

SB26-101 – Committee Hearing (April 2026)

Members of the Committee,

My name is Lee Helfend, and I am writing on behalf of Full Circle Future.

In December 2025, the Air Quality Control Commission unanimously adopted the Landfill Methane Rule following a robust stakeholder process that included operators, advocates, and CDPHE. The resulting rule reflects a careful balance grounded in current science, widely available technology, and real-world operational considerations.

These standards are consistent with practices already in place elsewhere. More than 340 landfills across states including California, Oregon, Michigan, Maryland, and Washington—over half of them publicly owned—are operating under similar requirements. In Oregon, average tipping fees have generally decreased when adjusted for inflation following updates to landfill gas standards.

Colorado's landfill methane regulations include multiple monitoring and repair pathways that allow operators to address emissions before more costly infrastructure is required. Some landfills may be able to defer or avoid major investments if emissions remain controlled. Landfills must meet all of the following criteria to be required to install gas collection systems:

- Have more than 450,000 waste-in-place tons;
- Demonstrate a consistent inability to control methane emissions; and
- Have methane concentrations of over 30 percent.

Phased compliance timelines mean that landfill operators have until the 2030s at the earliest before major capital investments could be required. Here are examples of how that would work:

- **Example:** In 2029, a landfill with over 450,000 tons of waste in place calculates its estimated methane emissions rate and finds its methane generation rate is above 664 metric tons per year. The landfill has the option to choose whether to conduct Tier 2 testing or conduct surface emissions monitoring. The landfill chooses to conduct surface emissions monitoring. They conduct surface emissions monitoring the next quarter, in August 2029, which is manual monitoring, and find 10 methane exceedances of 500 ppm. Those exceedances are remediated within 15 days. The next quarter, they find 2 methane exceedances. **Result: No gas collection system required. Landfill must**

The public health and environmental stakes are substantial.

In addition to emitting climate-warming methane, landfills also produce hazardous air pollutants that can exacerbate asthma, irritate the lungs, increase cardiovascular risks, and worsen ozone pollution. One in three Coloradans lives near a landfill, and 53 percent of landfills are located near communities with cancer rates above the state average.

According to CDPHE, updated standards are expected to reduce landfill VOC emissions by 97.3 short tons per year and hazardous air pollutants by 30.4 short tons per year. Reduced pollutants include benzene, methylene chloride, hydrogen sulfide, and mercury, which are associated with serious health effects such as cancer, birth defects, and damage to the respiratory, immune, and nervous systems.

In 2020, Colorado landfills emitted an estimated 4.5 million metric tons of carbon dioxide equivalent, the equivalent of more than one million gas-powered vehicles operating for a year. Satellite and aerial data suggest actual emissions may be even higher.

In sum, Regulation 31 reflects a well-vetted, cost-effective, and flexible approach to reducing landfill emissions while protecting public health. It incorporates extensive stakeholder input, provides multiple compliance pathways, and phases in requirements over time. Committee members must consider the extensive input already built into the regulation before any additional changes, especially the impact on those living near landfills.

Thank you,
Lee Helfend
Full Circle Future