



DELAWARE SOLID WASTE AUTHORITY

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May 17, 2012

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Dr. Holly Stallworth, Ph.D.
Economist and Designated Federal Officer
Clean Air Scientific Advisory Committee (CASAC)
Environmental Protection Agency
Mail Code 1400R
1300 Pennsylvania Ave., NW
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Dear Dr. Stallworth:

RE: Comments to SAB Review of EPA's Accounting Framework for Biogenic CO₂ Emissions from Stationary Sources

The Delaware Solid Waste Authority (DSWA) is pleased to submit the following comments to the Scientific Advisory Board's (SAB) review of the Environmental Protection Agency's (EPA) "Accounting Framework for Biogenic CO₂ Emissions from Stationary Sources" (referred to as the "Framework") dated March 9, 2012.

DSWA was created in 1975 by the General Assembly of the State of Delaware. It is DSWA's mission to define, develop, and implement cost-effective plans and programs for solid waste management which best serve Delaware and protect our public health and the environment. Since its inception, DSWA has been an active participant in the Solid Waste Association of North America (SWANA) and leader in developing innovative technology in the field of solid waste management.

Categorical Exclusion for Landfill CO₂

EPA's Framework acknowledges that landfills emit "CO₂ that would have otherwise been returned to the atmosphere from natural decay of waste" (pg. 37). This statement is correct. The generation of CO₂ within landfills, and also from conversion of landfill methane (CH₄) to CO₂ does not create CO₂ that would not be present from natural decay of the material. The Framework also discusses the fact that the materials generating the CO₂ are biogenic materials (pg 35).

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The SAB panel echoes this information by stating that CO₂ generated from landfills could be assigned a Biogenic Accounting Factor (BAF) of zero (pg. 17). Based on this information and the fact that landfilling does not have complicating land use issues associated with some other industries, DSWA requests that the SAB Panel recommend a permanent categorical exclusion for all landfill CO₂ emissions from the Tailoring Rule.

Methane

The SAB panel references landfill methane several times throughout their review letter. DSWA is concerned that the panel's concerns about methane, while useful in a wider discussion of green house gases (GHG), does not have any relevance in a discussion of the treatment of biogenic CO₂ emissions. The landfill industry and EPA have agreed that landfill methane is not biogenic. The biogenic deferral did not affect the treatment of methane under the Tailoring Rule. The presence of methane in landfill gas does not affect the nature of the CO₂ in landfill gas and should not affect the categorization of landfill CO₂ as biogenic. On page 24 the panel suggests:

The carbon impact of using waste for energy production in combustion facilities should nonetheless be measured relative to the CH₄ emissions, if any, that would be released during decomposition in a landfill. Note that the *Framework* should account for the fact that CH₄ emissions from landfills are sometimes captured already.

This suggestion is not an appropriate one. In order for waste-to-energy operations to gain credit from avoided methane, appropriate consideration would need to be given to factor in landfill gas collection efficiency, energy generation (when appropriate), methane oxidation, and carbon sequestration. This is beyond the authority or intention of the biogenic deferral and should therefore not be taken on via the Framework. The capture and control of landfill methane is already regulated by EPA via the requirement to control non-methane organic compounds (NMOC) contained in the landfill New Source Performance Standard (NSPS). Additionally, in EPA's 2006 document titled "Solid Waste management and Greenhouse Gases" the lifecycle analysis shows that landfills with LFG recovery have net negative GHG emissions (pg 93, Exhibit 6-8). This is even true for landfills that flare the LFG they collect, of course the GHG reduction increases when the LFG is used for energy generation. DSWA recommends that the SAB panel advocate for the removal of all discussion and consideration of methane from the Framework.

Carbon Sequestration

Carbon sequestration is defined in the Framework as the term "SEQP" and is defined as the "proportion of feedstock CO₂e embodied as carbon in post combustion residuals (such as ash or biochar) or carbon captured and stored before leaving the stack at a stationary source." If the biogenic deferral is going to extend credit based on sequestration, then landfill sequestration must be

appropriately quantified and considered. This term ignores the sequestration that occurs in landfills, which should be considered. It is unclear if the biogenic deferral is the appropriate regulatory vehicle to handle the credit that landfills should receive for carbon sequestration. It would be more straightforward for the Tailoring Rule to address sequestration directly. It is clear however that carbon sequestration in landfills must be appropriately addressed. DSWA recommends that the SAB Panel acknowledge the importance of landfill carbon sequestration and recommend that the Framework incorporate this into their biogenic accounting system.

For further discussion please do not hesitate to contact me (adm@dswa.com, 302.764.5385). I look forward to working with you on this and future issues.

Yours Truly,



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Cherry Island Landfill Gas Manager

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