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Submitted electronically to: <https://ww2.arb.ca.gov/public-comments/public-workshop-potential-improvements-landfill-methane-regulation-submit-public>

California Air Resources Board (CARB)
1001 I Street
Sacramento, CA 95814

RE: Comments to preliminary concepts for potential improvements to landfill methane regulation

Dear Chair Randolph and Board Members:

On behalf of the solid waste industry, the National Waste & Recycling Association (NWRA) is pleased to provide comments on the *Preliminary Concepts for Potential Improvements to Landfill Methane Regulation* (potential LMR changes) presented by the California Air Resources Board (CARB) on May 18, 2023. NWRA is a not-for-profit trade association representing private solid waste and recycling collection, processing, and management companies that operate in all fifty states.

Our comments are general given that the presentation was conceptual. Our members have been implementing and complying with the 2010 LMR rule and thus have a deep understanding of the rule which we believe is critical for CARB to consider as they deliberate potential LMR changes. While we were disappointed that CARB did not seek input from industry prior the most recent workshop, we would like to rectify that moving forward by requesting that CARB include us as part of a technical advisory group (TAG) to provide input to CARB for any subsequent rulemaking. In addition to the issues brought up by CARB at the workshop, our members are aware of other areas where the existing LMR can be improved which we hope CARB will consider.

With respect to the potential LMR changes, the industry has concerns about some of the potential changes CARB which we can work with CARB on these issues as part the TAG as well as through comments on draft rule revisions. The following includes our initial reactions:

- The industry has conducted extensive research into some of the new technologies that can be used to monitor methane along with their advantages and disadvantages which can be complex and nuanced. We would like to meet with CARB to ensure that there is a full understanding of these technologies and their applicability to individual sites.

- The industry previously commented on CARB's proposed electronic reporting template. These comments were not implemented. We are concerned that CARB is planning to use a similar format that would not be useful or functional for facilities.
- The cover practices suggested in the potential LMR changes may not be implementable at all landfills and some flexibility is necessary.
- LFG-to-energy project development can be challenging. The ability for any landfill to do a project depends on many variables, many of which are outside of the facility's control including complex permitting programs in California.
- Some items could be too prescriptive and not appropriate for actual rule language. It might be better as guidance, allowing for site specific flexibility.

Thank you for your consideration of our comments, and we look forward to continuing to partner with CARB on potential LMR changes. Should you have any questions, please contact Anne Germain, COO & SVP of Regulatory Affairs for NWRA, at agermain@wasterecycling.org.

Very truly yours,

A handwritten signature in black ink that reads "Darrell K. Smith". The signature is written in a cursive style and is positioned above a light gray rectangular background.

Darrell K. Smith
President & CEO