



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: June 8, 2010 REPORT NO. 10-83

ATTENTION: Natural Resources and Culture Committee
Agenda of June 16, 2010

SUBJECT: As Needed Consultant Agreement with SCS Engineers for Services to
Meet Greenhouse Gas Regulations for Landfills.

SUMMARY:

The Environmental Services Department (ESD) requests approval of the As-Needed Consultant Agreement with SCS Engineers and authorization for the Chief Financial Officer to appropriate and expend funds from the Refuse Disposal Operating Fund 700039 for professional services.

BACKGROUND:

Through a competitive process in accordance with A.R. 25.60, SCS Engineers was selected as the consultant for the As-Needed Services to Meet Greenhouse Gas Regulations for Landfills. The work performed by SCS Engineers for this 5-year Agreement will include developing strategies and plans to assist the City in complying with new State of California, and Federal Climate Change Regulations pertaining to landfills.

DISCUSSION:

At its June 25, 2009, public hearing the California Air Resources Board approved for adoption California Code of Regulations, title 17, article 4, sub article 6, sections 95460 to 95476, Methane Emissions from Municipal Solid Waste Landfills. This regulation is a discrete early action greenhouse gas reduction measure, as described in the California Global Warming Solutions Act of 2006 (Assembly Bill 32; Stats. 2006, chapter 488). It will reduce methane emissions from landfills primarily by requiring owners and operators of certain uncontrolled landfills to install gas collection and control systems, and by requiring existing and newly installed gas collection and control systems to operate optimally.

Also, in response to the Federal FY2008 Consolidated Appropriations Act (H.R. 2764; Public Law 110-161), the EPA has issued the Final Mandatory Reporting of Greenhouse Gases Rule.

The rule requires reporting of greenhouse gas (GHG) emissions from large sources and suppliers in the United States, and is intended to collect accurate and timely emissions data to inform future policy decisions. In part this Federal Rule requires continuous landfill flare gas monitoring beginning January 1, 2010, but ESD applied for and received an extension to December 31, 2010, in order to allow time for this consultant to recommend and ESD to implement the best available monitoring procedures required by the rule.

We request approval of this Agreement with SCS Engineers in order to maintain landfill sites in compliance with the above State and Federal regulations, and thus decrease risks to public health and safety, as well as to the environment. State regulators can order fines for landfill sites that are out of compliance, and/or impose prescriptive corrective actions with restrictive timelines, all resulting in increased costs. The Federal regulation provides for fines up to \$37,500 per day for failure to monitor or report GHG emissions. SCS Engineers are leading experts on greenhouse gas rules and have decades of experience in landfill gas control throughout California and a local presence in San Diego.

Services to be performed by SCS Engineers will include the following:

- perform instantaneous and integrated surface emissions surveys as prescribed by AB 32. ESD estimates there are over one thousand acres of landfill cover that must be surveyed under the new rule and must meet the new emissions and reporting requirements;
- modeling, calculating and reporting landfill gas generation. Different prescriptive complex modeling and reporting must be performed for each of the State and Federal GHG rules;
- monitoring and reporting landfill flare gas. Federal reporting rule requires continuous monitoring of flare gas properties that is not currently required or being performed;
- source testing landfill flares. This is not currently required and will have to be performed yearly with reports submitted;
- provide guidance and other services. To include coordination with operators of gas collection systems, fulfilling other requirements of the regulations as they pertain to landfills, responding to changes in various programs and acting as liaison with regulatory agencies.

In order to ensure the desired contract performance is achieved, project staff will establish a firm schedule, identify tasks and deliverables, and develop a not to exceed budget. Staff also ensures that each project will be developed to ensure compliance with regulatory standards utilizing best available technology. Consultants are typically required to provide a draft report before the final report.

FISCAL CONSIDERATIONS:

This As-Needed Consultant Agreement provides compensation in accordance with an hourly fee schedule or negotiated lump sum for each specific task authorized by the Environmental Services Department. The maximum contract amount for this five year agreement is \$1,900,000. Other than the guaranteed minimum award of \$1,000, funds are not to be encumbered or expended until such time as specific projects are identified and the City Comptroller first furnishes a certificate demonstrating that the necessary funds are, or will be on deposit with the City Treasury.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

This Agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Sections 22.2701 through 22.2708) and Non-Discrimination Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517.)

PREVIOUS COUNCIL and/or COMMITTEE ACTION: None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

None. There are no known groups expressing support or opposition to this project.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Citizens of San Diego, SCS Engineers.



Chris Gonaver
Environmental Services Director



David Jarrell
Deputy Chief of Public Works