



Heritage Complex
2662 Riva Road
Annapolis, MD 21401

Christopher J. Phipps, P.E.
Director

July 16, 2021

Mr. Randy Mosier, Chief
Regulation Development Division
Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, Maryland 21230

RE: Stakeholders Meeting Discussion Concepts for Proposed MD Regulations

Dear Mr. Mosier:

We appreciate the Maryland Department of the Environment (MDE) hosting the June 23, 2021, Stakeholders Meeting to discuss the development of new regulations to minimize methane emissions from municipal solid waste (MSW) landfills in Maryland.

Anne Arundel County is the owner of three (3) MSW landfills. Operations at the Glen Burnie (Glen Burnie, MD) and Sudley Road (Deale, MD) Landfills ended decades ago. Both were closed under MDE's oversight, and post-closure care continues to be provided by the Anne Arundel County Department of Public Works. The Millersville Landfill and Resource Recovery Facility (Severn, MD) has both closed and active landfill disposal areas, and all disposal areas are currently part of a site wide active landfill gas collection and control system with energy recovery.

We support MDE in its effort to reduce methane and other greenhouse gas emissions. We concur with the applicability criteria presented by MDE at the Stakeholder's Meeting, and would want to see that criteria reflected in the final regulation. However, we are concerned that the proposed framework does not recognize existing or planned beneficial use projects that contribute to reducing greenhouse gas emissions.

In fact, Anne Arundel County is actively developing a solar photovoltaic project at our closed Glen Burnie Landfill. We executed a lease agreement in 2021, our partner is diligently pursuing Power Purchase Agreements to supply Tier 1 renewable electricity, and we understand that MDE has already provided its comments on preliminary site plans in accordance with its "Solar Panel Installation on Closed & Capped Landfills" guidance document. We strongly encourage MDE to include provisions that protect solar projects in its new regulations.

This is especially important to consider as landfill gas generation declines exponentially over time while the benefits of greenhouse gas reduction accrue over the decades of life of a solar project. We must work collaboratively to ensure that any regulations promulgated in the next year protect local government investment in solar projects on closed landfills. It would not be beneficial to the environment, nor would it be fiscally responsible to design regulations that have the unintended consequence of requiring local governments to remove tens of thousands of solar panels in order to install geomembrane caps and active gas collection systems on aged and otherwise closed and capped facilities.

Thank you again for the opportunity to offer comments at this early stage of the process. We hope our comments and thoughts will provide some practical insights.

Sincerely,



Rhody Holthaus
Deputy Director

cc: Matthew Johnston, Environmental Policy Director