



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 18 2014

REPLY TO THE ATTENTION OF:

Michael McGowan
Freeway Landfill, RB McGowan, Inc.
11937 Highway 35W
Burnsville, MN 55337

Re: Compliance with Greenhouse Gas Reporting Program

Dear Mr. McGowan,

On behalf of the U.S. Environmental Protection Agency, I am writing to inform you that the Agency believes that the Freeway Landfill, located in Burnsville, Minnesota, was required to monitor greenhouse gas (GHG) data in 2010, 2011, 2012, and 2013 and report that information under the Greenhouse Gas Reporting Program (GHGRP)¹. As of October 1, 2014, EPA has not received any GHG reports for this facility. EPA is sending this letter to alert you to these obligations under the GHGRP and to offer compliance assistance.

Pursuant to 40 C.F.R. § 98.2(a)(1), municipal waste landfills that accepted waste after January 1, 1980, and that generate methane in amounts equivalent to 25,000 metric tons of carbon dioxide (CO₂e) or more per year are subject to the GHGRP. Based on publicly available information on your landfill's open year, closure year, waste in place, and average annual rainfall, it appears that the Freeway Landfill exceeds the methane generation threshold and is subject to the provisions of Subpart HH of 40 C.F.R. Part 98.

Failure to comply with 40 C.F.R. Part 98 is a violation of the Clean Air Act. If you are subject to these provisions, immediately register at the following website, then complete and submit an e-GGRT report for each applicable year.

http://www.epa.gov/ghgreporting/reporters/datasystem/e-ggrr_registration.html

Also note that the next reporting deadline for calendar year 2014 GHG data is March 31, 2015, and you should plan to ensure that you meet this deadline.

We encourage you to act now because EPA takes good faith efforts into account as we determine the appropriate responses to violations of the rule. EPA is prepared to assist

¹EPA launched the GHGRP in 2010 to require annual reporting of GHGs and other relevant information from large sources and suppliers under 40 CFR Part 98. Owners and operators of facilities subject to the GHGRP are required to register in a web-based system called e-GGRT, follow specific monitoring, recordkeeping, and calculation requirements, and submit annual reports to EPA through e-GGRT.

you with questions you may have about the requirements and how to comply. Information on the rule can be found at www.epa.gov/ghgreporting. If you have questions, you can contact the help center at GHGreporting@epa.gov or Virginia Galinsky of my office at (312) 353-2089 or galinsky.virginia@epa.gov.

Please notify Ms. Galinsky within 60 days of receipt of this letter if you will be reporting your GHG emissions as required. If you believe that you are not subject to 40 C.F.R. Part 98, please contact Ms. Galinsky and explain why you believe you are not subject to the GHGRP. If we agree, we will remove the Freeway Landfill from our list of facilities we believe are subject to the GHGRP.

Sincerely,



Sara Breneman

Chief

Air Enforcement and Compliance Assurance Branch