



Request for Expressions of Interest

for

**Design, Build and Operate
Beneficial Use of Landfill Gas for
Small, Closed and/or Rural Landfills:
Utilizing Mobile Turbines or Engines,
Compressed Natural Gas/Renewable Natural
Gas Systems and/or Direct Landfill Gas to
Energy Power Purchase Services**

by

**Northeast Maryland
Waste Disposal Authority**

Date of Issue: October 12, 2023

Request for Expressions of Interest for Design, Build and Operate Beneficial Use of Landfill Gas for Small, Closed and/or Rural Landfills: Utilizing Mobile Turbines or Engines, Compressed Natural Gas/Renewable Natural Gas Systems and/or Direct Landfill Gas to Energy Power Purchase Services
Northeast Maryland Waste Disposal Authority
October 12, 2023

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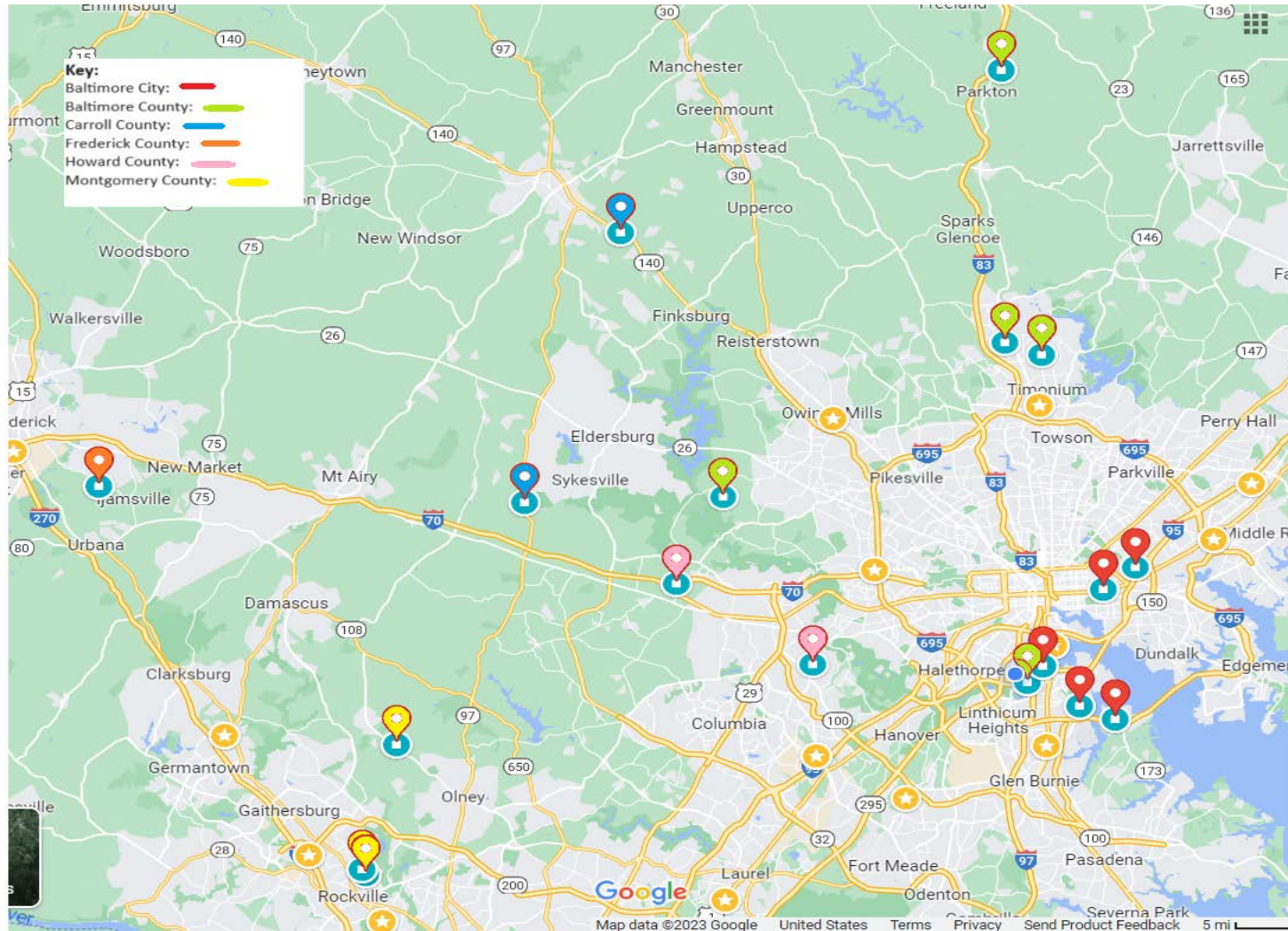
A. INTRODUCTION

The Northeast Maryland Waste Disposal Authority (“Authority”) is a multi-county agency created by the State of Maryland to assist participating member jurisdictions (“Member Jurisdictions”) with solid waste management systems. Member Jurisdictions include Baltimore City and Anne Arundel, Baltimore, Carroll, Frederick, Harford, Howard, and Montgomery Counties. Maryland Environmental Service, an instrumentality of the State of Maryland, is an ex-officio member. More information on the Authority can be found at: www.nmwda.org

The Authority is issuing a Design, Build and Operate Request for Expressions of Interest (“REOI”) to assist its Member Jurisdictions with Beneficial Use of Landfill Gas for mainly Small, Closed and/or Rural Landfills: Utilizing Mobile Turbines or Engines, Compressed Natural Gas/Renewable Natural Gas Systems and/or Direct Landfill Gas to Energy Power Purchase Services (e.g., Power Purchase Agreements or “PPAs”) (“Services”). These Services would cover the responsibilities for managing any landfill gas (“LFG”) after it runs through the Member Jurisdiction blower system (for existing flares onsite), for the landfills with flares and blower systems. Member Jurisdiction existing landfill gas operation, monitoring and maintenance staff/contractors would be expected to perform their existing functions, as is, for the existing landfill gas collection system and for all gas before it reaches the blower onsite, as applicable. The Authority is seeking interest in these Services for landfills within the Member Jurisdiction footprint. This REOI is being issued in order to help gain an understanding of companies or other entities (“Contractors”) that would be interested in performing these Services. If the Authority determines that there is sufficient interest and ability to provide these Services, the Authority may issue a Request for Proposals (“RFP”) to provide that Service or negotiate a contract directly with an interested Contractor that has responded to this REOI. This REOI is not intended to provide sufficient detail in order to select a Contractor for the Service. The Authority and its Member Jurisdictions are open to receiving proposed amendments as part of the Contractor’s response to any/all of the sections provided in this REOI, including Section C Current Small, Closed and/or Rural Landfills, Equipment Needed and Operational Requirements of Service. Any specific requirements listed herein are open to consideration and amendment, in order to create the best working model and Service for all entities involved. As part of its response, the Contractor must describe how they would best manage this type of operation and detail the logistics required for each Member Jurisdiction.

Responses to the REOI are due by Thursday, January 25, 2024, at 4:00 pm (local time). Submission requirements are shown below in Section D. The Authority will make a determination as to whether to progress to a RFP process, enter into competitive negotiations with one or more Contractors, or to discontinue with the REOI. All Contractors that respond to the REOI will be notified of the Authority’s determination in writing.

MAP OF DESIGNATED LANDFILLS



B. THE OPPORTUNITY

The Authority's Member Jurisdictions continue to pursue 1) greater macro scale landfill greenhouse gas (methane) and other emission reduction efforts, 2) higher destruction capability of particulate matter on a micro (local) scale by implementing systems with higher burning temperatures, allowing for less nonmethane organic compounds ("NMOC's"), volatile organic compounds ("VOCs"), nitrogen oxides ("NOx") and hydrogen sulfide ("H2S") to be emitted, (more specifically, "many of the technologies and practices that reduce methane emissions also reduce associated emissions of volatile organic compounds (VOCs), odors and other local air pollutants...Burning LFG to produce electricity destroys most of the non-methane organic compounds (including hazardous air pollutants and VOCs) that are present at low concentrations in uncontrolled LFG, which reduces possible health risks from these compounds. In addition, gas collection can improve safety by reducing explosion hazards from gas accumulation in structures on or near the landfill,¹) and 3) related beneficial community projects (such as recycling and trash collection, annual, bi-annual or quarterly, etc. litter/illegal dumping cleanups and related anti-litter/recycling signage placement at those landfills transformed into public trails/parks), as well as additional infrastructure services/renewable energy projects, such as solar installations, on both active and closed landfills. Some Authority Member Jurisdictions have existing landfill gas to energy facility services ("LFGTE"), with some operated by the private sector or Member Jurisdiction staff. The Authority would like to provide more Service options to its Member Jurisdictions by providing the ability to initiate, expand and supplement existing beneficial use of landfill gas Services and potentially improve on the landfill sites, for the public good, by sponsoring optional site improvement services, as described above. If Designated Landfills (as defined below) or other identified landfills are later determined to no longer be suitable candidates for beneficial reuse of landfill gas, due to low gas levels, poor gas quality, etc., the awarded Contractor is allowed to pursue the option, including feasibility studies, of additional renewable energy projects at the Designated Landfills or other identified landfills, such as solar installations, as referenced above, if approved in writing by the Member Jurisdiction.

Services can include, but are not limited to, the following concepts in order to streamline implementation timelines (including combined projects of different types of Services and Contractors): direct power purchase agreements, self-sustaining modular designed, easily deployable micro grids using engines, turbines and/or renewable natural gas ("RNG"/compressed natural gas ("CNG") applications powering electric/RNG vehicle charging/fueling stations, facility heat and power onsite, leachate and water treatment onsite, decentralized data processing using modular data centers (inside a C Container, shed or similar small structure) that can continue to act as scalable systems for future growth (e.g., cryptocurrency mining, graphics rendering, AI modeling, other data processing centers, etc.), including any potential opportunities as an interconnect for grid connections nearby and/or related to E-RINs and/or carbon/greenhouse gas credits. For PPA projects, the Authority may request the per therm or per kWh cost from the Contractor and may request a fixed cost (as there may be different starting rates if there is a fixed rate versus an escalating rate over the term of the Master Service Agreement (defined below)). For subsequent, potential solar projects developed in tandem on these Designated Landfills or other

¹ Landfill Methane Outreach Program (LMOP), [Benefits of Landfill Gas Energy Projects | US EPA](#) (date last accessed 9.27.2023)

identified landfills, the Contractor will need to submit to the Authority/Member Jurisdictions any requirements they would have for access to wells and surrounding areas, for consideration before a solar project is approved. The Contractor will also be required to provide a summary and references of prior experience working in conjunction with other land uses at the same sites, such as solar generation projects at landfill gas to energy sites, for consideration by the Authority/Member Jurisdictions before a solar project is approved. Ideally, Member Jurisdictions would like the option for \$0 capital and operational obligations, however, a variety of upfront cost share options would be desired as well, in flat fee or percent-based revenue shares.

The Authority has conducted preliminary research to identify potentially viable companies to provide these Services, and the Authority would like to confirm any interest from these companies in providing these Services to Member Jurisdictions through a Master Service Agreement (“Agreement”) with the Authority. Such Master Service Agreement will be provided as a draft to potential Contractor(s) in the event that the Authority determines to proceed with this effort. The Authority may enter into Agreement(s) that use different payment scenarios or different benefit programs for each Member Jurisdiction. Note that each Member Jurisdiction will issue its own confirmation contract (“Confirmation”) with the Contractor for the Services to be provided to that Member Jurisdiction in accord with the Agreement. Award of an Agreement to a Contractor does not guarantee the Contractor any work under the Agreement. Only the execution of a Confirmation by a Member Jurisdiction creates a contract under which landfill gas to energy will be Serviced by an individual Contractor. Invoicing (monthly or otherwise determined by the Member Jurisdiction) will be between the Contractor and the Member Jurisdiction signing the Confirmation; however, the Contractor will be required to copy the Authority with data on the Services, as well as amounts invoiced on the communications to the Member Jurisdiction. The Member Jurisdiction has the option to use the Authority to distribute invoicing and payments on behalf of the Member Jurisdiction, as desired.

This REOI is the first step to identify Contractors that would be able to provide these Services and help the Authority develop a successful program.

Please include a detailed description of the Services process in the submission, so that it can be considered by the Authority and Member Jurisdictions.

C. SMALL, CLOSED AND/OR RURAL LANDFILL DESCRIPTIONS, EQUIPMENT NEEDED AND OPERATIONAL REQUIREMENTS OF SERVICE

The Contractor shall provide a response and describe the equipment and capital infrastructure needed and operational requirements of all Services per this Section C. The Standard Cubic Feet per Minute (“SCFM”)/flow rate of the landfill gas running through a compressor at standard temperature and pressure conditions is noted below, as well as Methane/Oxygen/Carbon Dioxide/Hydrogen Sulfide Content, if this data is available. Any or all of the following 18 municipal landfills preliminarily identified and designated by the Member Jurisdictions, can potentially be used for Services (“Designated Landfills”). Additionally, other Member Jurisdiction landfills, not specified as Designated Landfills in the table below,

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may be utilized for these Services, if determined later on by the applicable Member Jurisdiction and Contractor.

Please note, Anne Arundel County does not anticipate any qualifying projects under this REOI (the closed landfills previously under consideration were modeled to have a potential landfill gas generation of 56 SCFM and 37 SCFM predicted recovery rates in 2023), thus there are no sites listed for the jurisdiction, for Contractor consideration, in the following table.

Please note, Harford County does not anticipate any qualifying projects under this REOI, thus there are no sites listed for the jurisdiction, for Contractor consideration, in the following table. More specifically, there are three landfills with flares 1) the Harford Waste Disposal Center (active landfill), 2) Tollgate Landfill, and 3) Bush Valley Landfill. Tollgate Landfill and Bush Valley Landfill are both capped. While they all require a flare, flow rates are pretty low (Harford Waste Disposal Center has ~100 SCFM, Tollgate Landfill has ~75 SCFM, and Bush Valley Landfill has ~50 SCFM). Spencer's Rubble Landfill was a rubble landfill and does not have enough gas to warrant a flare. The County is only putting 8,000-9,000 tons of waste in the Harford Waste Disposal Center each year and it includes a lot of bulky items (furniture, etc.), and construction and demolition waste for the most part, and the County is only landfilling on weekends. The County hauls homeowner bins to an out of County landfill during the week. The Perryman Landfill (5 acres), Abingdon Landfill (17 acres), and Mullins Landfill (~30 acres) have been closed for 50 years and the Madonna Landfill (10 acres) has been closed for almost 40 years.

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Member Jurisdiction/ Location	Address	Coordinates	Description of Designated Landfills (Current SCFM, Year Closed, Methane/Oxygen/Carbon Dioxide/Hydrogen Sulfide Content, Small, Rural, Active, etc.)
Baltimore City			There are no existing landfill gas collection equipment systems at the closed landfills listed below and no substantial, recent, or shareable landfill gas data (SCFM or gas content breakdowns) for them.
Eastern Sanitation Yard	6101 Bowley's Lane Baltimore, MD 21206	39.314732, -76.545949	Former, closed municipal waste landfill. It closed in 1983.
Quarantine Road Landfill	6100 Quarantine Road Baltimore, MD 21226	39.208131, -76.558535	Active Landfill. The City is currently using a third party to operate a LFGTE plant here but is interested in evaluating other options per the responses provided under this REOI.
Pennington Avenue Landfill	1501 Aspen Street Baltimore, MD 21226	39.21917264 347915, - 76.58968646 071452	Pennington Avenue Landfill is a superfund site located at Pennington Avenue and Aspen Street. Additional Maryland Department of the Environment information included here . It closed in 1981. It had a gas collection system until the mid-1990s until methane content was not high enough to continue the operation.
Monument Street Landfill	3400 Monument Street Baltimore, MD 21205	39.29968493 2883835, - 76.56983790 304106	Monument Street Landfill is a superfund site located at Monument Street and Edison Highway, that accepted municipal waste. It closed in 1980.
Western Sanitation Yard	701 Reedbird Avenue Baltimore, MD 21225	39.246963, - 76.617432	Former, closed municipal waste incinerator #3 and industrial landfill. It closed in 1977.
Baltimore County			
Texas Landfill/Central Acceptance Facility	201 West Warren Road Cockeysville, MD 21030	39.4720-36, -76.646356	This is a closed landfill and was closed more than 60 years ago. The County monitors "perimeter probes" here, which is just a section of 5 compliance probes along the entrance road that historically gets high concentrations of methane. Please see the County's most recent 2023 Perimeter Probe LFG Monitoring Report. Please note this is just an internal document that the County uses to track the CH4 concentrations.

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Member Jurisdiction/ Location	Address	Coordinates	Description of Designated Landfills (Current SCFM, Year Closed, Methane/Oxygen/Carbon Dioxide/Hydrogen Sulfide Content, Small, Rural, Active, etc.)
Longview Landfill	1 Cardigan Road Timonium, MD 21093	39.46343003 774752, - 76.61692472 35532	Closed landfill that became a golf course in 1964, now known as the Fox Hollow Golf Course. The County no longer monitors Longview Landfill for landfill gas. The site is owned by the Baltimore County Revenue Authority and Services here may not be feasible for development because it is an active golf course. This feasibility will be determined during the REOI process or later.
Parkton Landfill	800 Stablers Church Road Parkton, MD 21120	39.66217607 194236, - 76.64668842 56116	Closed in 1983. The Parkton Landfill is located in north central Baltimore County, east of Route I-83 on Stabler's Church Road. The County was issued a solid waste permit in December 1975 for the 217-acre site. Parkton Landfill was the first landfill in the State with an effective leachate collection system. Currently, there are a few interior landfill gas compliance probes that have high methane concentrations that are monitored quarterly. Please see the most recent semi-annual report (from January-June 2023) attached. Historical LFG Probe monitoring results can be found in Table 4-1. Parkton Landfill's groundwater has been monitored by the State of Maryland and Baltimore County since 1975.
Hernwood Landfill	10900 Furman Lane Granite, MD 21163	39.36545757 5904856, - 76.86510015 623597	Closed in 1982. Hernwood Landfill is very remote compared to Parkton Landfill. There are active landfill gas vents set up here currently and the County also monitors them quarterly. Please see the most recent semi-annual report (from January-June 2023) attached. Spring 2023 LFG Probe monitoring results can be found in Table 6-1. A map of the on-site probes and their respective CH4 concentrations can be found on Figure 6-1.
Southwest Area Park	3939 Klunk Drive Baltimore, MD 21225	39.23876474 013155, - 76.62954979 713969	This was an active landfill until 1977. The County does not monitor any emissions at Southwest Area Park.

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Member Jurisdiction/ Location	Address	Coordinates	Description of Designated Landfills (Current SCFM, Year Closed, Methane/Oxygen/Carbon Dioxide/Hydrogen Sulfide Content, Small, Rural, Active, etc.)
Carroll County			There are two landfills that are potentially candidates for this REOI, listed below (one active and one closed). There are three closed landfills that are likely not candidates for this REOI, details provided here: Hodges Landfill in Eldersburg (operated 1968 to 1981); Bark Hill Landfill in Uniontown (operated 1972 to 1981); and John Owings Landfill in Westminster (operated 1968 to 1988). Hodges Landfill and Bark Hill Landfill are very low generators and have simple passive venting systems, with insufficient gas to sustain combustion. The John Owings' Landfill gas system is a part-time flare and the flow is likely not sufficient enough for a project. The four closed landfill sites were capped during the period from 1991 – 1998.
Northern Landfill	1400 Baltimore Boulevard Westminster, MD 21157	39.549504, -76.94383	Rural, active landfill. There is no LFGTE facility here. Current landfill gas output/flow rate is +/- 50 SCFM. The GCCS (defined below) is believed to have the opportunity for operational and efficiency improvement over its current condition. The most recent gas monitoring data report (2022 Tier 2 Summary Report) is attached, for consideration.
Hoods Mill Landfill	7901 Kabik Court Woodbine, MD 21797	39.36215096 237859, - 77.01884080 303894	Closed landfill: Operated 1981 to 1994. LFG generation is declining here but the flow rate is far greater than at the Northern Landfill. It has an active landfill GCCS and is estimated to have flow at the flare around 125-200 SCFM.
Frederick County			
Reich's Ford Road Landfill	9031 Reichs Ford Road Frederick, MD 21704	39.372463, -77.352975	This is an active, rural landfill and no longer has a LFGTE facility. Frederick County is interested in the possibility of using the remaining gas as a propane replacement for the heating of the administration/maintenance building onsite. The current landfill gas output/flow rate (SCFM) over the past six months has been 433 SCFM, and landfill gas content/composition includes 24% methane, 1.4% oxygen, 22.6% carbon dioxide and 0.7% hydrogen sulfide.

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Howard County			
New Cut Landfill	4411 New Cut Road Ellicott City, MD 21043	39.24772430 4128056, - 76.79642118 954878	The New Cut Landfill in Ellicott City was closed in 1980 and is currently producing approximately 200 SCFM of gas with 35-45% methane for approximately 3.5 hours per day.
Alpha Ridge Landfill	2350 Marriottsville Road Marriottsville, MD 21104	39.305473, -76.903386	This is an active LFGTE facility, but the County is looking to decommission the generator within the next 6-12 months. It is currently utilizing about 250-350 SCFM of gas with 43% methane. An enclosed LFG flare rated for up to 400 SCFM will be installed within the next 6 months. The landfill gas is collected from a landfill cell closed in 1993 and an active landfill cell which is used only on a discretionary basis.
Montgomery County			
Oaks Landfill	6001 Olney Laytonsville Road Gaithersburg, MD 20882	39.19368891 69013, - 77.11875038 983746	Closed Landfill. The landfill received mixed municipal solid waste (“MSW”) from June 1982 until the County’s Resource Recovery Facility (RRF) began operation in the Spring of 1995. Once the RRF operations began, the landfill received only ash residue and non-processible materials until 1997, when the landfill finally closed. By the time the landfill closed in 1997, over seven (7) million tons of waste had been placed within the disposal footprint. As of 1 st Quarter 2023 Landfill Gas Probe Monitoring Report (dated May 19, 2023), the documented flare flow was reported at 742.1 SCFM, methane content was reported at 50%, oxygen content was reported at 20.9%, carbon dioxide was reported at 35% and hydrogen sulfide was reported at 0%.

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Gude Landfill	600 East Gude Drive, Rockville, MD 20850	39.106696,- 77.145399	Closed Landfill. The landfill received approximately 4.8 million tons of MSW from 1965 until it was closed in 1982. Currently being remediated with a toupee' cap and enhanced landfill gas collection system. The County anticipates this remediation project to be completed and available for Contractor inspection/evaluation to consider these Services on or around fiscal year 2027 (July 1, 2026-June 30, 2027), as long as the remediation project stays on schedule. Updates on the timeline of this remediation project completion will be communicated to the Contractor in writing. As of 1 st Quarter 2023 Landfill Gas Probe Monitoring Report (dated May 30, 2023), the documented flare flow (Flare No. 1 inlet) was reported at 412 SCFM, methane content was reported at 23%, oxygen content was reported at 11.5%, and carbon dioxide was reported at 15.7%.
Beantown Dump	751 East Gude Drive, Rockville, MD 20850	39.10292788 050108, - 77.14289681 835523	Closed Landfill. It started accepting waste in the 1920s and closed in 1965 once Gude Landfill opened. The entire waste mass (~600,000 cubic yards) is currently buried below commercial properties and easements along East Gude Drive. There are approximately 87 passive venting wells onsite being used to vent methane gas into ambient air. There are seven (7) private property owners located within the site's boundary. The most recent gas monitoring data report (2nd Quarter 2023, with data included dating back to 8/20/20) is attached, for consideration.

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Requirements of Service include:

- 1) The Contractor shall work with the Member Jurisdictions, Maryland Department of the Environment (“MDE”), Environmental Protection Agency (“EPA”) and other agencies as necessary, to ensure that all Services meet the required federal, state and local air permit requirements and all other laws, including any new, more stringent emission reduction requirements that may become introduced over the next 10-15 years.

More specifically, the Contractor, as applicable per its Services, may be tasked to coordinate with Member Jurisdictions and existing contractors on the final, published MDE Landfill Methane Rules and State Emission Guidelines (“EG”) Implementation Plan, effective June 12, 2023. MDE published these final regulations for methane control and reduction from MSW landfills. The rule has been several years in the making and is modeled after similar rules in California and Oregon. The rule also incorporates provisions from the EPA’s federal landfill air regulations, and stands among the most stringent in the US. The rules will implement the EG regulations under the 2016 New Source Performance Standards (“NSPS”) changes (40 CFR 60 Subpart Cf), pending EPA review and approval. If approved, the regulations will replace the Federal EG Plan that currently applies to Maryland landfills (published under 40 CFR 62 Subpart OOO). The regulation not only replaces the existing [40 CFR 62 Subpart OOO](#) (once approved by the EPA), but also applies to smaller and mid-sized landfills not currently subject to the EPA’s federal rules. Some key provisions of the rule include:

- The rule applies to active and closed MSW landfills that have accepted waste after 11/8/1987 and that have a design capacity greater than or equal to 2,750,000 tons and 3,260,000 cubic yards, and active and closed MSW landfills that have accepted waste after 12/31/1993 that have less than 2,750,000 tons or 3,260,000 cubic yards of waste but greater than 450,000 tons of waste in place.
- Closed or inactive landfills, or closed or inactive areas of an active MSW landfill, that have commenced installation of solar panels or arrays on or before 1/1/2024 are exempt from the rule if they meet certain requirements.
- MSW landfills with a calculated methane generation rate greater than 8,548 tons per year must install a gas collection and control system (GCCS). MSW landfills with a calculated methane generation rate between 732 tons per year and 8,548 tons per year can either install a GCCS or evaluate surface methane emission rate, the results of which would determine if a GCCS is required.

Regulations can be reviewed under [COMAR 26.11.42 \(Chapter 42\)](#). All subject landfills, with a waste-in-place (“WIP”) >450,000 tons, are required to submit an initial WIP report and methane generation report to MDE by September 10, 2023. If applicable, a design plan for an active landfill GCCS was due by June 10, 2023 to MDE. MDE will review and approve plans, after which a landfill will have up to 30 months to install and operate a GCCS. Landfills with existing GCCS

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may consider a design plan and GCCS modifications to take advantage of the 30-month timeline. The GCCS must be operated a minimum of 15 years and until the point that the methane generation rate has reduced to below 732 tons per year. Landfills with existing flares must test these flares within 180 days of the regulation effective date. Utility/open flares are not allowed except under certain circumstances and MDE approval after January 1, 2025. The rule includes minimum control requirements for devices, and initial and annual source testing; evaluation of surface methane emission rates through both instantaneous (500 ppm) and integrated (25 ppm) monitoring requirements and standards; and leak monitoring and standards (500 ppm) for GCCS components that contain LFG and are under positive pressure.

Member Jurisdictions retain the right to add or change Designated Landfills based on operational needs, as long as the subject sites meet the Services and conditions agreed to, and amended in writing by all Parties.

- 2) Twenty-four (24) hour a day access and egress to the Designated Landfills will be provided to the Contractor's approved staff, in order to maintain operation, maintenance and monitoring of the Designated Landfill Services. The Contractor is required to follow all rules and regulations at each Designated Landfill.
- 3) The Member Jurisdiction shall contact the Contractor if there are any issues reported for the Designated Landfill Services. The Contractor shall report to the Designated Landfill within forty-eight (48) hours of notification. Instituting a regular operation, monitoring and maintenance schedule that will satisfactorily manage the Designated Landfill Services at each location is the preferred option.
- 4) The Contractor is responsible for providing to the Member Jurisdictions a monthly report, with a copy to the Authority, due within fifteen (15)-days of the end of each month, quarter or other timeline determined by the Authority and Member Jurisdictions, detailing the amount of landfill gas beneficially used for the Designated Landfill Services, and the Service type energized/fueled from the landfill gas. The report and invoice/payment would be submitted together and the invoice/payment must reconcile to the report. Additionally, as needed, there shall be an allowance of thirty (30) days from the date of the submission of a correct invoice, before payment is received) for all Designated Landfill Services. The Price Proposal, which is not being requested at this time and should not be provided for purposes of this REOI, must include equipment and capital infrastructure (e.g., concrete pads), transportation of the Contractor's staff to the Designated Landfills, operation, monitoring and maintenance and any other incidental costs. Unless otherwise determined in writing by the Authority and Member Jurisdiction, the Contractor is responsible for all landfill gas (after running through the blower system) at the Designated Landfills. The Contractor shall not require any infrastructure or staffing from the Member Jurisdictions. The Contractors must provide all design, equipment, infrastructure, installation, operation and staff to perform these Services and shall be required

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to comply and coordinate with existing Member Jurisdiction staff and contractors who manage and maintain the landfill gas wellfield and flare stations (landfill gas collection system). Note that the placement of equipment onto Member Jurisdiction Designated Landfills may have a tie-in to (sometimes) permit required landfill gas management systems, and may require their own permits in order to operate.

- 5) Any Services provided will be required to be completed in a safe and approved manner in accordance with all applicable Federal, State, and Local laws and regulations.

The specific quantity of landfill gas at each Member Jurisdiction Designated Landfill is unknown. The Authority and Member Jurisdictions make no guarantees on the quantity or quality of landfill gas that is present and can be beneficially used, however, available landfill gas data is provided in the above table.

- 6) Member Jurisdictions and the Authority shall not be responsible for any damage to the Contractor's equipment.
- 7) The Contractor may inspect and reject any Designated Landfill Services during preliminary inspections, during the course of being selected under this REOI or shortly thereafter, if a Designated Landfill does not meet the needs of the Services to be performed (e.g., not enough gas present, etc.). The Authority and Member Jurisdiction are not responsible for management or payment of these inspections, or any labor, site improvements or equipment needed to bring these sites up to the condition for Services to be performed. Additionally, the Contractor guarantees to be diligent in their operations, and is required to be in good standing with the state of Maryland, or its state of incorporation or organization, as applicable (i.e., as a condition of award, and prior to the execution of any contract to perform the Services, the Contractor will be required to provide a copy of the Contractor's Certificate of Good Standing from the Maryland State Department of Assessments and Taxation (for any company with nexus in Maryland) or the equivalent from the Contractor's state of registration, with certification of its qualification to do business in the State of Maryland). The Contractor shall not improperly manage the Services at the Designated Landfills and/or require any Services to be performed by the Authority or Member Jurisdiction. A performance bond/letter of credit, or check to be cashed and deposited by the Authority in lieu of either security vehicle (returned after Agreement expires), in the amount of \$10,000.00 for the Master Service Agreement and per each Member Jurisdiction Confirmation, will be required in order to guarantee performance.
- 8) The Contractor must submit monthly reports, detailing the gas present and processed/beneficially used for the Services at each Designated Landfill, to the Authority and applicable Member Jurisdiction. Any issues with the Services must be documented and explained in these reports.

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- 9) The Contractors must comply with all facility/Designated Landfill safety requirement and Personal Protection Equipment (PPE) for operations at each site and must comply with all Occupational Safety and Health Administration (OSHA), Maryland Occupational Safety and Health (MOSH) and other safety reporting provisions.
- 10) Contractors or persons performing Services at the Designated Landfills must be clearly identifiable and be able to provide supporting documentation as to company affiliation and the Agreement and Confirmation if it is requested of them.

As part of the Contractor's response to this REOI, the Contractor is encouraged to provide recommendations for the improvement of the potential work/Services described above that would increase the amounts of gas collected, processed and beneficially used and/or increase the cost effectiveness of the program.

D. SUBMISSION REQUIREMENTS

Contractors are encouraged to complete and email the Contractor's Contact Information Form to procurement@nmwda.org in an effort to ensure that they are notified in a timely manner of any modifications to the REOI.

Response to the REOI should be made in the following format and page limitations:

- 1) Cover letter introducing the Contractor and providing contact information.
- 2) Brief statement of qualifications of the Contractor, including experience of key personnel.
- 3) A brief description of the Services that the Contractor is proposing, including the marketability of the landfill gas for the projects proposed.
- 4) Brief description of how the Contractor would provide the Services requested in the description of the REOI. Sufficient details should be provided to show the capability of the Contractor to provide the Service, but a detailed operational plan is not required at this time. If the Contractor has other ideas or considerations for the REOI, the Authority encourages the Contractor to include those ideas in this section. Contact information for a minimum of at least one reference for similar Services should be provided.
- 5) A brief discussion on the economics of the program.
- 6) Specific information on any subcontractors to be used by the Contractor, if applicable, (including names, addresses, etc.). Please provide information on the processes utilized to beneficially use the landfill gas by the Contractor as well as by its subcontractors, if applicable.

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- 7) The Contractor shall confirm mutual agreement, if awarded a Master Service Agreement, that the length of the term would begin on the execution date and extend until June 30, 2030. The Authority and Member Jurisdictions reserve the right, at their sole option, to renew the Agreement and applicable Confirmations for up to three (3) five (5) year optional renewal terms, on the same terms and conditions to be set forth in the Agreement and Confirmation. For additional background, due to the Authority's rules and regulations, as well as established case law, the Authority requires a competitive procurement process that does not allow for mutual renewal of options for contracts (see COMAR Sec. 14.13.01 (Procurement Procedures) and Mayor of Baltimore v. Bio Gro Systems, Inc., 300 Md. 248 (Md. 1984)). If the Contractor would like to request a longer term, please include that term in your response, for consideration. Please also confirm agreement that any Member Jurisdiction may, without liability, terminate the Confirmation for its own convenience upon written notice to the Contractor at least 60 days prior to the effective date for such termination. In the event of any such termination, the Contractor/Member Jurisdiction shall only be entitled to compensation for the earned value of work performed up to the date of such termination.
- 8) With respect to Baltimore City, any Price Proposal would need to include, to the greatest extent possible, certain percentages for Minority Business Enterprise ("MBE") and/or Women Business Enterprise ("WBE") inclusion for all Services to be performed according to the City Proposal (e.g., using subcontractors, etc.), in order for the City to approve and sign the Confirmation with the Contractor. More details on this requirement can be found here:

<https://smba-d.baltimorecity.gov/mwboo/bidding-contracting-opportunities> (date last accessed 9.26.2023)

- 9) Any Price Proposal would be required to include certain percentages for Minority/Female/Disabled Owned Businesses ("MFD"), as applicable, for professional services, non-professional services and goods to be performed in accordance with the Montgomery County Proposal (e.g., using subcontractors, etc.), in order for Montgomery County to approve and sign the Confirmation with the Contractor. More details on this requirement can be found here:

<https://www.montgomerycountymd.gov/PRO/DBRC/MFD.html> (date last accessed 9.26.2023).

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- 10) With respect to Baltimore County, any Price Proposal, to the greatest extent possible, would need to incorporate Baltimore County’s Department of Economic and Workforce Development as a First Source Hiring Agreement, as well as Baltimore County’s MBE/WBE/SBE and/or Economic Benefit Factor requirements. More details on these requirements can be found here:

[Workforce Services for Your Business - Baltimore County \(baltimorecountymd.gov\)](https://www.baltimorecountymd.gov/WorkforceServicesforYourBusiness) (date last accessed 9.26.2023).

[Minority and Womens Business Enterprise Program – Baltimore County \(baltimorecountymd.gov\)](https://www.baltimorecountymd.gov/MinorityandWomensBusinessEnterpriseProgram) (date last accessed 9.26.2023).

Questions regarding the use of this system can be directed to the Baltimore County MBE/WBE/SBE Office at mwbe@baltimorecountymd.gov or call 410-887-3407.

Confidential Information Disclaimer: All responses to this REOI are subject to disclosure under the rules of the Maryland Public Information Act. Contractors should refrain from including any information in their responses that may be considered confidential. Contractors agree that the Authority has no liability for release of information it determines in good faith must be disclosed under the law.

SUBMISSION DEADLINE

The submission deadline for responding to this REOI is **Thursday, January 25, 2024, at 4:00 pm (local time)**.

Each Contractor shall submit a copy by email with the subject line **“Attention: Design, Build and Operate Beneficial Use of Landfill Gas for Small, Closed and/or Rural Landfills: Utilizing Mobile Turbines or Engines, Compressed Natural Gas/Renewable Natural Gas Systems and/or Direct Landfill Gas to Energy Power Purchase Services Procurement”** to procurement@nmwda.org. The response shall not be longer than 30-pages.

Questions related to this REOI should be submitted prior to **4:00 p.m. (local time) on Thursday, November 30, 2023**. Questions shall be emailed to procurement@nmwda.org.

E. LIMITATIONS

Any Contractor making a submission in response to this REOI does so fully accepting the following provisions:

This is a REOI only; it is not a procurement document. The information contained in this REOI is intended for information purposes only to assist the Authority and the Member Jurisdictions in assessing whether to proceed to a RFP process, directly negotiate a contract with one or more Contractors, or discontinue the REOI process. No representation or warranty express or implied, is made by the Authority or the Member Jurisdictions or any of their respective agents, officers, representatives or employees, as to the accuracy or completeness of such information. Neither the Authority, the Member Jurisdictions nor their respective agents, officers, representatives or employees will be responsible for, and hereby expressly disclaim, any and all liability for any errors, omissions, or inaccuracies in connection therewith. The Contractor shall be responsible entirely and exclusively for all costs

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incurred by the Contractor associated with the preparation and submission of its response to this REOI, which may or may not lead to a RFP or contract. In its response to this REOI, the Contractor must disclose to the Authority any potential conflict of interest that might compromise this process. If such a conflict of interest does exist, the Authority may, at its discretion, refuse to consider the response in question.

This exercise is not a request for tenders. This is a request for information only and no legal obligations will arise hereunder under any circumstances. The Authority reserves the right to amend the scope of this REOI, and to carry out discussions with one or more prospective Contractors at any time. The Authority may proceed as it determines, in its sole discretion, including to discontinue or invalidate this REOI. The Authority will not be responsible for any losses or costs incurred by any Contractor as a result thereof.

NEXT STEPS

After the submission deadline, the Authority and the Member Jurisdictions will review the responses and decide whether clarification questions should be submitted to, or interviews should be conducted with, any or all of the Contractors to gain a clearer understanding of their capability. Upon conclusion of the review, the Authority will decide whether or not to follow-up with a RFP process or directly negotiate a contract with interested Contractor(s). All Contractors who respond to this REOI will be informed in writing of the Authority's decision and subsequent RFP process, should it occur.

Please confirm mutual agreement that the Authority and its Member Jurisdiction staff can schedule a site visit to the Contractor's location(s) of similar Services at similar landfills, to perform an evaluation. This site visit would help the Authority and Member Jurisdictions determine whether they wish to enter into an Agreement as well as Confirmation, under the Agreement, with the Contractor for the Services. Please note that there may need to be more than one site visit to accommodate different Member Jurisdiction schedules. Additionally, interested Contractors will be able to complete a site visit with the Authority and Applicable Member Jurisdiction representatives at any of the Member Jurisdictions' Designated Landfills in order to evaluate the various Member Jurisdictions' operations and conditions present, prior to submitting a response, or Proposal, if requested in a future RFP or as part of the negotiation process resulting from this REOI. This could include the Contractor's engineers and consultants to perform due diligence of the sites with site evaluations for viability before moving forward with Services, including putting together proposals for improving and/or installing landfill gas collection and control systems in the landfill, if they are not already present. This also could include installing an entire wellfield, if necessary. Contractors would need to perform their own estimates of landfill gas present and would be responsible to run models of the amount of gas to be captured under the Services.

Each Member Jurisdiction will have the opportunity to tailor the Service to a modified needs list within its individual Member Jurisdiction Confirmation with the Contractor, based on what the Designated Landfills can accommodate or will require.

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for Design, Build and Operate Beneficial Use of Landfill Gas for Small, Closed and/or
Rural Landfills: Utilizing Mobile Turbines or Engines, Compressed Natural
Gas/Renewable Natural Gas Systems and/or Direct Landfill Gas to Energy Power
Purchase Services
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CONTRACTOR’S CONTACT INFORMATION FORM

(1st) Name: _____

Title: _____

(2nd) Name: _____

(optional)

Title: _____

(optional)

Contractor: _____

Address: _____

Telephone Number: _____

Fax Number: _____

E-mail (1st): _____

E-mail (2nd): _____

I / we prefer to be contacted by: *(circle one)* U.S. Mail, telephone, fax, e-mail

I / we prefer correspondence to be sent by: *(circle one)* fax, e-mail

Please e-mail the completed form with the subject line **“Attention: Design, Build and Operate Beneficial Use of Landfill Gas for Small, Closed and/or Rural Landfills: Utilizing Mobile Turbines or Engines, Compressed Natural Gas/Renewable Natural Gas Systems and/or Direct Landfill Gas to Energy Power Purchase Services Procurement”** to procurement@nmwda.org.