

10 CSR 10-5.490 Municipal Solid Waste Landfills

(1) Applicability.

(A) This rule applies to all municipal solid waste (MSW) landfills located throughout St. Louis City and Franklin, Jefferson, St. Charles, and St. Louis counties that have accepted waste any time since November 8, 1987, or have additional capacity available for future waste deposition, and that commenced construction, reconstruction, or modification on or before July 17, 2014. Landfills that commenced construction, reconstruction, or modification after July 17, 2014, are covered under the Environmental Protection Agency's New Source Performance Standard for Municipal Solid Waste Landfills 40 CFR 60, Subpart XXX.

(B) Physical or operational changes made to an existing MSW landfill solely to comply with this rule are not considered construction, reconstruction, or modification and would not subject an existing MSW landfill to the requirements of 40 CFR 60, subpart XXX.

(2) Definitions. The provisions of 40 CFR 62.16730, promulgated as of July 1, 2021, including the revision published by 87 FR 8203 (effective February 14, 2022), are hereby incorporated by reference in the rule, as published by the U.S. Government Publishing Office available at <https://bookstore.gpo.gov/> or for mail orders, print and fill out order online form and mail to: U.S. Government Publishing Office, PO Box 979050, St. Louis, MO 63197-9000. This rule does not incorporate any subsequent amendments or additions. The definitions of 40 CFR 62.16730 apply, except that anywhere two and one half (2.5) million mega-grams (Mg) and two and one half (2.5) million cubic meters (m³) appears in 40 CFR 62.16730, it shall be replaced with one (1.0) million Mg and one (1.0) million m³ for the purposed of this rule.

(3) General Provisions. The provisions of 40 CFR 62.16711(e) and (f), 40 CFR 62.16712 through 62.16716, 40 CFR 62.16720 through 62.16722, 40 CFR 62.16728, and Table 1 to Subpart 000 of Part 62, promulgated as of July 1, 2021, including the revision published at 87 FR 8203 (effective February 14, 2022), are hereby incorporated by reference in the rule, as published by the U.S. Government Publishing Office available at <https://bookstore.gpo.gov/> or for mail orders, print and fill out order form online and mail to: U.S. Government Publishing Office, PO Box 979050, St. Louis, MO 63197-9000. This rule does not incorporate any subsequent amendments or additions. Owners and operators of MSW landfills subject to this rule must comply with the following:

- (A) Title V operating permit requirements-40 CFR 62.16711(e);

- (B) Exemptions for Part 70 operating permit requirements for closed landfills-40 CFR 62.16711(f);
- (C) Compliance schedule and increments of progress-40 CFR 62.16712 and Table 1 in Subpart 000 of Part 62 applies, except that for the purposes of this rule-
 - 1. One (1.0) million Mg and one (1.0) million m³ shall replace two and one half (2.5) million Mg and two and one half (2.5) million m³ as it appears in 40 CFR 62.16712; and
 - 2. Twenty-five (25) Mg shall replace thirty-four (34) Mg and fifty (50) Mg as it appears in 40 CFR 62.16712 and Table 1 of Subpart 000 of Part 62;
- (D) Standards for municipal solid waste landfill emissions-40 CFR 62.16714 applies, except that for the purposes of this rule-
 - 1. One (1.0) million Mg and one (1.0) million m³ shall replace two and one half (2.5) million Mg and two and one half (2.5) million m³ as it appears in 40 CFR 62.16714; and
 - 2. Twenty-five (25) Mg shall replace thirty-four (34) Mg and fifty (50) Mg as it appears in 40 CFR 62.16714;
- (E) Operational Standards for collection and control systems-40 CFR 62.16716;
- (F) Compliance provisions-40 CFR 62.16720;
- (G) Monitoring of operations-40 CFR 62.16722; and
- (H) Specifications for active collection systems-40 CFR 62.16728.

(4) Reporting and Record Keeping. The provisions of 40 CFR 62.16711(g) and (h), and 40 CFR 62.16724 through 62.16726, promulgated as of July 1, 2021, are hereby incorporated by reference in the rule, as published by the U.S. Government Publishing Office available at <https://bookstore.gpo.gov/> or for mail orders, print and fill out order form online and mail to: U.S. Government Publishing Office, PO Box 979050, St. Louis, MO 63197-9000. This rule does not incorporate any subsequent amendments or additions. Owners and operators of MSW landfills subject to this rule must comply with the following:

- (A) Reporting guidelines-40 CFR 62.16724 applies, except that for the purposes of this rule-
 - 1. One (1.0) million Mg and one (1.0) million m³ shall replace two and one half (2.5) million Mg and two and one half (2.5) million m³ as it appears in 40 CFR 62.16724; and

2. Twenty-five (25) Mg shall replace thirty-four (34) Mg and fifty (50) Mg as it appears in 40 CFR 62.16724;
- (B) Reporting Exemptions-
1. Exemptions for reporting requirements for closed landfills-40 CFR 62.16711(g) applies, except that for the purposes of this rule, twenty-five (25) Mg shall replace fifty (50) Mg as it appears in 40 CFR 62.16711(g); and
 2. Exemptions for reporting requirements for legacy controlled landfills-40 CFR 62.16711(h); and
- (C) Recordkeeping Guidelines-40 CFR 62.16726 applies, except that for the purposes of this rule, one (1.0) million Mg and one (1.0) million m³ shall replace two and one half (2.5) million Mg and two and one half (2.5) million m³ as it appears in 40 CFR 62.16726.

(5) Test Methods. The provisions of 40 CFR 62.16718, promulgated as of July 1, 2021, are hereby incorporated by reference in the rule, as published by the U.S. Government Publishing Office available at <https://bookstore.gpo.gov/> or for mail orders, print and fill out order form online and mail to: U.S. Government Publishing Office, PO Box 979050, St. Louis, MO 63197-9000. This rule does not incorporate subsequent amendments or additions. The provisions of 40 CFR 62.16718 apply, except that for the purposes of this rule, twenty-five (25) Mg shall replace thirty-four (34) Mg as it appears in 40 CFR 62.16718.

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EPA Rulemakings

CFR: 40 C.F.R. 52.1320 (c) and 62.6357
FRM: 89 FR 12244 (2/16/24), 89 FR 101481 (12/16/24)
PRM: 88 FR 56787 (8/21/23)
State Submission: 3/31/22 effective 7/30/22
State Final: 10 C.S.R. 10-5 (6/30/22); *section 643.050, RSMo 2016. Amended: Filed Oct. 29, 2021, effective July 30, 2022.**
APDB File: MO-464; EPA-R07-OAR-2023-0199 effective 3/18/2024 (89 FR 12244) and 1/15/25 (89 FR 101481).
Description: Revisions related to this rule were approved in two parts. The first final rulemaking (89 FR 12244) was to approve the SIP revision associated with 10 CSR 10-5490. The second final rulemaking (89 FR 101481) was to approve amendments to the state's 111(d) plan and two accompanying state rule revisions. The revised plan was submitted to fulfill the state's obligations under the CAA to implement and enforce the requirements of the Federal Emission Guidelines published 8/29/2016. The state rule revisions incorporate by reference the Federal Plan located at 40 CFR part 62, subpart 000 as amended on 2/14/2022. This rule is both SIP and 111(d) approved.

CFR: 40 C.F.R. 52.1320 (c) and 62.6357(e)
FRM: 79 FR 21146 (4/15/14)
PRM: 79 FR 21187 (4/15/14)
State Submission: 2/9/12 effective 5/30/12
State Final: 10 C.S.R. 10-5 (4/30/12); *section 643.050, RSMo Supp. 2011. Amended: Filed Sept. 26, 2011, effective May 30, 2012.**
APDB File: MO-327; EPA-R07-OAR-2013-0672 effective 6/16/14.
Description: This revision updates the rule to maintain consistency with the Federal requirements, corrects typographical errors, includes formatting changes, and corrects inconsistencies from previous final rule actions. This rule is both 111(d) and SIP approved.

CFR: 40 C.F.R. 62.6357(d)
FRM: 65 FR 68904 (11/15/00)
PRM: 65 FR 68960 (11/15/00)
State Submission: 9/8/00
State Final: 10 C.S.R. 10-6 (6/30/00)
APDB File: MO-174
Description: This revision amends, corrects errors, and clarifies regulatory text to conform to current Federal requirements.

CFR: 40 C.F.R. 52.1320(c)
FRM: 65 FR 8060 (2/17/00)
PRM: 61 FR 10968 (3/18/96) and 62 FR 35756 (7/2/97)
State Submission: 11/12/99
State Final: 10 C.S.R. 10-5 (12/30/96)
APDB File: MO-76
Description: This revision specifies restrictions for municipal solid waste landfills in the St. Louis ozone nonattainment area that have accepted waste any time since November 8, 1987, or have additional capacity available for future waste deposition.

CFR: 40 C.F.R. 62.6357
FRM: 63 FR 20320 (4/24/98)
PRM: 63 FR 20360 (4/24/98)
State Submission: 1/26/98
State Proposal: 21 MR 1515 (6/17/96)
State Final: 10 C.S.R. 11 (6/30/97)
APDB File: MO-123
Description: This rule requires municipal solid waste landfills to monitor their NMOC emissions.

Difference Between the State and EPA-Approved Regulation

None.