



**MENDOCINO COUNTY BOARD OF SUPERVISORS**  
**ONLINE AGENDA SUMMARY**

**BOARD AGENDA #** 5 (f)

-Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing  
 -Agenda Summaries must be submitted no later than noon Monday, 15 days prior to the meeting date (along with electronic submittals)  
 -Send 14 complete sets (original, single-sided+13 copies) – Items must be signed-off by appropriate departments and/or County Counsel  
 -Transmittal of electronic Agenda Summaries and associated records must be emailed to: [bosagenda@co.mendocino.ca.us](mailto:bosagenda@co.mendocino.ca.us)  
 -Electronic Agenda Transmission Checklist: ☐ Agenda Summary ☐ Records ☐ If applicable, list other online information below  
 -Executed records will be returned to the department within one week. Arrangements for expedited processing must be made in advance

**TO:** Air Quality Management District Board **DATE:** September 14, 2011

**FROM:** Air Quality Management District **AGENDA DATE\*:** September 20, 2011

**DEPARTMENT RESOURCE/CONTACT:** Chris Brown **PHONE:** 4354 Present ☐ On Call ☒

Consent Agenda ☒ Regular Agenda ☐ Noticed Public Hearing ☐ Time Allocated for Item: \_\_\_\_\_

■ **AGENDA TITLE:** Request for Authorization for the APCO to sign the Memorandum of Understanding with the California Air Resources Board regarding implementation and enforcement of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills in Mendocino County.

■ **PREVIOUS BOARD OR BOARD COMMITTEE ACTIONS:**  
 None

■ **SUMMARY OF REQUEST:** The District is requesting Board authorization for the Air Pollution Control Officer to sign the Memorandum of Understanding with the Air Resources Board (ARB) regarding implementation and enforcement of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills in Mendocino County. (California Code of Regulations, title 17, subchapter 10, article 4, Subarticle 6, sections 95460 to 95476). The proposed MOU authorizes the District to conduct inspections, charge fees for associated costs, and assess penalties (if necessary) for Municipal Solid Waste Landfills in Mendocino County to ensure compliance with the requirements of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

<http://www.arb.ca.gov/cc/landfills/docs/guidance0711.pdf>

<http://www.arb.ca.gov/regact/2009/landfills09/landfillfinalfro.pdf>

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):** ☐

**FISCAL IMPACT:**

Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y	
	Not Applicable	Not Applicable	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All ☐ ■ **VOTE REQUIREMENT:** Majority ☒ 4/5ths ☐

■ **RECOMMENDED ACTION/MOTION:** Authorize the APCO to sign the Memorandum of Understanding with the California Air Resources Board regarding implementation and enforcement of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills in Mendocino County.

■ **ALTERNATIVES:** Not authorize the APCO to sign the MOU and allow the state Air Resources Board to implement and enforce the Regulation in Mendocino County.

■ **CEO REVIEW (NAME):** Steve Dunncliff **PHONE:** 463-4441

**RECOMMENDATION:** Agree ☐ Disagree ☐ No Opinion ☐ Alternate ☐ Staff Report Attached ☐

**BOARD ACTION (DATE: \_\_\_\_\_):** ☐ Approved ☐ Referred to \_\_\_\_\_ ☐ Other \_\_\_\_\_

**RECORDS EXECUTED:** ☐ Agreement: \_\_\_\_\_ ☐ Resolution: \_\_\_\_\_ ☐ Ordinance: \_\_\_\_\_ ☐ Proclamation ☐ Other \_\_\_\_\_

Smaug\AQMD-BOS\Agenda11-06 GHG Landfill MOU

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**MENDOCINO COUNTY**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**MEMORANDUM**

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**DATE:** September 14, 2011

**TO:** Air Quality Management District Board

**FROM:** Christopher Brown AICP  
Air Pollution Control Officer

**cc:** Howard Dashiell, Director, Mendocino County Department of Transportation  
Tim Erikson, Public Works Director, City of Ukiah  
Mike Sweeney, Mendocino County Solid Waste Management Authority

**SUBJECT:** MOU between the California Air Resources Board and the Air Quality Management District Regarding Implementation and Enforcement of the State Green House Gas Landfill Regulation

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Pursuant to AB 32, the Global Warming Solutions Act of 2006, ARB is the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming. (California Health and Safety Code, § 38510)

The proposed Memorandum of Understanding (MOU) between the California Air Resource Board and the Mendocino County Air Quality Management District is the first in a series of MOUs negotiated by the California Air Pollution Control Officers Association (CAPCOA) and ARB related to the enforcement of Green House Gas (GHG) regulations and Diesel regulations in California.

The proposed MOU regarding Implementation and Enforcement of Regulations to Reduce Methane Emissions from Municipal Solid Waste Landfills (MSW) authorizes the District to conduct inspections, charge fees for associated costs, and assess penalties (if necessary) for Municipal Solid Waste Landfills in Mendocino County to ensure compliance with the requirements of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills. (California Code of Regulations, title 17, subchapter 10, article 4, Subarticle 6, Sections 95460 to 95476)

The proposed MOU will not change any of the compliance requirements of the state regulation – it simply authorizes the District to enforce the regulation at the local level.

At this time, the only facility in Mendocino County that may be subject to all of the requirements of this regulation is the City of Ukiah Landfill. The remaining MSW landfills are subject to a lower level of reporting and monitoring requirements. Wood waste landfills (aka “Bark Dumps”) are not subject to this regulation.

All training requirements for District staff will be provided by ARB. Costs related to enforcement of the regulation outlined in the MOU for additional staff time (inspections, reporting and training) will be offset by Technical Services fees charged at the District’s hourly rate.

The District is requesting Board authorization for the Air Pollution Control Officer to sign the Memorandum of Understanding with the Air Resources Board (ARB) regarding implementation and enforcement of the state Green House Gas Regulation affecting Municipal Solid Waste Landfills.

For more information

ARB Landfill Gas Implementation Guidance -

<http://www.arb.ca.gov/cc/landfills/docs/guidance0711.pdf>

Final Landfill Methane Control Measure -

<http://www.arb.ca.gov/regact/2009/landfills09/landfillfinalfro.pdf>

Thank you.