

News Releases from Region 1

Owner of Central Landfill Settles Clean Air Act Case with EPA and DOJ; Settlement Requires \$5 million of Improvements to Curb Landfill Gas

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BOSTON - The U.S. Environmental Protection Agency and Department of Justice today announced that the owner/operator of the state's **Central Landfill** in Johnston, RI will be spending more than \$5 million on air pollution control measures as part of a settlement of alleged Clean Air Act violations. The settlement, which is subject to a 30-day public comment period, was filed today in U.S. District Court in Providence.

Stemming from an EPA investigation that began in the late 1990s, the settlement with the RI Resource Recovery Corp. (RIRRC) requires payment of a \$321,000 penalty and installation of additional pollution control systems that will substantially improve collection and control of **landfill** gas at the 190-acre **landfill** which handles most of the state's household and commercial waste. Noxious odors from the **landfill** gas have been a long-standing source of complaints among residents living near the **landfill**.

"This **landfill** case is further evidence that EPA is fully committed to enforcing new source review and other clean air requirements to the maximum extent possible," said J.P. Suarez, assistant administrator at EPA's Office of Enforcement and Compliance Assurance. "It is a major victory for Rhode Islanders living in close proximity to this facility."

"This agreement will result in significant reductions in gas emissions from the **Central Landfill**," said Robert W. Varney, regional administrator of EPA's New England Office. "Controlling and capturing **landfill** gas is a complex challenge and these required changes should lead to significant improvements in air quality."

"Today's settlement represents resolution of one of the first enforcement actions in the nation for violations of New Source Review under the Clean Air Act at a solid waste **landfill**," added Tom Sansonetti, assistant attorney general at the U.S. Justice Department's Environment and Natural Resources Division. "This is further evidence of the government's efforts to protect our environment for America's future generations and to work with industry to reduce the levels of harmful pollutants and noxious odors in our air."

The **landfill** gas control and other compliance measures RIRRC has already implemented as a result of EPA's enforcement action have significantly decreased the amount of **landfill** gas being emitted from the **landfill**. Based on information obtained by EPA from the RI Department of Environmental Management, these compliance measures have also reduced the frequency and severity of odors emanating from the **landfill**. Further improvement is expected in the future based on additional measures RIRRC has committed to undertake as part of this settlement.

The new pollution control systems will result in the capture and control of about 30,350 tons of methane (a global warming pollutant) and 215 tons of volatile organic compounds (a contributor to smog air pollution) between now and 2010. The additional equipment is designed to boost the facility's overall capture/ control efficiency of **landfill** gas to 90 percent or better. As part of the settlement, RIRRC has already purchased or surrendered 175 tons of emissions credits – allowances to emit smog-causing pollutants – to mitigate excess emissions that resulted from violations found during the EPA investigation.

The settlement requires improvements at numerous areas of the **Central Landfill**, which consists of four **landfill** phases. Phase I of the **Central Landfill** opened in 1955 under previous ownership and was closed in 1993. (This area is being cleaned up under EPA's Superfund Program.) Phases II and III began accepting waste in the 1990s and Phase IV began accepting waste in September 2000.

Among the specific improvements required under the settlement:

- installation of 14 horizontal **landfill** gas collection trenches in the upper altitudes of Phases II and III (this work was completed in fall 2001);
- continuation of the ongoing installation of an extensive **landfill** gas collection trench system in all altitudes of Phase IV;
- installation, over the next four years, of cover and capping materials on Phases II and III to trap escaping **landfill** gas, limit water infiltration into the waste, and increase the efficiency of already existing collection and control systems. (This work schedule is far more aggressive than what would be required under state law.)
- installation, within the next year, of an ultra-low emissions flare which will burn **landfill** gas substantially cleaner than most flares currently on the market.

The cost of implementing these control measures is estimated at more that \$5 million.

EPA launched its investigation in July 1999. In 2000, EPA issued two administrative orders and one notice of violation to RIRRC for: failure to obtain pre-construction permits and install appropriate controls for Phases II, III, and IV as required by the New Source Review requirements in the RI Air Pollution Control Regulation; failure to conduct certain monitoring, testing, and record keeping required by the federal New Source Performance Standards for Municipal Solid Waste **Landfills** which are designed to minimize **landfill** gas emissions; and failure to apply for and obtain a required facility-wide Title V operating permit

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