

To: Climate Action Reserve

From: Mark Messics  
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Subject: Draft U.S. Landfill Project Protocol 4.0  
Comments

Date: June 3, 2011

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I have reviewed the subject draft protocol and offer the following comments on the sections for which the Reserve is seeking comments.

**3.4.1. (B)**

Limiting the size of eligible landfills to such small arbitrary weight limits can unfairly impact the ability of some sites to qualify. In particular, some sites have a high percentage of “non-gas-producing” waste-in-place. Such waste may include construction and demolition debris, foundry sands, contaminated soils, well drillings, etc. The waste composition, compaction/density, type of cover used and final cap installed impact the potential gas generation as much as the “tons in place” number. I’m not suggesting that the Reserve should make complying with its protocol even more cumbersome. I am saying that it doesn’t make sense to penalize small sites that are already struggling to find a way to pay for a gas collection and control system. Keep the cutoff consistent with NSPS.

**3.4.1. (C)**

Restricting eligible projects to selling either CRTs or RECs is ill-advised. At many landfills, the installation of a gas collection system and later a beneficial use project, are two separate and distinct projects (different assets with different lifespans). In some cases, the projects are owned and operated by different entities. Expected revenue from the sale of CRTs is often used to justify the installation of a gas collection system. Expected revenue from the sale of RECs (together with electrical energy) is used to justify the installation of a landfill gas-to-energy (LFGTE) plant. These are often two separate financial analyses performed by parties that may not be privy to the other project’s economics.

When the same firm is developing both the gas collection system and the LFGTE plant, all revenue streams are vital. The “low hanging fruit” in the LFGTE industry was picked years ago. All’s that’s left now are relatively small landfills and/or landfills in parts of the country where energy and REC pricing is low and/or interconnection costs are high. This is why there are hundreds of landfills listed on the LMOP spreadsheet as not having a project yet. Project developers are seeking out every available revenue stream in order to create a project that clears their financial hurdles. As such, they are even applying for and being awarded grants for some projects, in addition to the aforementioned revenue streams and tax credits. Removing a potential source of revenue will likely lead to less project development.