

7011.3525 INCORPORATION BY REFERENCE; EMISSION GUIDELINES AND COMPLIANCE TIMES; MUNICIPAL SOLID WASTE LANDFILLS EXISTING ON OR BEFORE JULY 17, 2014.

Subpart 1. **Scope.** The requirements of this part apply to the owner or operator of a landfill that began construction, modification, or reconstruction on or before July 17, 2014.

Subp. 2. **Incorporation by reference; federal emission guidelines.** Code of Federal Regulations, title 40, part 60, subpart Cf, as amended, entitled "Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills," is incorporated by reference with the following exceptions:

A. the incorporation of section 60.31f (e) changes the phrase "; 40 CFR part 62, subpart GGG; or a state plan implementing subpart Cc of this part" to "or 40 CFR part 62, subpart GGG,";

B. the incorporation of section 60.32f changes the phrase "Planning, awarding of contracts, installing, and starting up MSW landfill air emission collection and control equipment that is capable of meeting the Emission Guidelines under § 60.33f must be completed." to "The owner or operator must complete planning, awarding of contracts, installing, and starting up MSW landfill air emission collection and control equipment that is capable of meeting the Emission Guidelines under § 60.33f.";

C. the incorporation of section 60.33f (a) does not include the phrase "For approval, a state plan must require" and changes the phrase "to collect and control" to "must collect and control";

D. the incorporation of section 60.33f (b) changes the phrase "For approval, a state plan must include provisions for the installation of" to "The owner or operator must install";

E. the incorporation of section 60.33f (c) changes the phrase "For approval, a state plan must include provisions" to "The owner or operator must provide";

F. the incorporation of section 60.33f (d) changes the sentence "For approval, a state plan must require each owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume to submit an initial design capacity report to the Administrator as provided in § 60.38f (a)" to "The owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume must submit an initial design capacity report to the commissioner as provided in § 60.38f (a)";

G. the incorporation of section 60.33 (e) changes the sentence "For approval, a state plan must require each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 megagrams and 2.5 million cubic meters to either install a collection and control system as provided in paragraphs (b) and (c) of this section or calculate an initial NMOC emission rate for the landfill using the procedures specified in § 60.35f (a)" to "The owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 megagrams and 2.5 million cubic meters must either install a collection and control system as provided in paragraphs (b) and (c) of this section or calculate an initial NMOC emission rate for the landfill using the procedures specified in § 60.35f (a)";

H. the incorporation of section 60.34f does not include the sentence "For approval, a state plan must include provisions for the operational standards in this section for an MSW landfill with a gas collection and control system used to comply with the provisions of § 60.33f (b) and (c)";

I. the incorporation of section 60.35f changes the phrase "For approval, a state plan must include" to "The owner or operator must use the";

J. the incorporation of section 60.36f changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

K. the incorporation of section 60.37f changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

L. the incorporation of section 60.38f:

(1) changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

(2) changes the phrase in paragraph (a) "90 days after the effective date of EPA approval of the state's plan under section 111(d) of the Clean Air Act" to "12 months after the effective date of this rule";

(3) changes the phrase in paragraph (c) "90 days after the effective date of EPA approval of the state's plan under section 111(d) of the Clean Air Act" to "12 months after the effective date of this rule";

(4) in paragraph (d), does not include the sentence "The state plan must include a process for state review and approval of the site-specific design plan for each gas collection and control system"; and

(5) in paragraph (e), changes the phrase "; 40 CFR part 62, subpart GGG; or a state plan implementing subpart Cc of this part," to ", or 40 CFR part 62, subpart GGG,";

M. the incorporation of section 60.39f does not include the sentence "For approval, a state plan must include the recordkeeping provisions in this section"; and

N. the incorporation of section 60.40f does not include the sentence "For approval, a state plan must include the specifications for active collection systems in this section."

Statutory Authority: *MS s 116.07*

History: *44 SR 1030*

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