

Regulatory Updates

U.S. EPA LMOP

Texas Workshop on Landfill To Gas Energy

Garland, Texas

July 16, 2013



Regulatory Updates Agenda

- Authorization of Municipal Solid Waste Type IX LFGTE Facilities**
- EPA's Topic
- Municipal Solid Waste Air Permitting
- Q&A Discussions



Authorization of MSW Type IX LFGTE Facilities

Agenda

- ❑ Applicable Statutes and Rules
- ❑ Contents of a Type IX LFGTE Facility Application
- ❑ Application Process Improvement
- ❑ Type IX LFGTE Facility Types in Texas



Applicable Statute

Texas Health and Safety Code (THSC)

☐ THSC Chapter 361, Section 361.092

- “The commission may require a registration to extract materials for energy and material recovery and for gas recovery from closed or inactive portions of a solid waste facility ---.”

☐ THSC Chapter 361 Sections 361.0861

- “--- not required to obtain ---- a separate permit --- . --
-- **must register with the commission** in accordance with commission rules --- .”



Applicable Rules

30 TAC §330.9(k)

- ❑ Establishes Registration-by-Rule (RBR)
- ❑ Reduces Application Burden
 - No Preliminary Admin Review
 - No Public Meeting Notification/Publication
 - Submittal of Part IV Not Required
- ❑ Prescribes Contents of the Application



Contents of a Type IX LFGTE Application

- ❑ Core Data Form
- ❑ Part I Requirements Per §330.59
 - Facility Legal Description
 - Property Owner Information
 - Legal Status of Applicant
 - Evidence of Competence
 - General Location Map



Contents of a Type IX LFGTE Application

- Large-Scale Plan Drawing of the Landfill Facility Showing:
 - The Units and Boundaries of the Landfill and the Type IX LFGTE Facility
 - The Limits of Waste Placement & Easements
 - The LFG Treatment, Gas Compression, Electric Power Generation, & Other Beneficial Gas-use Equipment



Contents of a Type IX LFGTE Application

- ❑ Safety Provisions For Enclosed Structures:
 - Fire Control Facilities;
 - Continuous Methane Monitoring; and
 - Explosion-Proof Fixtures
- ❑ Provisions for Condensate Management
- ❑ Estimation of Avg Daily Gas Production
- ❑ Estimation of Design Daily Gas Production



Contents of a Type IX LFGTE Application

- ❑ Provide Process Units Descriptions
- ❑ Address Facility Closure and Closure Certification Per §330.459 and §330.461
- ❑ Provide Closure Cost Estimate Per §330.505
- ❑ Provide Financial Assurance Per 30 TAC Chapter 37, Subchapter R



Contents of a Type IX LFGTE Application

- ❑ Comply with Subchapter E of Chapter 330
- ❑ Acquire All Authorizations Regarding Air Emissions



Application Process Improvement

- The Application is Now a Form
- Fill out the MSW Type IX Facility Application Form
- Include Attachments
- Separate Part I Form No Longer Required



Facility Name:
County:
TCEQ Region-

MSW Authorization #: _____
Initial Submittal Date: _____
Revision Date: _____



Texas Commission on Environmental Quality
Type IX Landfill Gas to Energy Facility Registration by Rule
Application Form

Project/Facility's Name	
Registration No.	
Site Operator (Registrant) Name	
Operator's Name	
City	
County	
Application Date	
Revision Date	
Revision Number	
P.E. Signature & Seal	
Texas Registered Engineering Firm Number	

Facility Name:
County:
TCEQ Region-

MSW Authorization #
Initial Submittal Date:
Revision Date:

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Type IX Form

Attachments

Required Attachments

	Attachment No.
Facility Legal Description	_____
Facility Metes and Bounds Description	_____
Metes and Bounds Drawings	_____
On-Site Easements Drawing	_____
Property Owner Affidavit	_____
Verification of Legal Status	_____
Evidence of Competency	_____
General Location Map	_____
Site Layout Plan	_____
Closure Cost Estimate and Financial Assurance	_____
Fire and Explosion Control and Protection	_____
Process Unit Description	_____

Additional Attachments as Applicable- Select all those apply and add as necessary

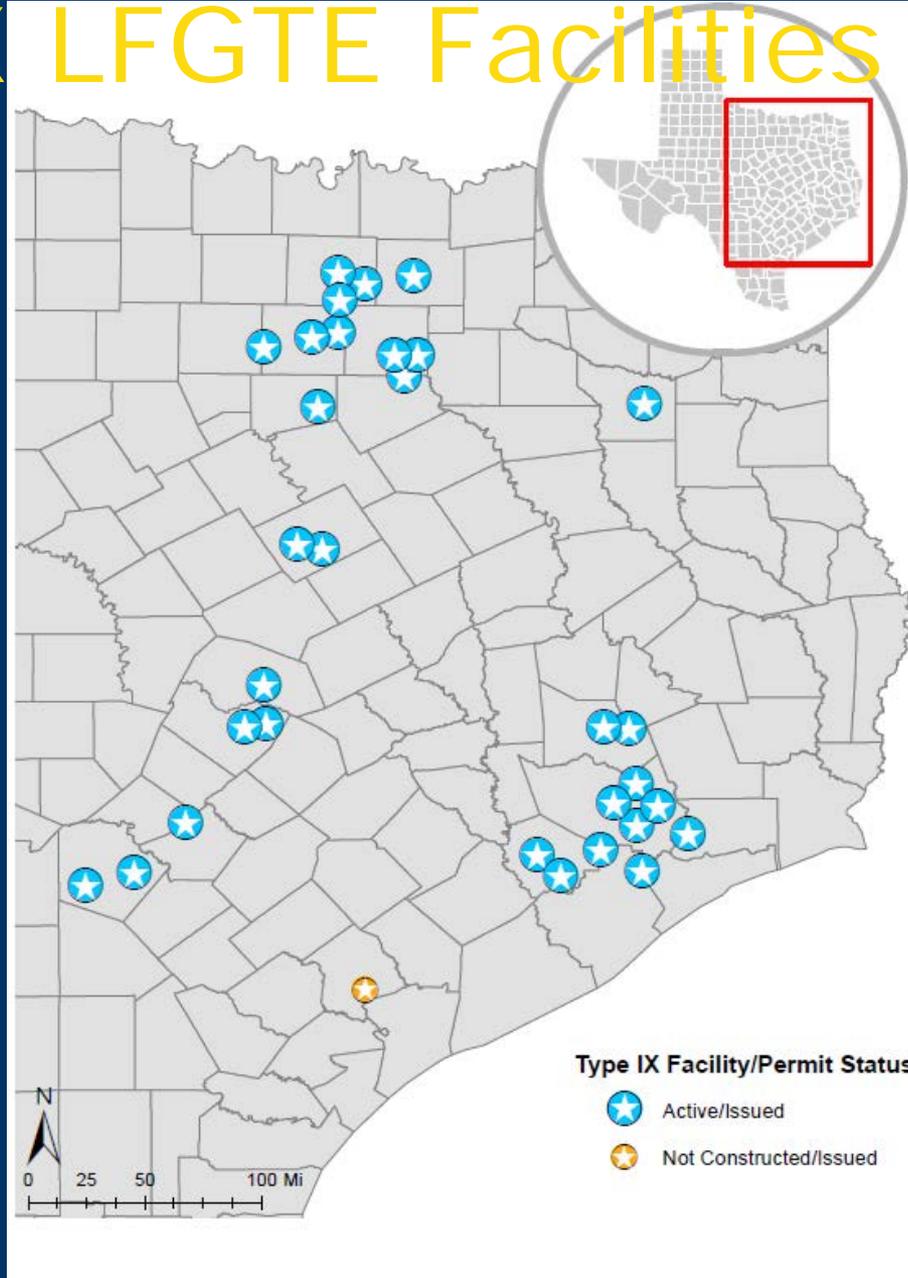
- TCEQ Core Data Form(s) _____
- Signatory Authority Delegation _____
- Fee Payment Receipt _____
- Confidential Documents _____
- Waste Storage, Processing and Disposal Ordinances _____
- Final Plat Record of Property _____
- Certificate of Fact (Certificate of Incorporation) _____
- Assumed Name Certificate _____
- Copy of the Lease for the Use Of or Option to Buy Property and Units _____

Type IX LFGTE Facility Types in Texas

- Total Authorized - 33
 - Generating Electricity - 21
 - Producing Treated Gas - 12
 - Closed and Revoked – 1



Locations of Currently Authorized Type IX LFGTE Facilities in TX



Summary

- Statutes and Rules that Apply to LFGTE Facilities in Texas
- Contents of a Type IX LFGTE Facility Application
- New Type IX LFGTE Application Forms
- Stats of Currently Authorized Type IX LFGTE Facility in Texas



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