



## PALA BAND OF MISSION INDIANS

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June 10, 2009

Mary D. Nichols  
California Air Resources Board  
1001 "I" Street  
P.O. Box 2815  
Sacramento, CA 95812

**Subject: Comments on the Initial Statement of Reasons for the Proposed Regulation to Reduce Methane Emissions from Municipal Solid Waste Landfills Staff Report.**

Dear Ms Nichols:

Thank you for opportunity to comment on the "Initial Statement of Reasons for the Proposed Regulation to Reduce Methane Emissions from Municipal Solid Waste Landfills report." Specifically, we would like to comment on the proposed regulation requirements and which types of landfills they impact.

Section 1 Subsection B of this report states that this proposed measure will require the installation and proper operation of gas collection and control systems at active, inactive, and closed MSW landfills having 450,000 tons or greater of **waste-in-place**; however, it does not address design and operation of newly built or proposed landfills such as the proposed Gregory Canyon landfill.

The proposed 1,770 acre Gregory Canyon landfill site is located in northern San Diego County on State Route (SR 76), approximately two miles southwest of the Pala Indian reservation. The proposed site is adjacent to the San Luis Rey River and is projected to accommodate 1 million tons of trash a year for 30 years. If it opens, this landfill will reach the 450,000 tons or greater of waste-in-place regulation requirement within 6 months of operation and become a major emitter of CH<sub>4</sub> & CO<sub>2</sub>.

Although this landfill will have a gas collection system in place, it will not be 100% percent efficient. If methane from this landfill is not properly captured with a more efficient control system, it will either be released into the atmosphere, contributing to the global warming problem, or migrate underground causing groundwater contamination. For the State to meet its goals in greenhouse gas emission reduction, it needs to create stronger absolute controls on large emitters in the State before these emitters are constructed. We believe that the State's best ability to control future GHG emission is through stringent design guidelines for projects that are not yet constructed.

The Pala Band of Mission Indians respectfully requests that this proposed rule be:  
--expanded to include proposed and/or newly built landfills; and  
--The standard for newly constructed landfills be zero allowable GHG emissions through complete recapture of methane gasses through the lifetime of the landfill and closed periods.

If you have any questions regarding the comments in this letter feel free to contact Lenore Lamb, Pala Environmental Director, at (760) 891-3515.

Regards,

A handwritten signature in black ink, appearing to read 'R. Smith', with a large, sweeping flourish at the end.

Robert H. Smith, Tribal Chairman