

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 1472800628**



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 1-4728-00628/00015  
Effective Date: 04/04/2002 Expiration Date: 04/03/2007

Permit Issued To: ISLIP RESOURCE RECOVERY AGENCY  
401 MAIN STREET  
ISLIP, NY 11751

Contact: PAUL J. DIMARIA  
ISLIP RESOURCE RECOVERY AGENCY  
401 MAIN STREET  
ISLIP, NY 11751  
(631) 244-5644

Facility: BLYDENBURGH ROAD LANDFILL  
440 BLYDENBURGH RD  
ISLIP, NY 11751

Contact: THOMAS DUDO  
BLYDENBURGH RD LANDFILL COMPLEX  
440 BLYDENBURGH ROAD  
HAUPPAUGE, NY 11788  
(631) 436-6162

Description:

**PERMIT DESCRIPTION**  
**BLYDENBURGH ROAD LANDFILL**  
**DEC ID # 1-4728-00628/00015**

The Blydenburgh Road Landfill Complex, located at 440 Blydenburgh Road in the town of Islip, Suffolk County, Long Island, New York, includes a closed and capped Municipal Solid Waste (MSW) Landfill, a closed and capped Ash Monofill, and an active Construction and Demolition (C&D) Landfill. Five (5) flares will be used to control landfill gas. Three (3) flares will combust landfill gas from the MSW Landfill. The other two (2) flares will be responsible for burning the gas from the C&D Landfill, but only one flare will operate at a time; the other flare will serve as a backup. The standard industrial classification code (SIC) is 4953 - Refuse Systems.

The facility consists of two (2) emission units, 1-MSWLF and 2-CNDLF:  
Emission Unit 1-MSWLF is a closed and capped municipal solid waste landfill that operated from 1972 to 1992. As the waste decays, it generates methane, carbon dioxide and various trace compounds. Around the perimeter of the landfill are three (3) separate gas migration collection systems, A, B and C (Emission Source/Control 0FLTA, 0FLRB and 0FLRC) which collect the gas (Processes A00, B00 and



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C00) and route the gas to each collection system's respective flare. Each of the collection system is 1,600 cubic feet per minute and started operating in 1983, 1985 and 1989 respectively. Flares A, B and C (Emission Points 00001, 00002 and 00003) burn the gas. The flares (Emission Points 00001, 00002 and 00003) are located on the north side of the MSW landfill.

Emission Unit 2-CNDLF is a construction and demolition landfill that began operations in 1992 and is still active. The majority of the gases are collected (Processes D01 and D02) in the LFG collection system, while a portion of the total gas escapes through the landfill itself as fugitive emissions. The collected gas will be flared by one of the two flares. As the waste decays, it generates methane, carbon dioxide and various trace of compounds. Two (2) flares (Emission Points 00005 & 00006) are responsible for burning the gas (Processes D01 and D02) from the collection system of the C & D landfill (Emission Source/Control FLCD1 and FLCD2), although only one flare will operate at a time while the other serves as a backup. Each flare is 27 MM Btu/hr and has been proposed to start operating in 1999. The flares are located on the north side of the C & D landfill.

This application supplements and modifies the permit application submitted by Islip Resource Recovery Agency (IRRA) for the three (3) MSW landfill flares, Emission Points 00001, 00002 and 00003 (see application # 1-4728-00628/00006). Additionally, IRRA extracts landfill gas directly from the MSW landfill mass now in addition to extracting landfill gas from its three (3) perimeter migration systems. Previously, a private vendor extracted the gas from the MSW landfill waste mass. This application also supplements and modifies the permit application submitted by IRRA for one C & D landfill flare, Emission Point 00004 (see application # 1-4728-00628/00006). This flare will be replaced in-kind by two (2) flares, emission points 00005 & 00005. Only one of these new flares will operate at a time. A Phase I Title V permit application and short form environmental assessment form was submitted to the Department under cover dated June 24, 1998.

The Title V Permit contains a complete list of the applicable Federal, State and compliance monitoring requirements for the facility, its emission units and emission points. The facility is subject to the provisions of Title V for 6NYCRR 208, Standards of emissions from MSW Landfills in terms of methane monitoring, test methods and procedures, system efficiency and reporting & recordkeeping requirements. The facility is also subject to 40 CFR 61.M.154, Standard for active waste disposal sites and also to NSPS - 40 CFR 60 Subpart A.

The facility operates other sources which are considered exempt from permitting in accordance with 6NYCRR 201-3.2 (c), including two (2) building boilers/heaters in the Maintenance Building with a rated heat input capacity below 10 MM Btu/hr, one (1) emergency power generator (<500 hours/year) in the Leachate Building, two (2) leachate lagoons, four (4) leachate storage tanks, one (1) ventillating system for landfill gases, one (1) the application of odor counteractants and/or neutralizers, two (2) fuel oil storage tanks with storage capacities <300,000 bbls, a solvent wash station, oil and waste oil storage, mobile equipment and roadways.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:           ROGER EVANS  
  SUNY CAMPUS, LOOP ROAD, BUILDING 40  
  STONY BROOK, NY 11790-2356

FINAL

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Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent acts.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 1  
HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**  
**Applicable State Requirement: ECL 19-0305.**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301.2(m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13(a)**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Condition 4: Permit Modifications, Suspensions, and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

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**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS**

**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
SUNY Campus, Loop Road, Building 40  
Stony Brook, NY 11790-2356  
(631) 444-0365



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**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

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HAUPPAUGE, NY 11788  
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Authorized Activity By Standard Industrial Classification Code:  
4953 - REFUSE SYSTEMS

Permit Effective Date: 04/04/2002

Permit Expiration Date: 04/03/2007



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 Sealing
- 2 Acceptable ambient air quality
- 3 Maintenance of equipment
- 4 Unpermitted Emission Sources
- 5 Emergency Defense
- 6 Recycling and Salvage
- 7 Prohibition of Reintroduction of Collected Contaminants to the Air
- 8 Public Access to Recordkeeping for Title V facilities
- 9 Proof of Eligibility
- 10 Proof of Eligibility
- 11 Applicable Criteria, Limits, Terms, Conditions and Standards
- 12 Cessation or Reduction of Permitted Activity Not a Defense
- 13 Compliance Requirements
- 14 Federally-Enforceable Requirements
- 15 Fees
- 16 Monitoring, Related Recordkeeping and Reporting Requirements
- 17 Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
- 18 Permit Shield
- 19 Property Rights
- 20 Reopening for Cause
- 21 Right to Inspect
- 22 Severability
- 23 Emission Unit Definition
- 24 Compliance Certification
- 25 Compliance Certification
- 26 Permit Exclusion Provisions
- 27 Required emissions tests
- 28 Compliance Certification
- 29 Recordkeeping requirements
- 30 Compliance Certification
- 31 Visible emissions limited.
- 32 Open Fires Prohibited at Industrial and Commercial Sites
- 33 EPA Region 2 address.
- 34 Excess emissions report.
- 35 Excess emissions report.
- 36 Facility files for subject sources.
- 37 Performance test methods.
- 38 Required performance test information.
- 39 Prior notice.
- 40 Performance testing facilities.



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- 41 Number of required tests.
- 42 Availability of information.
- 43 Circumvention.
- 44 Recycling and Emissions Reduction
- Emission Unit Level**
- 45 Emission Point Definition By Emission Unit
- 46 Process Definition By Emission Unit
- 47 Flares
- 48 Compliance Certification (EU=1-MSWLF)
- 49 Active Collection System Removal
- 50 Collection System for waste-in-place for 2 or 5 years
- 51 Compliance Certification (EU=1-MSWLF)
- 52 Compliance Certification (EU=1-MSWLF)
- 53 Compliance Certification (EU=1-MSWLF)
- 54 Vent Collected Gas to Control System
- 55 Control System
- 56 Corrective Action
- 57 System NMOC Emission Rate
- 58 System Efficiency
- 59 Surface Methane Monitoring
- 60 Instrument Specs for Surface Methane Analyzer
  
- 77 Monitoring of Operations - Open Flare
- 62 Compliance Certification (EU=1-MSWLF)
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- 64 Compliance Certification (EU=1-MSWLF)
- 65 Compliance Certification (EU=1-MSWLF)
- 66 Compliance Certification (EU=1-MSWLF)
- 67 Compliance Certification (EU=1-MSWLF)
- 68 Compliance Certification (EU=1-MSWLF)
- 69 Standards for Emissions from MSW Landfills
- 70 General Control Device Requirements - Flares
- 71 Flare monitoring requirements.
- 72 Flare compliance testing.
- 73 Flare monitoring requirements.
- 74 Flare compliance testing.
- 75 Flare monitoring requirements.
- 76 Flare compliance testing.
- 78 Compliance Certification (EU=1-MSWLF,EP=00001)
- 79 Flare operation requirements.
- 80 Compliance Certification (EU=1-MSWLF,EP=00002)
- 81 Flare operation requirements.
- 82 Compliance Certification (EU=1-MSWLF,EP=00003)
- 83 Flare operation requirements.
- 84 Compliance Certification (EU=2-CNDLF,EP=00005)
- 85 Flare operation requirements.
- 86 Compliance Certification (EU=2-CNDLF,EP=00006)
- 87 Flare operation requirements.



**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 88 Unavoidable noncompliance and violations
- 89 General Provisions
- 90 Permit Exclusion Provisions
- 91 Contaminant List
- 92 Air pollution prohibited



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**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**Condition 1: Sealing**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 200.5**

**Item 1.1:**

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

(b) No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

**Condition 2: Acceptable ambient air quality**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 2.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

**Condition 3: Maintenance of equipment**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 3.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.



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**Condition 4: Unpermitted Emission Sources**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-1.2**

**Item 4.1:**

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Condition 5: Emergency Defense**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-1.5**

**Item 5.1:**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
  - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
  - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

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**Condition 6: Recycling and Salvage**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 6NYCRR 201-1.7**

**Item 6.1:**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Condition 7: Prohibition of Reintroduction of Collected Contaminants to the Air**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 6NYCRR 201-1.8**

**Item 7.1:**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Condition 8: Public Access to Recordkeeping for Title V facilities**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 6NYCRR 201-1.10(b)**

**Item 8.1:**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

**Condition 9: Proof of Eligibility**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 6NYCRR 201-3.2(a)**

**Item 9.1:**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Condition 10: Proof of Eligibility**  
Effective between the dates of 04/04/2002 and 04/03/2007



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**Applicable Federal Requirement: 6NYCRR 201-3.3(a)**

**Item 10.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

**Condition 11: Applicable Criteria, Limits, Terms, Conditions and Standards**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 11.1:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in the permit. This shall include:

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

**Item 11.2:**

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 12: Cessation or Reduction of Permitted Activity Not a Defense**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 12.1:**

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.



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**Condition 13: Compliance Requirements**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 13.1:**

The following information must be included in any required compliance monitoring records and reports:

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;
- v. The results of such analyses including quality assurance data where required; and
- vi. The operating conditions as existing at the time of sampling or measurement;

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by the responsible official, consistent with Section 201-6.3 of Part 201.

**Item 13.2:**

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

**Item 13.3:**

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 14: Federally-Enforceable Requirements**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**



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**Item 14.1:**

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**Condition 15: Fees**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 15.1:**

The permittee shall pay the required fees associated with this permit.

**Condition 16:f0 Monitoring, Related Recordkeeping and Reporting Requirements**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 16.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 17: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 17.1:**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

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**Condition 18: Permit Shield**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 18.1:**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Condition 19: Property Rights**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 19.1:**

This permit does not convey any property rights of any sort or any exclusive privilege.

**Condition 20: Reopening for Cause**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 20.1:**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining



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term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

**Item 20.2:**

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

**Item 20.3:**

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**Condition 21: Right to Inspect**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 21.1:**

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 22: Severability**



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**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 22.1:**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Condition 23: Emission Unit Definition**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 23.1:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 20 1-MSWLF

Emission Unit Description:

A CLOSED AND CAPPED MUNICIPAL SOLID WASTE LANDFILL THAT OPERATED FROM 1972 TO 1992. AS THE WASTE DECAYS, IT GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. AROUND THE PERIMETER OF THE LANDFILL ARE THREE SEPARATE GAS MIGRATION COLLECTION SYSTEMS, A,B, AND C, WHICH COLLECT THE GAS AND ROUTE THE GAS TO EACH COLLECTION SYSTEM'S RESPECTIVE FLARE. FLARES A,B, AND C BURN THE GAS. THE FLARES ARE LOCATED ON THE NORTH SIDE OF THE MSW LANDFILL. GAS IS ALSO COLLECTED BY WELLS AND HORIZONTAL COLLECTORS LOCATED IN THE WASTE MASS. THIS GAS IS DIRECTED TO FLARES A, B, C OR D. FLARE D IS LOCATED ON THE SOUTH SIDE OF THE MUNICIPAL SOLID WASTE LANDFILL.

**Item 23.2:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 2-CNDLF

Emission Unit Description:

A CONSTRUCTION AND DEMOLITION LANDFILL THAT BEGAN OPERATIONS IN 1992 AND IS STILL ACTIVE. AS THE WASTE DECAYS IT GENERATES METHANE, CARBON DIOXIDE AND VARIOUS TRACE COMPOUNDS. TWO FLARES ARE RESPONSIBLE FOR BURNING THE GAS FROM THE COLLECTION SYSTEM OF THE C&D LANDFILL, A PORTION OF THE MSW COLLECTED GAS MAY BE COMBUSTED IN THESE TWO FLARES. THE FLARES WILL BE LOCATED ON THE



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NORTH SIDE OF THE C & D LANDFILL. BOTH  
FLARES MAY OPERATE AT THE SAME TIME.

**Condition 24: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)**

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section,

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that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If any of the above conditions are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) through (4) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition



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that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/02.  
Subsequent reports are due every 6 calendar month(s).

**Condition 25: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.5(e)**

**Item 25.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Compliance certifications shall contain the following information:

- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period

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consistent with the monitoring and related recordkeeping and reporting requirements of this permit;  
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;  
and  
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

NYSDEC  
SUNY Campus  
Building 40  
Stony Brook, NY 11790-2356

The address for the BCME is as follows:

NYSDEC  
Bureau of Compliance Monitoring  
and Enforcement  
625 Broadway  
Albany, NY 12233-3258

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Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/03.  
Subsequent reports are due on the same day each year

**Condition 26: Permit Exclusion Provisions**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.5(g)**

**Item 26.1:**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

**Condition 27: Required emissions tests**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 202-1.1**

**Item 27.1:**

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are



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specified in 6NYCRR Part 202-1.

**Condition 28: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 202-2.1**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 29: Recordkeeping requirements**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 202-2.5**

**Item 29.1:**

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 30: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(d)**

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**



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Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The collection system will be operated so that the methane concentration is less than 500 ppm above background on the surface of the landfill. The owner or operator will conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. Areas with steep slopes or other dangerous areas may be excluded from the surface testing. A surface monitoring design plan will be developed that includes a topographical map with the monitoring route. This plan will be submitted to the Department for review and approval within 60 days of the issuance of this permit.

Parameter Monitored: METHANE

Upper Permit Limit: 500 parts per million (by volume)

Monitoring Frequency: QUARTERLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

Subsequent reports are due every 6 calendar month(s).

**Condition 31: Visible emissions limited.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 31.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 32: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 215.**

**Item 32.1:**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Condition 33: EPA Region 2 address.**



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**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

**Item 33.1:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC  
Bureau of Enforcement and Compliance Assurance  
625 Broadway  
Albany, NY 12233-3258

**Condition 34: Excess emissions report.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.7(c), NSPS Subpart A**

**Item 34.1:**

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

**Condition 35: Excess emissions report.**

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**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.7(d), NSPS Subpart A**

**Item 35.1:**

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

**Condition 36: Facility files for subject sources.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A**

**Item 36.1:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 37: Performance test methods.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A**

**Item 37.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

**Condition 38: Required performance test information.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A**

**Item 38.1:**

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

**Condition 39: Prior notice.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A**

**Item 39.1:**

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.



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**Condition 40: Performance testing facilities.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.8(e), NSPS Subpart A**

**Item 40.1:**

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 41: Number of required tests.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.8(f), NSPS Subpart A**

**Item 41.1:**

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 42: Availability of information.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A**

**Item 42.1:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 43: Circumvention.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A**

**Item 43.1:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.



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**Condition 44: Recycling and Emissions Reduction**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 82, Subpart F**

**Item 44.1:**

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 45: Emission Point Definition By Emission Unit**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 45.1:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-MSWLF

Emission Point: 00001

Height (ft.): 22                      Diameter (in.): 47  
NYTMN (km.): 4519.7              NYTME (km.): 653.2

Emission Point: 00002

Height (ft.): 22                      Diameter (in.): 47  
NYTMN (km.): 4519.7              NYTME (km.): 653.2

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Emission Point: 00003  
Height (ft.): 27                      Diameter (in.): 47  
NYTMN (km.): 4519.7              NYTME (km.): 653.2

**Item 45.2:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 2-CNDLF

Emission Point: 00005  
Height (ft.): 40                      Diameter (in.): 76  
NYTMN (km.): 4519.7              NYTME (km.): 653.2

Emission Point: 00006  
Height (ft.): 40                      Diameter (in.): 76  
NYTMN (km.): 4519.7              NYTME (km.): 653.2

**Condition 46: Process Definition By Emission Unit**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 201-6.**

**Item 46.1:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MSWLF  
Process: A00    Source Classification Code: 5-01-004-06

Process Description:  
A CLOSED AND CAPPED MUNICIPAL SOLID WASTE (MSW) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THE GASES ARE COLLECTED IN ONE OF 3 PERIMETER GAS MIGRATION CONTROL COLLECTION SYSTEMS. PROCESS A00 CONCERNS GAS THAT IS COLLECTED BY COLLECTION SYSTEM A AND FLARED BY FLARE A.

Emission Source/Control: FLRCA - Control  
Control Type: FLARING

Emission Source/Control: FLRCB - Control  
Control Type: FLARING

Emission Source/Control: FLRCC - Control  
Control Type: FLARING



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Emission Source/Control: 0FLRA - Process  
Design Capacity: 1,600 cubic feet per minute (standard conditions)

Emission Source/Control: 0FLRB - Process  
Design Capacity: 1,600 cubic feet per minute (standard conditions)

Emission Source/Control: 0FLRC - Process  
Design Capacity: 1,600 cubic feet per minute (standard conditions)

**Item 46.2:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MSWLF  
Process: B00  
Source Classification Code: 5-01-004-06

Process Description:  
A CLOSED AND CAPPED MUNICIPAL SOLID WASTE (MSW) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THE GASES ARE COLLECTED IN ONE OF 3 PERIMETER GAS MIGRATION CONTROL COLLECTION SYSTEMS. PROCESS B00 CONCERNS GAS THAT IS COLLECTED BY COLLECTION SYSTEM B AND FLARED BY FLARE B.

Emission Source/Control: 0FLRB - Process  
Design Capacity: 1,600 cubic feet per minute (standard conditions)

**Item 46.3:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MSWLF  
Process: C00  
Source Classification Code: 5-01-004-06

Process Description:  
A CLOSED AND CAPPED MUNICIPAL SOLID WASTE (MSW) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THE GASES ARE COLLECTED IN ONE OF 3 PERIMETER GAS MIGRATION CONTROL COLLECTION SYSTEMS. PROCESS C00 CONCERNS GAS THAT IS COLLECTED BY COLLECTION SYSTEM C AND FLARED BY FLARE C.

Emission Source/Control: 0FLRC - Process  
Design Capacity: 1,600 cubic feet per minute (standard conditions)

**Item 46.4:**

**New York State Department of Environmental Conservation**

**Permit ID: 1-4728-00628/00015**

**Facility DEC ID: 1472800628**



This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MSWLF

Process: D00

Source Classification Code: 5-01-004-06

Process Description:

A CLOSED AND CAPPED MUNICIPAL SOLID WASTE (MSW) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THE GASES ARE COLLECTED IN ONE OF 3 PERIMETER GAS MIGRATION CONTROL COLLECTION SYSTEMS. PROCESS D00 INCLUDES A CENTRAL LFG COLLECTION SYSTEM IN THE MSW LANDFILL.

Emission Source/Control: FLRCA - Control

Control Type: FLARING

Emission Source/Control: FLRCB - Control

Control Type: FLARING

Emission Source/Control: FLRCC - Control

Control Type: FLARING

Emission Source/Control: 0FLRA - Process

Design Capacity: 1,600 cubic feet per minute (standard conditions)

Emission Source/Control: 0FLRB - Process

Design Capacity: 1,600 cubic feet per minute (standard conditions)

Emission Source/Control: 0FLRC - Process

Design Capacity: 1,600 cubic feet per minute (standard conditions)

**Item 46.5:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 2-CNDLF

Process: D01

Source Classification Code: 5-01-004-10

Process Description:

CONSTRUCTION AND DEMOLITION (C&D) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THE GASES ARE COLLECTED IN THE LFG COLLECTION SYSTEM, WHILE A PORTION OF THE TOTAL GAS ESCAPES THROUGH THE LANDFILL ITSELF AS FUGITIVE EMISSIONS. THE COLLECTED GAS AND A PORTION OF THE MSW COLLECTED GAS WILL BE FLARED IN THE TWO FLARES LOCATED AT THE C&D

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**Facility DEC ID: 1472800628**



**LANDFILL.**

Emission Source/Control: FLRD1 - Process

Design Capacity: 27 million Btu per hour

**Item 46.6:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 2-CNDLF

Process: D02

Source Classification Code: 5-01-004-10

Process Description:

CONSTRUCTION AND DEMOLITION (C&D) LANDFILL IN WHICH DECAYING WASTE GENERATES METHANE, CARBON DIOXIDE, AND VARIOUS TRACE COMPOUNDS. THE MAJORITY OF THESE GASES ARE COLLECTED IN THE LFG COLLECTION SYSTEM, WHILE A PORTION OF THE TOTAL GAS ESCAPES THROUGH THE LANDFILL ITSELF AS FUGITIVE EMISSIONS. THE COLLECTED GAS AND A PORTION OF THE MSW COLLECTED GAS WILL BE FLARED IN THE TWO FLARES LOCATED AT THE C&D LANDFILL.

Emission Source/Control: FLRD2 - Process

Design Capacity: 27 million Btu per hour

**Condition 47: Flares**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.3(b)(2)(iii)('a')**

**Item 47.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 47.2:**

If the collected gas is routed to an open flare, the flare shall be designed and operated in accordance with 40 CFR 60.18

**Condition 48: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.3(b)(2)(iii)('b')**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF



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**Permit ID: 1-4728-00628/00015**

**Facility DEC ID: 1472800628**

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The collected landfill gas will be routed to a control system designed and operated to achieve a minimum NMOC destruction efficiency of 98% by weight or the NMOC outlet concentration will be reduced to less than 20 ppmv (dry as hexane at 3% oxygen). The reduction efficiency will be established by an initial performance test to be completed no later than 180 days after initial startup.

Manufacturer Name/Model Number: NA

Parameter Monitored: NMOC - LANDFILL USE ONLY

Upper Permit Limit: 20 parts per million by volume (dry, corrected to 3% oxygen)

Reference Test Method: RM 18, 25 or 25c

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 49: Active Collection System Removal**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.3(b)(2)(v)**

**Item 49.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 49.2:**

The collection and control system may be capped or removed provided that all of the following conditions are met:

- the landfill will no longer accept solid waste and be permanently closed under the requirements of Part 360;
- the collection and control system must have been in operation a minimum of 15 years; and
- the calculated NMOC emission rate must be less than 50 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart and no more than 180 days apart.

**Condition 50: Collection System for waste-in-place for 2 or 5 years**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(a)**

**Item 50.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 50.2:**

The owner or operator of this landfill gas collection system will operate the collection system such that



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gas is collected from each area, cell or group of cells in the landfill in which solid waste has been in place for 5 years or more if active or 2 years or more if inactive

**Condition 51: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(b)**

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The collection system shall be operated with a negative pressure at each wellhead, except under the following conditions:

1. A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 6 NYCRR Part 208.8
2. The use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan.
3. A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: PRESSURE

Upper Permit Limit: 0 pounds per square inch gauge

Monitoring Frequency: MONTHLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.



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Subsequent reports are due every 6 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(c)**

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each interior wellhead in the collection system shall be operated with an oxygen level in the landfill gas less than 5%. The owner or operator may establish a higher operating oxygen level at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Manufacturer Name/Model Number: NA

Parameter Monitored: OXYGEN CONTENT

Upper Permit Limit: 5 percent

Reference Test Method: Method 3a

Monitoring Frequency: MONTHLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

Subsequent reports are due every 6 calendar month(s).

**Condition 53: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(c)**

**Item 53.1:**

The Compliance Certification activity will be performed for:

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Emission Unit: 1-MSWLF

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each interior wellhead shall be operated with a landfill gas temperature of less than 55 degrees Celsius.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

0 Manufacturer Name/Model Number: NA

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 55 degrees Centigrade (or Celsius)

Monitoring Frequency: MONTHLY

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

Subsequent reports are due every 6 calendar month(s).

**Condition 54: Vent Collected Gas to Control System**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(e)**

**Item 54.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 54.2:**

Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 6 NYCRR Part 208.3(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system will be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere will be closed within one hour.

**Condition 55: Control System**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(f)**

**Item 55.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 55.2:**



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Operate the control or treatment system at all times when the collected gas is routed to the system

**Condition 56: Corrective Action**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.4(g)**

**Item 56.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 56.2:**

If monitoring demonstrates that the operational requirements in 6 NYCRR Part 208.4(b), (c) or (d) are not met, corrective action will be taken as specified in 6 NYCRR Part 208.6(a)(3)-(5). If corrective actions are taken as specified in 6 NYCRR Part 208.6, the monitored exceedance is not a violation of the operational requirements.

**Condition 57: System NMOC Emission Rate**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.5(b)**

**Item 57.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 57.2:**

After installation of a collection and control system, the owner or operator will calculate the NMOC emission rate, for the purposes of determining when the system can be removed, using the following equation:

$M_{NMOC} = 1.89 \times 10^{-3} (Q_{LFG})(C_{NMOC})$ ; where  $M_{NMOC}$  = mass emission rate of NMOC (megagrams/year),  $Q_{LFG}$  (the flow of landfill gas to the system) is determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device and the concentration of NMOC ( $C_{NMOC}$ ) is determined by collecting and analyzing landfill gas using the procedures in Method 25, 25C or Method 18 of Appendix A of 40 CFR Part 60. The system may be removed if the NMOC emission rate drops below 50 megegrams per year.

**Condition 58: System Efficiency**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.5(d)**

**Item 58.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 58.2:**

For the performance test required in 6 NYCRR Part 208.3(b)(2)(iii)(b), Method 25C, 25 or Method 18



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of Appendix A of 40 CFR 60 shall be used to determine compliance with the 98% weight efficiency or the 20 ppmv outlet concentration level. The following equation shall be used to calculate efficiency:

$$\text{Control Efficiency} = \frac{\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}}{\text{NMOC}_{\text{in}}}$$

**Condition 59: Surface Methane Monitoring**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.6(c)**

**Item 59.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 59.2:**

The following procedures shall be used for compliance with the surface methane operational standard as provided in 6 NYCRR Part 208.4(d).

1) After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 6 NYCRR Part 208.6(d)

2) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

3) Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of 40 CFR Part 60 Appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

4) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in (i) through (v) below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 6 NYCRR Part 208.4(d).

i) The location of each monitored exceedance shall be marked and the location recorded.

ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.

iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in (5) below shall be taken, and no further monitoring of that location is required until the action specified in (5) has been taken.

iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in (ii) or (iii) above shall be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month re-monitoring shows an exceedance, the actions specified in (iii) or (v) shall be taken.



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v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Administrator for approval.

5) The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis

**Condition 60: Instrument Specs for Surface Methane Analyzer**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.6(d)**

**Item 60.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 60.2:**

Each owner or operator seeking to comply with the provisions in 6 NYCRR Part 208.6(c) shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

- 1) The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of 40 CFR Part 60 Appendix A, except that "methane" shall replace all references to VOC.
- 2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.
- 3) To meet the performance evaluation requirements in section 3.1.3 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 4.4 of Method 21 shall be used.
- 4) The calibration procedures provided in section 4.2 of Method 21 of 40 CFR Part 60 Appendix A shall be followed immediately before commencing a surface monitoring survey
- 5) The provisions of 6 NYCRR Part 208.6(d) apply at all times, except during periods of start-up, shutdown or malfunction, provided that the duration of the start-up, shutdown or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

**Condition 61: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.7(a)**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

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Each owner or operator seeking to comply with 6 NYCRR Part 208.3(b)(2)(ii)(a) with an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

1. Measure the gauge pressure in the gas collection header, as provided in 6 NYCRR Part 208.6(a)(3); and
2. Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 6 NYCRR Part 208.6(a)(5); and
3. Monitor temperature of the landfill gas on a monthly basis as provided in 6 NYCRR Part 208.6(a)(5).

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

Subsequent reports are due every 6 calendar month(s).

**Condition 77: Monitoring of Operations - Open Flare**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.7(c)**

**Item 77.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 77.2:**

For landfills that use open flares to control landfill gas, the owner or operator of the landfill will install, calibrate, maintain and operate according to the manufacturer's specifications the following equipment:

1. A heat sensing device at the pilot light or flame itself to indicate the continuous presence of a flame;
2. A device that records flow, at least every 15 minutes, to, or bypass of, the flare.

**Condition 62: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.8(f)**

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 62.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a landfill seeking to comply with 6 NYCRR Part 208.3(b)(2) using an active collection system designed in accordance with 6 NYCRR Part 208.3(b)(2)(ii) shall submit to the Department annual reports of the recorded information in paragraphs (1) through (6) below. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 6 NYCRR Part 208.9(c).

- 1) Value and length of time for exceedance of applicable parameters monitored under 6 NYCRR Part 208.7(a), (b), (c) and (d).
- 2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 6 NYCRR Part 208.7.
- 3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.
- 4) All periods when the collection system was not operating in excess of 5 days.
- 5) The location of each exceedance of the 500 parts per million methane concentration as provided in 6 NYCRR Part 208.4(c) and the concentration recorded at each location for which an exceedance was recorded in the previous month.
- 6) The date of installation and the location of each well or collection system expansion added pursuant to 6 NYCRR Part 208.6(a)(3), 208.6(b) and 208.6(c)(4).

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

Subsequent reports are due every 6 calendar month(s).

**Condition 63: Reporting Requirements**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.8(g)**



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**Item 63.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 63.2:**

Each owner or operator seeking to comply with 6 NYCRR Part 208.3(b)(2)(iii) shall include the following information with the initial performance test report required under 40 CFR Part 60.8:

- 1) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;
- 2) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;
- 3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;
- 4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and
- 5) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and
- 6) The provisions for the control of off-site migration.

**Condition 64: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.9(a)**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(3)(i)(a), each owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) shall keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which



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triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.9(b)**

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(2)(i)(b'), each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraphs (1) and (2) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 7 years. Records of the control device vendor specifications shall be maintained until removal.

1) Where an owner or operator seeks to demonstrate compliance with 6 NYCRR Part 208.3(b)(2)(ii):

i) The maximum expected gas generation flow rate as calculated in 6 NYCRR Part 208.6(a)(1) . The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Department.

ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 6 NYCRR Part 208.10(a)(1)).

2) Where an owner or operator seeks to demonstrate compliance with 6 NYCRR Part 208.3(b)(2)(iii) through use

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of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR Part 60.18; continuous records of the flare pilot flame, or presence of ignition spark if an electronic ignition system is used for the flare, or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 66: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.9(c)**

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**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(2)(i)(b'), each owner or operator of a controlled landfill shall keep for 7 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 6 NYCRR Part 208.7) as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

2) Each owner or operator shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 6 NYCRR Part 208.7.

4) Each owner or operator seeking to comply by use of an open flare shall keep up-to-date, readily accessible



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continuous records of the flame or flare pilot flame monitoring, or the presence of ignition spark if an electronic ignition system is used, specified under 6 NYCRR Part 208.7(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 67: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208.9(d)**

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(2)(i)(b'), each owner or operator shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

- 1) Each owner or operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 6 NYCRR Part 208.6(b).
- 2) Each owner or operator shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 6 NYCRR Part 208.10(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 6 NYCRR Part 208.10(a)(3)(ii).

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 68: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**



**Applicable Federal Requirement: 6NYCRR 208.9(e)**

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(2)(i)(b), each owner or operator shall keep for at least 7 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 6 NYCRR Part 208.4, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 69: Standards for Emissions from MSW Landfills**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 208-.3(b)**

**Item 69.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 69.2:**

The owner or operator of this MSW landfill, having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, will submit an initial design capacity report to the Department. This report must also include the calculated non-methane organic compound (NMOC) emission rate for the landfill. This emission rate will be calculated using the procedures defined in 6 NYCRR 360-2.21(e). This emission rate will be re-calculated on an annual basis, except as provided in 6 NYCRR 360-2.21(h)(2)(i)(b).

If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator will:

- submit an annual emission report to the Department; and
- recalculate the NMOC emission rate annually until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year.

When the calculated NMOC emission rate exceeds 50 megagrams per year the owner or operator will submit a collection and control system design and permit application, prepared by a professional



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engineer, to the Department within 1 year. The landfill gas collection system will be addressed in a Part 360 application or modification, while the landfill gas control system will be addressed in a Part 201 permit application or modification. The collection and control system, that captures the gas generated within the landfill, will be installed within 30 months after the first annual report in which the NMOC emission rate equals or exceeds 50 megagrams per year.

The active collection system will:

- be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;
- collect gas from each area, cell or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years or more if active or 2 years or more if closed or at final grade;
- collect gas at a sufficient extraction rate;
- be designed to minimize off-site migration of subsurface gas.

**Condition 70: General Control Device Requirements - Flares**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(e), NSPS Subpart A**

**Item 70.1:**

This Condition applies to Emission Unit: 1-MSWLF

**Item 70.2:**

Flares used to comply with the provisions of 40 CFR Part 60 Subpart A shall be operated whenever landfill gas is vented to them.

**Condition 71: Flare monitoring requirements.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(d), NSPS Subpart A**

**Item 71.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: A00

**Item 71.2:**

Owners or operators of flares used to comply with the provisions of 40 CFR 60.18 shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

**Condition 72: Flare compliance testing.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(f), NSPS Subpart A**

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**Item 72.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: A00

**Item 72.2:** Required flares used to comply with the provisions in this subpart shall comply with the following:

- 1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.
- 2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- 3) The net heating value of the gas being combusted in a flare shall be calculated using the equation found in 40CFR 60.18(f)(3).
- 4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.
- 5) The maximum permitted velocity,  $V_{max}$ , for flares complying with 40CFR 60.18(c)(4)(iii) shall be determined by the equation given in 40CFR 60.18(f)(5).
- 6) The maximum permitted velocity,  $V_{max}$ , for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

**Condition 73: Flare monitoring requirements.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(d), NSPS Subpart A**

**Item 73.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: B00

**Item 73.2:**

Owners or operators of flares used to comply with the provisions of 40 CFR 60.18 shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

**Condition 74: Flare compliance testing.**

**Effective between the dates of 04/04/2002 and 04/03/2007**



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**Applicable Federal Requirement: 40CFR 60.18(f), NSPS Subpart A**

**Item 74.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: B00

**Item 74.2:** Required flares used to comply with the provisions in this subpart shall comply with the following:

- 1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.
- 2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- 3) The net heating value of the gas being combusted in a flare shall be calculated using the equation found in 40CFR 60.18(f)(3).
- 4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.
- 5) The maximum permitted velocity,  $V_{max}$ , for flares complying with 40CFR 60.18(c)(4)(iii) shall be determined by the equation given in 40CFR 60.18(f)(5).
- 6) The maximum permitted velocity,  $V_{max}$ , for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

**Condition 75: Flare monitoring requirements.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(d), NSPS Subpart A**

**Item 75.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: C00

**Item 75.2:**

Owners or operators of flares used to comply with the provisions of 40 CFR 60.18 shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

**Condition 76: Flare compliance testing.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

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**Applicable Federal Requirement: 40CFR 60.18(f), NSPS Subpart A**

**Item 76.1:**

This Condition applies to Emission Unit: 1-MSWLF  
Process: C00

**Item 76.2:** Required flares used to comply with the provisions in this subpart shall comply with the following:

- 1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.
- 2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- 3) The net heating value of the gas being combusted in a flare shall be calculated using the equation found in 40CFR 60.18(f)(3).
- 4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.
- 5) The maximum permitted velocity,  $V_{max}$ , for flares complying with 40CFR 60.18(c)(4)(iii) shall be determined by the equation given in 40CFR 60.18(f)(5).
- 6) The maximum permitted velocity,  $V_{max}$ , for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

**Condition 78: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF Emission Point: 00001

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:



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No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action is required as per the attached maintenance procedures. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 79: Flare operation requirements.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(c), NSPS Subpart A**

**Item 79.1:**

This Condition applies to Emission Unit: 1-MSWLF Emission Point: 00001

**Item 79.2:**

All required flares shall meet, at a minimum, the following conditions:

- 1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);
- 3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).
- 4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).
- 5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{MAX}$ , as determined by the method specified in 40 CFR 60.18(f)(6).
- 6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.



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**Condition 80: Compliance Certification**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF Emission Point: 00002

**Item 80.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action is required as per the attached maintenance procedures. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 81: Flare operation requirements.**  
Effective between the dates of 04/04/2002 and 04/03/2007

**Applicable Federal Requirement: 40CFR 60.18(c), NSPS Subpart A**

**Item 81.1:**

This Condition applies to Emission Unit: 1-MSWLF Emission Point: 00002

**Item 81.2:**

All required flares shall meet, at a minimum, the following conditions:



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- 1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);
- 3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).
- 4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).
- 5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{MAX}$ , as determined by the method specified in 40 CFR 60.18(f)(6).
- 6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.

**Condition 82: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 82.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-MSWLF Emission Point: 00003

**Item 82.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action is required as per the attached maintenance procedures. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation



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Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING

**DESCRIPTION**

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 83: Flare operation requirements.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(c), NSPS Subpart A**

**Item 83.1:**

This Condition applies to Emission Unit: 1-MSWLF Emission Point: 00003

**Item 83.2:**

All required flares shall meet, at a minimum, the following conditions:

1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;

2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);

3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).

4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).

5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{MAX}$ , as determined by the method specified in 40 CFR 60.18(f)(6).

6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.

**Condition 84: Compliance Certification**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 84.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 2-CNDLF Emission Point: 00005

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**Item 84.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action is required as per the attached maintenance procedures. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 85: Flare operation requirements.**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(c), NSPS Subpart A**

**Item 85.1:**

This Condition applies to Emission Unit: 2-CNDLF Emission Point: 00005

**Item 85.2:**

All required flares shall meet, at a minimum, the following conditions:

1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;

2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);

3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).

4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).



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5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{MAX}$ , as determined by the method specified in 40 CFR 60.18(f)(6).

6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.

**Condition 86: Compliance Certification**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 86.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 2-CNDLF Emission Point: 00006

**Item 86.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action is required as per the attached maintenance procedures. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 87: Flare operation requirements.**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable Federal Requirement: 40CFR 60.18(c), NSPS Subpart A**

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**Item 87.1:**

This Condition applies to Emission Unit: 2-CNDLF Emission Point: 00006

**Item 87.2:**

All required flares shall meet, at a minimum, the following conditions:

- 1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);
- 3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).
- 4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).
- 5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{MAX}$ , as determined by the method specified in 40 CFR 60.18(f)(6).
- 6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.



**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**Condition 88: Unavoidable noncompliance and violations**  
**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable State Requirement: 6NYCRR 201-1.4**

Item 88.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be



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applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 89: General Provisions**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable State Requirement: 6NYCRR 201-5.**

**Item 89.1:**

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

**Item 89.2:**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

**Item 89.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Condition 90: Permit Exclusion Provisions**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable State Requirement: 6NYCRR 201-5.**

**Item 90.1:**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements



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contained in such order or modification thereof unless specifically intended by this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

**Condition 91: Contaminant List**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable State Requirement: 6NYCRR 201-5.3(b)**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

No contaminants.

**Condition 92: Air pollution prohibited**

**Effective between the dates of 04/04/2002 and 04/03/2007**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 92.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.