Montauk®
energy capital

June 19, 2009

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: ***Comments Regarding Proposed Regulation***
Methane Emissions from Municipal Solid Waste Landfills
California Code of Regulations, Title 17, Subchapter 10, Article 4, Subchapter 6

Dear California Air Resources Board:

Montauk Energy Capital, LLC (MEC) appreciates the opportunity to submit comments regarding the above referenced draft regulation. MEC is a landfill gas (LFG) development company that owns and operates various LFG recovery and beneficial use projects across the United States, including California. We currently operate a LFG system at a large landfill in California that utilizes flares to destroy LFG. We have plans to convert the LFG combustion system to a beneficial use project, specifically an electric generation project. The development of such a project supports the renewable energy goals of the California Energy Commission. In addition, such projects are an important part of the solution to the climate change dilemma.

MEC's primary concern with the proposed rule is related to the very stringent controls on methane emissions from landfill surfaces. Specifically, the integrated surface methane emissions standard of 25 ppm has the potential to reduce the number of landfills and the quantity of methane gas available for renewable energy projects in California. The new stringency will require the landfill owners and operators to increase well field vacuum closer to the surface of the landfill. This will likely increase the oxygen (O_2) content of the gas recovered. If the heating value and gas quality is too low due to high O_2 content, the gas will likely be burned in a flare rather than used for energy generation.

MEC has learned from operating experience that the vacuum applied to each LFG collection and recovery system has limits based on the solid waste in the landfill. If vacuum is increased beyond this limit, the entire collection and recovery system degrades due to disruption of the anaerobic decomposition process. Additionally, the higher vacuum that is required near the surface to meet the more stringent emissions standards increases the potential for sub-surface landfill fires by introducing oxygen into the landfill through the surface. The proposed 25 ppm surface emissions standard seems arbitrary and not based on operating data.

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MEC requests that the landfill surface methane emissions standard for integrated samples remain at the level of control currently required by the South Coast Air Quality Management District (SCAQMD), 50 ppm. Since the other districts do not currently have an integrated surface emissions standard, this alternative proposal will still provide an increase of methane emissions control at landfills outside the SCAQMD. If the Board will not consider allowing the surface standards to remain the same as the current SCAQMD standards, then MEC supports a phased in standard as proposed by the Solid Waste Industry for Climate Solutions (SWICS) in their comments on the proposed regulation addressed to Mr. Richard Boyd on April 7, 2009. MEC also requests that a cost benefit analysis of the effectiveness of reducing the standard from 50 ppm to 25 ppm be provided.

Thank you for your consideration. Please contact me at 830-899-5867 if you have any questions regarding these comments.

Sincerely,

Renee A. Voyt
Environmental Program Manager

Cc: S. Frank, MEC