

November 10, 2011

Board of Directors
Eastern Kern APCD
2700 "M" Street, Suite 302
Bakersfield, CA 93301

SUBJECT: Memorandum of Understanding with California Air Resources Board for Implementation and Enforcement of Regulations to Reduce Methane Emissions from Landfills

Honorable Board:

The Eastern Kern Air Pollution Control District (District) and the California Air Resources Board (ARB) staff have developed a Memorandum of Understanding (MOU) that provides a mechanism for the District to operate as administering agency for ensuring compliance with the *Regulation to Reduce Methane Emissions from Municipal Solid Waste Landfills*, as adopted by the Air Resources Board (ARB) and effective on June 17, 2010. Under the MOU, ARB authorizes the District to implement and enforce municipal solid waste (MSW) landfill regulations, as well as any subsequent amendments.

An MSW landfill is a unique stationary source that is very different from other regulated sources. Doug Landon, Director of Kern County Waste Management, was consulted about the District enforcing MSW landfill regulations in-lieu of ARB. Mr. Landon agreed that the District would be the appropriate agency to enforce such regulations.

The ARB prefers that local air districts implement the regulations, since the local air districts already have permits for these facilities and are familiar with their operations. After discussion with ARB, the District decided to become the implementing agency. Both parties to this MOU commit to efficiently pursuing this common goal, considering their respective financial constraints and available resources.

IT IS RECOMMENDED your Board approve Memorandum of Understanding No. 11-028-2011 with California Air Resources Board; authorize the Chairman to sign, and direct staff to forward to ARB's Executive Officer for his approval signature.

Sincerely,

David L. Jones
Air Pollution Control Officer

DLJ: JC:
Attachments

cc: Doug Landon, Kern County Waste Management