



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

June 8, 2016

Michael O'Connor
Senior Project Professional
SCS Engineers
3117 Fite Circle, Suite 108
Sacramento, CA 95827

Subject: Alternative Compliance Option (ACO) Request, California Air Resources Board Landfill Methane Reduction Regulation, Cesar Chavez Park, Site A3590

Mr. O'Connor,

The Bay Area Air Quality Management District (Air District) staff has reviewed the Cesar Chavez Park, City of Berkeley Public Works Department's ACO Request in accordance with section 95468 of the "Methane Emissions from Municipal Solid Waste Landfills," California Code of Regulations, title 17, subchapter 10, article 4, subarticle 6. Below is a summary of each alternative compliance request made by the City together with a response as to whether the request was approved, or an explanation as to why the request was not approved.

The following ACO Requests are approved by the Air District.

1. Request: Alternative Section 95464(b)(1)(A) – Gas Collection and Control System Requirements: The City requests that the Air District approve Less Than Continuous (LTC) operation as allowed under the current Air District permit and approval letter dated June 9, 2015.

Response: Approval is **granted** to the City to operate the landfill Less Than Continuous for which the City has already secured a petition letter from Air District for compliance with Regulation 8, Rule 34, Section 404. In conjunction with this ACO the City must operate the landfill gas collection and control system in compliance with Air District regulations and permit conditions.

2. Request: Alternative to 95469(c) – Wellhead Monitoring Requirements Methods

The City requests that the wellheads be exempt from the monthly pressure monitoring requirement in the state regulation as allowed under the Air District regulation.

Response: Approval is **granted** to the City, as currently exempted in Air District Regulation 8, Rule 34, Section 120, to not monitor the individual wellheads monthly to determine the gauge pressure. Both the wellheads and area around the wellheads are still subject to compliance with the component and surface leak standards of the state and Air District regulations.

3. Request: Alternative to 95464(c) - The City requests that the wellheads be exempt from the state regulation requirement of operating under a vacuum (negative pressure) as allowed under the Air District regulation.

Response: Approval is **granted** to the City, as currently exempted in the Air District Regulation 8, Rule 34, Section 120, that the wellheads do not have to operate under vacuum (negative pressure). Both the wellheads and area around the wellheads are still subject to compliance with the component and surface leak standards of the state and Air District regulations.

4. Request: Alternative to 95471(c)(1)(C) – Surface Emission Monitoring (SEM) Monitoring Conditions – Wind Speed: The City requests that SEM monitoring will be terminated only when the average wind speed exceeds 15 miles per hour or the instantaneous wind speed exceeds 20 miles per hour.

Response: Based on the wind speed data provided approval is **granted** to the City that SEM will be terminated when the average wind speed is 15 mph or the instantaneous wind speed exceeds 20 mph. An on-site anemometer with a continuous recorder that determines wind speed on a 15-minute average is mandatory as per 95471(c)(1)(C).

The following are the requests made by the Site that are not approved by the Air District.

5. Request: Alternative to 95471(c)(1)(D) – SEM Monitoring Conditions – Measureable Precipitation: The City requests that SEM will be terminated if measurable precipitation occurs within 24 hours of a scheduled SEM event.

Response: Based on the precipitation data provided, approval is **not granted** to the City for the request above. Alternatively, the Air District will **grant approval** if the site conducts SEM in accordance with the following precipitation evaluation rate limits. In addition, an on-site rain gauge is mandatory:

Precipitation Range (Inches)	Time Elements (Hours)
≥0.01 to 0.15	24
≥0.16 to 0.24	48
≥0.25 and greater	72

6. Request: Alternative Section 95464(b)(1)(A) – Gas Collection and Control System Requirements The City requests that documented startup, shutdown or malfunction events including Gas Collection and Control System (GCCS) downtime of less than 5 days and control device downtime (less than 1 hour) where free venting occurs will not be a reportable deviations of the Landfill Methane Reduction (LMR) Regulation. GCCS downtime as allowed under Air District rules will not be reportable deviations of the LMR.

Response: This request is **not granted**. Sections 95470(a)(1)(A) and 95470(a)(1)(B), Recordkeeping and Reporting Requirements, are not sections that can be requested for an ACO under section 95468.

7. Request: Alternative Section 95471(f) – Source Test Methods

The City requests that they be granted the ability to use any of the following source test methods, which have been accepted for use by other air quality regulatory agencies, as an alternative to the requirements of section 95471(f):

- U.S. Environmental Protection Agency (EPA) Method 3C
- American society for Testing and Materials (ASTM) Method 1945-03 - Standard Test Method for Analysis of Natural Gas by Gas Chromatography
- ASTM Method 1946-90 – Standard Practice for Analysis of Reformed Gas by Gas Chromatography
- Gas Process Association (GPA) Standard 2261-00 – Analysis for Natural Gas and Similar Gaseous Mixtures by Chromatography
- ASTM UOP539-97 Refinery Gas Analysis by Gas Chromatography
- South Coast Air Quality Management District (SCAQMD) Method 25.1
- Other test methods approved by California air district regulations or permits

Response: This request is **not granted**. The City must obtain written approval from the Air District's Source Test Section for the use of any alternative Source Test Method to ensure compliance with Air District requirements. Once written approval from the Air District's Source Test Section is obtained then the City may then submit the written approval and supporting documentation to attain an ACO for this request.

8. Request: Alternative to 95469(a) – Surface Emission Monitoring (SEM)

The City requests to only conduct instantaneous Surface Emission Monitoring (SEM) based on historical monitoring data that shows no instantaneous readings greater than 200 ppmv have been recorded.

Response: This request is **not granted**. Section 95468 requires that the Executive Officer must deny the approval of any alternatives not providing equivalent levels of enforceability or methane emission control. The instantaneous readings of 200 ppmv which are required by the state regulation section 95471(c)(2)(A) to be reported are not an equivalent alternative to the integrated SEM required in section 95469(a).

9. Request: Alternative to 95469(a)(1)(B) – Re-Monitoring

The City requests additional time be given to them for the required ten calendar day re-monitoring if the area is in a dangerous area and/or is unable to be reached.

Response: This request is **not granted**. Re-monitoring and remediation activities should be a priority and corrective action must be taken accordance with the ten calendar day requirement. As provided in section 95468, areas that are considered to be unsafe or dangerous to field personnel may be excluded from SEM through an ACO. However, for approval, the City is required to submit documentation (e.g. landfill map, photos) to the Air District identifying which

areas are requesting to be excluded from SEM and the reasons why these areas are being asked to be excluded.

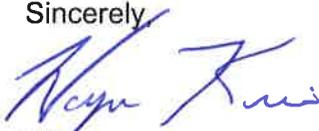
10. Request: Alternative to 95471(c)(1) – SEM Monitoring Area

The City requests that the area designated as the natural area in the northeastern corner of the landfill be excluded from SEM.

Response: This request is **not granted**. As provided in section 95468 landfills can request areas to be excluded from SEM or an alternative walking pattern requested for SEM. However, for approval, the City is required to submit documentation (e.g. landfill map of including “natural area”, photos, other regulatory requirements) to the Air District identifying which area they want to exclude and why. In the case of protecting animal habitats or species the owner or operator must provide verification that the animals which inhabit that area of the landfill are required to be protected.

Approval or Denial of any ACO request does not exempt the City from complying with other federal, State, or local laws, including but not limited to the requirements of Air District rules or permit conditions. Approval of this ACO or a portion of thereof may be revoked or its conditions modified in the event of compliance status changes or intentional or unforeseen events that change at the site upon which this ACO has been granted. If you have any questions, please contact Linda Carey, Air Quality Specialist II, (415) 749-8622.

Sincerely



Wayne Kino
Director of Compliance and Enforcement

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