

# WASTE today

## EPA issues landfill enforcement alerts

Alerts highlight compliance and monitoring obligations for municipal solid waste landfills.

Kristina Blokhin | stock.adobe.com

POSTED BY [SHELLEY MANN, MANAGING EDITOR](#)

PUBLISHED SEPTEMBER 26, 2024

[Listen to article](#)

The U.S. Environmental Protection Agency (EPA) has issued two enforcement alerts addressing regulatory requirements and associated compliance issues at municipal solid waste (MSW) landfills.

The alerts address Clean Air Act requirements that control the release of landfill gases (LFG), particularly methane. The EPA says the alerts provide an overview of the Clean Air Act regulatory requirements related to landfill air emissions and are intended to help address the climate crisis and ensure that landfill owners, operators and contractors comply with the law and take the necessary steps to avoid potential enforcement actions.

The first enforcement alert, “[EPA Investigations Find Municipal Solid Waste Landfill Operators are Failing to Properly Conduct Compliant Monitoring and Maintenance of Gas Collection and Control System](#),” is intended to remind MSW landfill owners, operators and their consultants to conduct routine monitoring and maintenance of gas collection systems to ensure all landfill emissions are being properly captured and controlled.

The second enforcement alert, “[MSW Landfill Operators Fail to Include Wastes from Total Degradable Waste-in-Place and Properly Sample Landfill Gas, Resulting in Underreported Emissions](#),” is intended to remind MSW landfill operators, owners and their consultants to properly identify and document nondegradable wastes excluded in calculations and to collect representative LFG samples for non-methane organic compounds analysis and emission calculations.

“After the hottest summer on record, the need to limit climate change is more critical than ever before,” EPA Assistant Administrator for Enforcement and Compliance Assurance David M. Uhlmann says. “Landfills are the third largest source of methane, a climate super pollutant that is 80 times more potent than carbon dioxide. Landfill owners and operators must meet their legal obligations to control methane emissions that contribute to global climate change—and EPA will hold them accountable if they fail to do so.”

In 2022, the most recent year for which data is available, methane releases accounted for approximately 14.4 percent of total emissions, according to the EPA. This is approximately equivalent to greenhouse gas emissions from more than 24 million gasoline-powered vehicles driven for one year or the carbon dioxide emissions from more than 13.1 million homes’ energy use for one year. Because methane is both a powerful greenhouse gas and short-lived compared to carbon dioxide, achieving significant reductions could have a rapid and significant effect on reducing the impact on climate change, the EPA says. At the same time, the agency says, methane emissions resulting from MSW landfills represent a lost opportunity to capture and use a significant energy resource.

In August 2023, EPA announced its first-ever climate enforcement initiative—Mitigating Climate Change—as one of six [National Enforcement and Compliance Initiatives](#) (NECIs) for fiscal years 2024-2027. The new climate change initiative focuses additional resources on reducing emissions of what the EPA calls the highest impact super-pollutants: hydrofluorocarbons (HFCs) and methane. Under the methane-focused component of the initiative, EPA is seeking to ensure greater compliance with environmental laws at oil and gas facilities and landfills.

Following on the mitigating climate change initiative, the EPA issued its [“Climate Enforcement and Compliance Strategy”](#) on Sept. 28, 2023. The strategy requires EPA’s enforcement and compliance program to fairly and vigorously enforce the full array of EPA’s climate rules, including greenhouse gas reporting requirements and limits on other climate pollutants such as carbon dioxide and nitrous oxide.

The two alerts highlight EPA enforcement actions taken over the past several years to address noncompliance with the Clean Air Act requirements. For example, in January 2024 Allied Waste [reached a settlement agreement](#) with the

EPA regarding Clean Air Act violations at their [Niagara Falls Landfill](#) in Niagara Falls, New York, which caused excess LFG emissions to be released to the atmosphere.

Violations included improper exclusion of areas of gas-generating industrial and construction and demolition debris and failure to timely install and operate a gas collection and control system on the active and inactive cells of the landfill.

Under the settlement, Allied Waste will operate a gas collection and control system to reduce the amount of harmful chemicals, primarily methane, as well as other harmful organic compounds released into the air and paid a \$671,000 penalty. This settlement will eliminate 86,000 metric tons of carbon dioxide equivalent methane emissions per year.