

LCB File No. R204-97

PROPOSED PERMANENT REGULATIONS OF THE
NEVADA STATE ENVIRONMENTAL COMMISSION

Petition 97009

EXPLANATION: Matter in *italics* is new language. Matter in [] is material to be omitted.

AUTHORITY: NRS 445B.210 and 445B.300

Section 1. NAC 445B is hereby amended by adding new section:

“Municipal solid waste landfill” or “MSW landfill defined. “Municipal solid waste landfill” or “MSW landfill” means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally except small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill or a lateral expansion.

Section 2. NAC 445B is hereby amended by adding new section:

1 This section applies to each MSW landfill at which construction, reconstruction or modification was commenced before May 30, 1991. Physical or operational changes made to an existing MSW landfill solely to comply with an emission guideline are not considered a modification or reconstruction and would not subject an existing MSW landfill to the requirements of 40 C.F.R. Part, Subpart WWW, as adopted by reference in NAC 445B.221.

2. Applicability. The following MSW landfills must comply with the provisions of this section:

(a) a landfill which has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition;

(b) a landfill which has a design capacity greater than or equal to 2.756 million tons or 3.27 million cubic feet. The landfill may calculate design capacity in either tons or cubic feet for comparisons with the exemption values. Any density conversions shall be documented and submitted with the report; and

(c) the landfill has a nonmethane organic compound emission rate of 55.125 tons per year or more.

3. The installation of a collection and control system meeting the conditions provided in § 60.752(b)(2)(ii) will be required at each MSW landfill meeting all the conditions in subsection 2 above, as follows:

(a) an open flare designed and operated in accordance with the parameters established in 40 C.F.R. Part 60.18;

(b) a control system designed and operated to reduce NMOC by 98 weight percent; or

(c) an enclosed combustor designed and operated to reduce the outlet NMOC concentration to 20 parts per million as hexane by volume, dry basis at 3 percent oxygen, or less.

4. Test methods and procedures. A MSW landfill shall calculate landfill NMOC emission rate in accordance with 40 C.F.R. 60.754, as applicable, to determine whether the landfill meets the condition in 40 C.F.R. 60.33c(a)(3); the operational standards in 40 C.F.R. 60.752; the compliance provisions in 40 C.F.R. 60.755; and the monitoring provisions in 40 C.F.R. 50.756.

5. Reporting and Recordkeeping Requirements. A MSW landfill shall comply with the recordkeeping and reporting requirements in 40 C.F.R. 60.757 and 60.758, as applicable, except as provided under 40 C.F.R. 60.24.

6. Compliance Times

(a) Except as provided for under paragraph (b) of this subsection, planning, awarding of contracts, and installation of MSW landfill air emission collection and control equipment capable of meeting the performance standards established in subsection 3 above shall be accomplished within 30 months after the effective date of the State emission standard for MSW landfills.

(b) For each existing MSW landfill meeting the conditions in subsections 2(a) and 2(b) above whose NMOC emission rate is less than 55.125 tons per year on the effective date of the State performance standard, installation of collection and control systems capable of meeting performance standard, installation of collection and control systems capable of meeting performance standards in subsection 3 above shall be accomplished within 30 months of the date when the condition in subsection 2c above is met (i.e., the date of the first annual nonmethane organic compounds emission rate which equals or exceed 55.125 tons per year).

End of Petition 97009