

State of California
AIR RESOURCES BOARD

Executive Order R-10-007

Relating to the Adoption of a Regulation to Reduce Methane Emissions from Municipal Solid Waste Landfills

WHEREAS, on June 25, 2009, the Air Resources Board (ARB or Board) conducted a hearing to consider the adoption of a Regulation to Reduce Methane Emissions from Municipal Solid Waste Landfills, as set forth in the Initial Statement of Reasons released to the public on May 8, 2009;

WHEREAS, following the public hearing on June 25, 2009, the Board adopted Resolution 09-38, in which the Board approved the adoption to sections 95460, 95461, 95462, 95463, 95464, 95465, 95466, 95467, 95468, 95469, 95470, 95471, 95472, 95473, 95474, 95475, and 95476, title 17, California Code of Regulations, as set forth in Attachment A thereto, and modified by Attachment B thereto;

WHEREAS, Resolution 09-38, directed the Executive Officer to adopt the regulations, after making the modified regulatory language and additional supporting documents and information available for public comment for a period of 15 days, provided that the Executive Officer shall consider such written comments and additional supporting documents and information as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, on October 5, 2009, the modified regulations, reflecting the amendments approved by the Board and other changes made to best reflect the intent of the Board at the hearing, and additional documents, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44;

WHEREAS, two written comments were received during the 15 day comment period and those comments, as well as the comments received during the initial 45-day comment period, have been considered by the Executive Officer.

WHEREAS, on April 19, 2010, a second 15-day notice of availability of modified text and availability of additional documents, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of title 1, California Code of Regulations, section 44; and

WHEREAS, no written comments were received during the second 15 day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 09-38 are incorporated by reference herein.

IT IS FURTHER ORDERED that the amendments to sections 95460, 95461, 95462, 95463, 95464, 95465, 95466, 95467, 95468, 95469, 95470, 95471, 95472, 95473, 95474, 95475, and 95476, title 17, California Code of Regulations, are adopted as set forth in Attachment 1 hereto.

Executed this 5 day of May 2010, at Sacramento, California.

/s/

James N. Goldstene
Executive Officer

Attachment