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States May Issue Permit Variances for Municipal Solid Waste Landfills

The Environmental Protection Agency (EPA) is providing additional regulatory flexibility to states to use new technologies to manage municipal solid waste (MSW). This action aims to stimulate the development and use of safe, new alternative operational processes to landfill MSW.

Action

EPA's Criteria for Municipal Solid Waste Landfills (MSWLFs) establish the federal regulatory framework for managing municipal solid waste. The states base their EPA-approved MSW programs on the Criteria. This action modifies the federal Criteria to allow EPA-approved states to issue research, development, and demonstration (RD&D) permits to MSW landfills.

State directors have the discretion to provide variances for run-on control systems, liquid restrictions, and the final cover permeability for closure and post-closure care. No other variances may be issued under a state RD&D permit. To grant a variance, the state director must be satisfied that a landfill operating under an RD&D permit will protect the environment to the same extent as it would under a standard MSWLF permit.

Municipal Solid Waste RD&D permits may be used for new and innovative landfill technologies, such as bioreactor landfills and phytocovers. Bioreactor landfills are designed and operated in such a manner that liquids are added to the waste mass to accelerate the decomposition of the waste. Phytocovers provide a different approach to controlling infiltration by using plants to remove moisture from the soil cover of a municipal landfill.

A state must adopt these regulations in order to issue RD&D permits. The Agency expects landfill owners and operators to save money by recirculating leachate instead of treating it, and from cost reductions associated with the flexibility in this rule for innovative final cover designs.

This rule is not an attempt to lessen the importance of composting or source reduction in the hierarchy of municipal solid waste management. If new technologies can improve the overall management of MSW while protecting human health and the environment, then EPA encourages the development of such new and innovative technologies.

For More Information

This fact sheet and other information related to MSW RD&D permits are available on the Internet at: <http://www.epa.gov/epaoswer/non-hw/muncpl/mswlficr/index.htm>.