

**Meeting Date:** 7/28/2016

**Report Type:** Public Hearing

**Report ID:** 2016-0728-04

**Title:** Adopt a Revision to the State Implementation Plan to Incorporate Reasonably Available Control Technology for Two Flares at the Kiefer Landfill

**Recommendation:** Conduct a Public Hearing and adopt a resolution 1) approving a revision to California's State Implementation Plan (SIP) to incorporate Reasonably Available Control Technology for two flares at the Kiefer Landfill, and 2) finding that the SIP revision is exempt from the California Environmental Quality Act (CEQA).

**Rationale for Recommendation:** Kiefer Landfill, owned and operated by the County of Sacramento, Department of Waste Management and Recycling, is a major stationary source of volatile organic compounds (VOC). As such, the federal Clean Air Act requires the District to implement Reasonably Available Control Technology (RACT) for this source. Two landfill gas flares at the facility emit VOC. Although the local District permits for the flares set limits on VOC emissions, the Clean Air Act requires these limits to be incorporated into the SIP.

Staff has determined that the VOC emission limits on the local permits for the flares meet RACT levels. To correct the SIP deficiency, Staff is proposing to submit to EPA for SIP approval the conditions of the local permits that pertain to VOC emission limits and the associated source testing, test methods, monitoring, reporting, and recordkeeping requirements.

**Contact:** Kevin J. Williams, Program Coordinator, 916-874-4851

**Presentation:**  yes  no

**Attachments:**

ATTACHMENT 1 – ANALYSIS

ATTACHMENT 2 – RESOLUTION

ATTACHMENT 3 – EXHIBIT A TO RESOLUTION – PERMIT TO OPERATE 24360 FOR FLARE NO. 1

ATTACHMENT 4 – EXHIBIT B TO RESOLUTION – PERMIT TO OPERATE 24361 FOR FLARE NO. 2

ATTACHMENT 5 – STATEMENT OF REASONS

ATTACHMENT 6 – EVIDENCE OF PUBLIC NOTICE

---

**Approvals/Acknowledgements**

Executive Director or Designee:  
Report Approved

District Counsel or Designee:  
Approved as to Form

---

Larry Greene

---

Kathrine Pittard

**Discussion/Justification:** The District is classified as a severe nonattainment area for the 1997 and 2008 federal air quality standards for ozone. The federal Clean Air Act requires states or districts in ozone nonattainment areas classified as “moderate” or above to implement Reasonably Available Control Technology (RACT) for major stationary sources of volatile organic compounds (VOC). EPA defines RACT as “the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.” RACT must be incorporated into California’s State Implementation Plan (SIP), either through an EPA-approved rule or through a source-specific RACT determination that is included on a permit and approved by EPA.

Kiefer Landfill, owned and operated by the County of Sacramento, Department of Waste Management and Recycling, is a major stationary source of VOC in the District. As such, the District is required to implement RACT for this source. Two landfill gas flares at the facility emit VOC; however, no SIP-approved District rule applies to these flares. Although VOC emission limits are included on the local permits, these permits have not been incorporated into the SIP. EPA has identified the lack of SIP-approved RACT controls on the Kiefer Landfill flares as a SIP deficiency, and has proposed a partial approval and partial disapproval<sup>1</sup> of the District’s 2006 RACT demonstration plan<sup>2</sup>.

Staff performed an analysis to determine whether the existing VOC emissions limits for the flares satisfied the requirement for a RACT level of control. The District permit for each flare requires that emissions of VOC<sup>3</sup> be reduced by at least 98% by weight or the outlet concentration be reduced to less than 20 parts per million by volume. This is the same level of control required by two federal regulations applicable to municipal solid waste landfills<sup>4,5</sup>. In addition, this is the same level of control that Staff, in the most recent analysis of Best Available Control Technology for a landfill gas flare, determined to be the most effective emission limit that has been required or used for the type of equipment. Staff concludes that the emission limits required by the District permits satisfy RACT.

The two flares at Kiefer Landfill operate under Permits to Operate Nos. 24360 and 24361. Staff is proposing to submit to EPA for approval the conditions of the local permits that pertain to the VOC emission limits and the associated source testing, test methods, monitoring, reporting, and recordkeeping requirements. Once approved by EPA, the permits will become part of the SIP and allow full EPA approval of the District’s 2006 RACT demonstration plan.

**Financial Considerations:** The proposed revision to the SIP will not result in additional costs to the District.

---

<sup>1</sup> “Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District, Proposed Rule.” 81 FR 2136, January 15, 2016

<sup>2</sup> “Analysis of Reasonably Available Control Technology for the 8-Hour Ozone State Implementation Plan (RACT SIP),” Sacramento Metropolitan Air Quality Management District, September 26, 2006.

<sup>3</sup> Measured as nonmethane organic compounds.

<sup>4</sup> 40 CFR Part 60, Subpart WWW – Standards of Performance for Municipal Solid Waste Landfills.

<sup>5</sup> 40 CFR Part 63, Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

**Emission Impact:** The proposed action will incorporate VOC emission limits for the Kiefer Landfill flares into the SIP. These emission limits are already required by applicable federal regulations and the District permits. Therefore, there will be no emission impact.

**Economic Impact:** The proposed action will not result in additional compliance costs. Therefore, there will be no economic impact.

**Public Outreach/Comments:** The noticing for today's hearing included:

- Mailing and/or emailing notices to:
  - County of Sacramento, Department of Waste Management and Recycling.
  - All persons who have requested rulemaking notices.
  - California Air Resources Board (CARB).
  - EPA.
- A notice in the Sacramento Bee.
- A notice on the District website with links to the Permits to Operate for the flares and the Statement of Reasons.

As of July 8, 2016, Staff has received no oral or written comments from the public, County of Sacramento, CARB, or EPA. If any comments are received before the hearing, they will be presented to the Board at the public hearing.

**Environmental Review:** California Public Resources Code Section 21159(a) requires the District to perform an environmental analysis of the reasonably foreseeable methods of compliance when adopting a performance standard. The proposed action will make RACT standards federally enforceable through the SIP. Because Kiefer Landfill is already required to comply with these conditions by federal regulations and District permits, the District is not establishing any new requirements for Kiefer Landfill, and no change in equipment or operation will result from this action. Therefore, Staff has concluded that no environmental impacts will be caused by compliance with the proposed action.

Staff finds that the proposed action to incorporate the Kiefer Landfill flare permits into the SIP is exempt from the California Environmental Quality Act as an action by a regulatory agency for the protection of the environment (Class 8 Categorical Exemption, Section 15308 State CEQA Guidelines) and because it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment (Section 15061(b)(3), State CEQA Guidelines).