



December 13, 2023

Director Laura Watson

Washington State Department of Ecology

300 Desmond Drive SE

Lacey, WA 98503

Director Watson,

RE: Comments on Draft New Rule, Chapter 173-408 WAC, Landfill Methane Emissions

We, the undersigned organizations, submit these comments in response to the proposed draft rule, Chapter 173-408 WAC, Landfill Methane Emissions (as directed by HB1663, passed by the legislature in 2022), published on October 30, 2023.

Methane is a super pollutant that has a dramatic and immediate impact on global warming. In Washington and across the country, landfills are a major source of methane emissions. In fact, in 2022, [EPA inspections at 3 Washington landfills found excessive and, in one case, even explosive levels of methane](#). And these are just the landfills that were independently inspected:

a small fraction of the landfills located in the state of Washington. These exceedances were not communicated to the public and only uncovered via public records requests. Landfills also create many other challenges for surrounding communities, including the potential for toxic leachate into groundwater, air pollution, quality of life impacts, noise and odors.

Washington State has taken strong steps to reduce greenhouse gas emissions. The next few years are critical for meeting the state's emissions targets and cementing the state's leadership on climate. Reducing landfill gas emissions is one of the most effective pathways to do so. Unfortunately, the draft rule needs to be strengthened so that it fully meets the statute mandate to reduce landfill methane gas emissions. While there are many items to improve, we focus on three key provisions. Specifically we think the rule should:

- **Require the use of effective technologies, i.e., remote sensing technology such as drones and certified third party data.** The rule should require use of remote methane-detection technology and leverage technology to quickly pinpoint large methane sources, supplementing current ineffective methods that increase the risk of human error and safety. Landfills can have significant surface area and, as it stands, the draft rule does not require the surface area of the landfill to be comprehensively monitored. Instead, it locks in the old system of relying on humans walking in a grid pattern on the landfill to search for leaks. This is essentially an honor system and fails to require that landfills use more effective and safe technology such as remote drones. The final rule should instead proactively require that landfills use available, most effective methane-sensing technologies, such as remote drones, so that significant methane emissions are detected and remediated. In addition, the rule should require ground monitoring and mitigation when an operator is notified that a leak has been detected by agencies or by third parties that submit credible data to Ecology.
- **Require timely installation of gas collection systems and remove allowances for landfills to skip or delay obligations.** [The EPA estimates](#) fifty percent of the carbon in food waste is degraded to landfill gas within 3.6 years. Yet current federal standards give landfills 5 years to install gas capture and control systems in landfill expansions (i.e., new cells). This means a large amount of food waste has degraded to methane and has escaped before any collection system is in place. Thus, Ecology should require planning for and earlier installation of gas collection systems. Additionally, Ecology should remove the overly broad exemptions and weakened parameters related to surface emission monitoring requirements, and strengthen gas collection system and leak monitoring requirements to ensure gas collection system shutdown is minimized and gas collection is robust and comprehensive.

- **Ensure the public has access to records in a timely and accessible way.** Under the draft rule, required reports are not obligated to be submitted in a timely manner nor electronically to both the Department of Ecology and the local air pollution control agency. These common sense provisions would increase transparency and accessibility by the public. Furthermore, the landfill operator should provide, in their quarterly surface emissions monitoring report, all measured surface emissions of methane with the map traversed (or flown by drone or other technology) for sampling clearly identifying each reading's location. Since methane emissions affect air quality, water, and community health, people deserve full transparency concerning discharge levels.

The state of Washington faces a decision point: make meaningful steps toward one of the most common-sense climate solutions we have, or largely maintain the status quo. We urge Ecology to strengthen the rule and require the latest technology and practices needed to address unchecked methane emissions.

Sincerely,

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