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U.S. Environmental Protection Agency Enforcement Alert: Municipal Solid Waste Landfill Monitoring and Maintenance Requirements

10/01/2024

The United States Environmental Protection Agency ("EPA") issued an Enforcement Alert ("EA") titled:

EPA Finds MSW Landfills are Violating Monitoring and Maintenance Requirements.

The EA states that EPA investigations have found municipal solid waste landfill ("MSW") operators failing to:

...Properly conduct compliant monitoring and maintenance of gas collection and control system.

The EA is stated to be intended to provide a reminder to the following of their obligation to conduct proper monitoring techniques and system maintenance to ensure compliance with the Clean Air Act's MSW landfill requirements to MSW landfill:

- Operators and owners.
- Consultants.

The EA states:

- MSW landfills are the third largest source of methane emissions in the United States.
- More than 100 inspections over the past three years indicate that many operators are not complying with the Clean Air Act's applicable regulatory requirements.

The EA identifies as compliance issues:

- Improper monitoring resulting in excess surface emissions of methane.
- Failure to properly design, install, operate, and maintain the gas collection and control system.
- Failure to maintain adequate MSW landfill cover integrity.

Note that certain MSW landfills could be subject to a combination of the following Clean Air Act standards:

- New Source Performance Standards, 40 C.F.R. part 60 subpart XXX.
- State or federal plans implementing the Emission Guidelines, 40 C.F.R. part 60 subpart Cf.
- National Emission Standards for Hazardous Air Pollutants, 40 C.F.R. part 63 subpart AAAA.

The EA can be downloaded [here](#).