MC 124
Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
- Notification to the local and county officials (mayors, councilpersons, and commissions), emergency officials (such as local volunteer and city/county fire departments and emergency medical personnel), adjacent property owners, and the public should include both verbal and follow up written communication. The notice should inform them about the developing situation at the facility, including which monitoring points are involved and the actions being taken. Records of those contacts must be maintained in the facility's site operating record as required by 30 TAC §330.125.
- If contingencies and plans for landfill gas remediation are not already part of the facility permit, a remediation plan should be submitted to the TCEQ as a permit modification pursuant to 30 TAC §305.70. The modification may propose a variety of changes to the site operations, and depending on the nature of the remedial action, different provisions of the §305.70 modification rule may apply. The permit modification should be submitted to the TCEQ at the address listed above within 60 days of detecting methane above the limits in 30 TAC §330.371(c). Note that §330.371(c) requires that the remediation plan also be *implemented* within 60 days of methane detection above limits; therefore owners and operators should not wait until the permit modification is issued to implement the remediation plan.

If you detect methane at your facility above the limits in §330.371(a), more frequent monitoring (for example, monthly or weekly) may be necessary. During the period of more frequent monitoring, reports should still be submitted quarterly. The TCEQ will provide additional instructions regarding monitoring and reporting under Scenario II on a case-by-case basis.

Scenario III

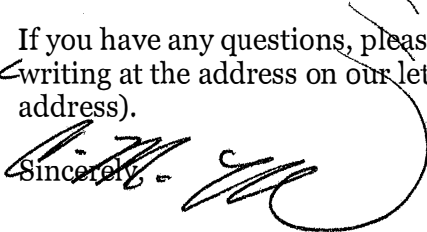
If you detected methane at your facility at a concentration above either of the limits specified in 30 TAC §330.371(a) and provided an appropriate Scenario II response, but now:

- methane is detected above the limits in 30 TAC §330.371(a) at monitoring points that were not affected at the time notifications were made under Scenario II
or
- the remediation plan is not being effective

then you must notify the MSW Permits Section in writing. Additional notifications to the TCEQ, local and county officials, emergency officials, and the public may be required, and further remedial measures may be required. Depending on the situation and the timing of earlier notifications, alternative schedules for additional notifications and for implementation of further remedial measures may be allowed under 30 TAC §330.371(d).

If you have any questions, please contact the MSW Permits Section at (512) 239-2335, or in writing at the address on our letterhead (please include mail code MC 124 on the first line of our address).

Sincerely,



Christine M. Bergren
Manager, Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality

CMB/AJA/sdm