PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-0101-00171/00013
Effective Date: 06/25/2009 Expiration Date: 06/24/2014

Permit Issued To:CITY OF ALBANY
CITY HALL
24 EAGLE ST
ALBANY, NY 12207

Facility: ALBANY LANDFILL
525 RAPP RD
ALBANY, NY 12205

Contact: WILLARD A BRUCE
ALBANY DEPT OF GENERAL SERVICES
1 CONNERS BLVD
ALBANY, NY 12204-1144

Description:
Title V Air permit for the City of Albany Landfill address the applicable Federal and NYS rules and regulations for the operation of the landfill.

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: WILLIAM J CLARKE
DIVISION OF ENVIRONMENTAL PERMITS
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

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 acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any 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 or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

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

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Facility Level
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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: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 2.1:
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 2.2:
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 2.3:
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 3: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 3.1:
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

Condition 4: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 4.1:
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 5: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 5.1:
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 5.2:
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.

Item 5.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 6: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 6.1:
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 6.2:
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.

Item 6.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 7: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 7.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 8: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 8.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 9: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 9.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 10: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 10.1:

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

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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CITY HALL
24 EAGLE ST
ALBANY, NY 12207

Facility: ALBANY LANDFILL
525 RAPP RD
ALBANY, NY 12205

Authorized Activity By Standard Industrial Classification Code:
4953 - REFUSE SYSTEMS

Permit Effective Date: 06/25/2009 Permit Expiration Date: 06/24/2014

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR 200.6: Acceptable Ambient Air Quality
2 6 NYCRR 201-6.5 (a) (7): Fees
3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
6 6 NYCRR 202-2.1: Compliance Certification
7 6 NYCRR 202-2.5: Recordkeeping requirements
8 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
9 6 NYCRR 200.7: Maintenance of Equipment
10 6 NYCRR 201-1.7: Recycling and Salvage
11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
14 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
15 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
16 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
17 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
18 6 NYCRR 202-1.1: Required Emissions Tests
19 6 NYCRR 211.3: Visible Emissions Limited
20 40 CFR Part 68: Accidental release provisions.
21 40CFR 82, Subpart F: Recycling and Emissions Reduction
22 6 NYCRR Subpart 201-6: Emission Unit Definition
23 6 NYCRR 201-6.5 (e): Compliance Certification
24 6 NYCRR 202-1.2: Notification
25 6 NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
26 6 NYCRR 208.3 (b): Design Capacity Report
27 6 NYCRR 227-1.3: Compliance Certification
28 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
29 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
30 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
31 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
32 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
33 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
34 40CFR 60.8(d), NSPS Subpart A: Prior notice.
35 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
36 40CFR 60.9, NSPS Subpart A: Availability of information.
37 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
38 40CFR 60.12, NSPS Subpart A: Circumvention.
39 40CFR 60.13(a), NSPS Subpart A: Continuous Monitoring Requirements
40 40CFR 60.14, NSPS Subpart A: Modifications.
41 40CFR 60.15, NSPS Subpart A: Reconstruction
42 40CFR 60.18(c)(1), NSPS Subpart A: Compliance Certification

43 40CFR 60.752(b)(2), NSPS Subpart WWW: Standards for air emissions from MSW landfills
44 40CFR 60.752(b)(2)(iii)('B'), NSPS Subpart WWW: Compliance Certification
45 40CFR 60.753(a), NSPS Subpart WWW: Operational standards for collection and control systems
46 40CFR 60.753(b), NSPS Subpart WWW: Compliance Certification
47 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
48 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
49 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
50 40CFR 60.753(d), NSPS Subpart WWW: Compliance Certification
51 40CFR 60.753(e), NSPS Subpart WWW: Compliance Certification
52 40CFR 60.753(f), NSPS Subpart WWW: Compliance Certification
53 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
54 40CFR 60.754(b), NSPS Subpart WWW: NMOC Calculation After Collection and Control System Installation
55 40CFR 60.754(d), NSPS Subpart WWW: Performance Test
56 40CFR 60.755(a), NSPS Subpart WWW: Compliance Provisions - collection system
57 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells
58 40CFR 60.755(c), NSPS Subpart WWW: Compliance Provisions - surface methane
59 40CFR 60.755(d), NSPS Subpart WWW: Compliance Provisions - instrumentation specifications
60 40CFR 60.755(e), NSPS Subpart WWW: Compliance Provisions - Start-up, shutdown, or malfunction
61 40CFR 60.756(b), NSPS Subpart WWW: Compliance Certification
62 40CFR 60.756(c), NSPS Subpart WWW: Compliance Certification
63 40CFR 60.757(e), NSPS Subpart WWW: Reporting Requirements - Control Equipment Removal
64 40CFR 60.757(g), NSPS Subpart WWW: Reporting requirements - Collection and control system
65 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
66 40CFR 60.758(b), NSPS Subpart WWW: Compliance Certification
67 40CFR 60.758(c), NSPS Subpart WWW: Compliance Certification
68 40CFR 60.758(d), NSPS Subpart WWW: Compliance Certification
69 40CFR 60.758(e), NSPS Subpart WWW: Compliance Certification
70 40CFR 60.759(a), NSPS Subpart WWW: Specifications for active collection systems
71 40CFR 60.759(b), NSPS Subpart WWW: Specifications for active collection systems
72 40CFR 60.759(c), NSPS Subpart WWW: Specifications for active collection systems
73 40CFR 63.1955(b), Subpart AAAA: Compliance Certification
74 40CFR 63.1980(a), Subpart AAAA: Compliance Certification

Emission Unit Level

75 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
76 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=0-00003

77 40CFR 63.6590(a)(2), Subpart ZZZZ: New RICE at an area source of HAP
78 40CFR 63.6595(a)(7), Subpart ZZZZ: Compliance Dates for new RICE at an area source of HAP

EU=0-00004

79 40CFR 63.6590(a)(2), Subpart ZZZZ: New RICE at an area source of HAP
80 40CFR 63.6595(a)(7), Subpart ZZZZ: Compliance Dates for new RICE at an area source of HAP

EU=0-00005

81 40CFR 60.18(c), NSPS Subpart A: Flare operation requirements.
82 40CFR 60.18(e), NSPS Subpart A: General Control Device Requirements - Flares
83 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

EU=0-00005,EP=00005,Proc=005

84 6 NYCRR 212.6: Compliance Certification

EU=0-00006

85 40CFR 60.7(a)(4), NSPS Subpart A: Compliance Certification

EU=0-0007A

86 40CFR 60.18(c), NSPS Subpart A: Flare operation requirements.
87 40CFR 60.18(e), NSPS Subpart A: General Control Device Requirements - Flares
88 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

EU=0-0008A

89 40CFR 60.18(c), NSPS Subpart A: Flare operation requirements.
90 40CFR 60.18(e), NSPS Subpart A: General Control Device Requirements - Flares
91 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

92 ECL 19-0301: Contaminant List
93 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
94 6 NYCRR 211.2: Air pollution prohibited
95 6 NYCRR 211.2: Compliance Demonstration
96 6 NYCRR 211.2: Compliance Demonstration

FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: Emergency Defense - 6 NYCRR 201-1.5

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.

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
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 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: **Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: **Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**
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 stay any permit condition.

Item G: **Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**
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.

Item H: **Property Rights - 6 NYCRR 201-6.5 (a) (6)**

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

Item I: **Severability - 6 NYCRR 201-6.5 (a) (9)**

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.

Item J: **Permit Shield - 6 NYCRR 201-6.5 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. 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.

Item K: **Reopening for Cause - 6 NYCRR 201-6.5 (i)**

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 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.

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.

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.

Item L: **Permit Exclusion - ECL 19-0305**

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 legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, 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 also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
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.

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:
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 2: **Fees**
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (7)

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: **Recordkeeping and reporting of compliance monitoring**
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 3.1:
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 a responsible official, consistent with Section 201-6.3 of this Part 201.

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (c) (2)

Item 4.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, 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 5: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 5.1:
The Compliance Certification activity will be performed for the Facility.

Item 5.2:
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 (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, 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 above paragraphs (1) or (2) 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) and (2) 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 paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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 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 Quality Assurance (BQA) 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 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 6.1:
The Compliance Certification activity will be performed for the Facility.

Item 6.2:
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. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 7: Recordkeeping requirements
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 7.1:
(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 8: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR Part 215

Item 8.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 9: Maintenance of Equipment
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 200.7

Item 9.1:
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.

Condition 10: Recycling and Salvage
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 10.1:
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 the ECL.

Condition 11: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 11.1:
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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 12.1:
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 this Subpart. 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 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 13: Trivial Sources - Proof of Eligibility
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 13.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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 14: Standard Requirement - Provide Information
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)

Item 14.1:
The owner and/or operator 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. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 15: General Condition - Right to Inspect
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)

Item 15.1:
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart 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 emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 16: Standard Requirements - Progress Reports
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)

Item 16.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. 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 17: Off Permit Changes
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)

Item 17.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

Condition 18: Required Emissions Tests
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 18.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 19: Visible Emissions Limited
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 211.3

Item 19.1:
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 20: Accidental release provisions.
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40 CFR Part 68

Item 20.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

Condition 21: Recycling and Emissions Reduction
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 82, Subpart F

Item 21.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 22: Emission Unit Definition
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00001
Emission Unit Description:
CATERPILLAR 3516 SITA INTERNAL COMBUSTION ENGINE THAT COMBUSTS LANDFILL GAS. UNIT WILL BE RELOCATED PRIOR TO PHASE 2 OF THE P-4 LANDFILL EXPANSION.

Building(s): 001

Item 22.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00002
Emission Unit Description:
CATERPILLAR 3516 SITA INTERNAL COMBUSTION ENGINE THAT COMBUSTS LANDFILL GAS. UNIT WILL BE RELOCATED PRIOR TO CONSTRUCTION OF PHASE 2 OF THE P-4 LANDFILL EXPANSION.

Building(s): 001

Item 22.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00003
Emission Unit Description:
(PROPOSED) CATERPILLAR 3516 SITA INTERNAL COMBUSTION ENGINE THAT COMBUSTS LANDFILL GAS.

Building(s): 001

Item 22.4:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00004
Emission Unit Description:
(PROPOSED) CATERPILLAR 3516 SITA INTERNAL COMBUSTION ENGINE THAT COMBUSTS LANDFILL GAS.

Building(s): 001

Item 22.5:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00005
Emission Unit Description:
JOHN ZINK MODEL EEF-U OPEN FLARE THAT COMBUSTS LANDFILL GAS.

Item 22.6:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00006
Emission Unit Description:

90 ACRE CAPPED LANDFILL CONTAINING
NON-HAZARDOUS MUNICIPAL SOLID WASTE ONLY.

Item 22.7:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-0007A
Emission Unit Description:
LANDFILL SERVICES CORP. MODEL UF-40 OPEN FLARE THAT COMBUSTS LANDFILL GAS. UNIT WILL BE LOCATED IN THE NORTHERN END OF THE GREATER ALBANY LANDFILL SECTION OF THE SITE.

Item 22.8:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-0008A
Emission Unit Description:
LFG TECHNOLOGIES, INC. MODEL 'UTILITY 3,300' OPEN FLARE THAT COMBUSTS LANDFILL GAS. UNIT WILL BE LOCATED IN THE NORTHER END OF THE GREATER ALBANY LANDFILL SECTION OF THE SITE.

Condition 23: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 23.1:
The Compliance Certification activity will be performed for the Facility.

Item 23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

i. Compliance certifications shall contain:
- 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 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.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. 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.

iv. 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 Quality Assurance (BQA) 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:

1130 North Westcott Road
Schenectady, NY 12306-2014

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due on the same day each year

Condition 24: Notification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 24.1:
A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 25: Acceptable procedures - Stack test report submittal
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 25.1:
Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 26: Design Capacity Report
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 208.3 (b)

Item 26.1:

Each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall submit an initial design capacity report to the Department as provided in subdivision 8(a) of this Part and either comply with paragraph (2) of this subdivision or calculate and NMOC emission rate for the landfill using the procedures specified in section 5 of this Part. The NMOC emission rate shall be recalculated annually, except as provided in subparagraph 8(b)(1)(ii) of this Part. The owner or operator of an MSW landfill subject to this section with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters is subject to Title V permitting requirements under Part 201 of this Title.

Condition 27: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 27.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 0-00001	Emission Point: 00001
Process: 001	Emission Source: 00001
Emission Unit: 0-00002	Emission Point: 00002
Process: 002	Emission Source: 00002

Emission Unit: 0-00003 Emission Point: 00003
Process: 003 Emission Source: 00003

Emission Unit: 0-00004 Emission Point: 00004
Process: 004 Emission Source: 00004

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 27.2:
Compliance Certification shall include the following monitoring:

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

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60. (Except for steam plumes.) The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct a Method 22 observation of emissions from the source to which this condition applies at the monitoring frequency stated below while the process is in operation during daylight hours to satisfy the periodic monitoring requirement of 40 CFR 70.6 (a)(3)(i)(B). The permittee will 1) investigate, in a timely manner, any instance where the visible emissions observed have the potential to exceed the opacity standard; 2) make any necessary corrections; and 3) verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within 48 hours to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations, investigations and corrective actions will be kept in accordance with 201-6.5(c).

** NOTE ** Steam plumes are bright white in color, cloud-like in appearance (rolling, billowy) (with shadows), of 100% opacity (opaque). Steam plumes dissipate a distance from the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack. Opacity

observations shall be made at a point in the plume where steam is not visible.

For the 2 engines that are not yet installed, observations shall commence 180 days after startup.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 22
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 22)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Recordkeeping requirements.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 28.1:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 29: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 29.1:
The Compliance Certification activity will be performed for the Facility.

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Excess emissions report.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 30.1:
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 31: Facility files for subject sources.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 31.1:
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 32: Performance Test Methods - Waiver
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 32.1:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific

cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrators satisfaction that the affected facility is in compliance with the standatrd, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 33: Required performance test information.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 33.1:
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 34: Prior notice.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 34.1:
The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 35: Performance testing facilities.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 35.1:
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 36: Availability of information.
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 36.1:
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 37: Compliance with Standards and Maintenance Requirements
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A

Item 37.1:
At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

Condition 38: Circumvention.
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 38.1:
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.

Condition 39: Continuous Monitoring Requirements
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.13(a), NSPS Subpart A

Item 39.1: For the purposes of this section, 40 CFR Part 60.13, all continuous monitoring systems required under applicable subparts of 40 CFR Part 60 shall be subject to the provisions of this section, upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part, 40 CFR Part 60, and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator.

Condition 40: Modifications.
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 40.1:
Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 41: Reconstruction
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 41.1:
The following shall be submitted to the Administrator prior to reconstruction (as defined in

section 60.15):

1) a notice of intent to reconstruct 60 days prior to the action;

2) name and address of the owner or operator;

3) the location of the existing facility;

4) a brief description of the existing facility and the components to be replaced;

5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 42: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.18(c)(1), NSPS Subpart A

Item 42.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 0-00005	Emission Point: 00005
Process: 005	Emission Source: 00005
Emission Unit: 0-0007A	Emission Point: 0009A
Process: 07A	Emission Source: 000F5
Emission Unit: 0-0008A	Emission Point: 0010A
Process: 08A	Emission Source: 0000W

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 42.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
By September, 2007, a 2 hour Method 22 observation shall be done to determine if the 40 CFR 60 A 18(c)(1) visible emissions provisions are met. If a flare is inactive when this permit is issued, the observation for the inactive flare shall be done within 180 days of reactivation.

Please see the separate permit conditions under Part 202-1 concerning stack test (observation) notification and stack test (observation) report submittal. No protocol is required for the observation. During the 2 hour observation, 5 minutes of visible emissions are allowed.

Parameter Monitored: OPACITY
Upper Permit Limit: 0 percent
Reference Test Method: Method 22
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Standards for air emissions from MSW landfills
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.752(b)(2), NSPS Subpart WWW

Item 43.1:
If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall:

i) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year:

A) The collection and control system as described in the plan shall meet the design requirements of paragraph (ii)below.

B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR Part 60.753 through 60.758 proposed by the owner or operator.

C) The collection and control system design plan shall either conform with specifications for active collection systems in 40 CFR Part 60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to 40 CFR Part 60.759.

D) The Administrator shall review the information submitted under paragraphs (i)(A), (B) and (C) above and either approve it, disapprove it, or request that additional information be submitted. Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems.

ii) Install a collection and control system that captures the gas generated within the landfill as required by paragraphs (ii)(A) or (B) and (iii) below, within 30 months after the first

annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in 40 CFR Part 60.757(c)(1) or (2).

A) An active gas collection system shall:

1) 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;

2) 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 (if active) or 2 years (if closed or at final grade);

3) collect gas at a sufficient extraction rate; and

4) be designed to minimize off-site migration of subsurface gas.

(B) A passive collection system shall:

(1) Comply with the provisions specified in paragraphs (A)(1),(2), and (4) above.

(2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR Part 258.40 of this title.

iii) Route all the collected gas to a control system that complies with either of the following:

A) is an open flare designed and operated in accordance with 40 CFR 60.18; or

B) is a control system designed and operated to reduce NMOC by 98% (by weight) or, when an enclosed combustion device is used for control, to either reduce NMOC by 98% weight or reduce the NMOC outlet concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR Part 60.754(d).

(1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.

(2) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in 40 CFR Part 60.756;

(C) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraph (iii)(A) or (B) above.

Condition 44: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.752(b)(2)(iii)('B'), NSPS Subpart WWW

Item 44.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 0-00001	Emission Point: 00001
Process: 001	Emission Source: 00001
Emission Unit: 0-00002	Emission Point: 00002
Process: 002	Emission Source: 00002
Emission Unit: 0-00003	Emission Point: 00003
Process: 003	Emission Source: 00003
Emission Unit: 0-00004	Emission Point: 00004
Process: 004	Emission Source: 00004

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 44.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
By September, 2007 a stack test shall be done to determine if the 98% control limit or the 20 ppm non methane organic compounds limit is met. Please see separate permit conditions under Part 202-1 concerning stack test notification (with a test protocol) and stack test report submittal.

For the 2 engines not yet installed, the stack test shall be done within 180 days of start up.

Upper Permit Limit: 20 parts per million by volume (dry, corrected to 3% oxygen)
Reference Test Method: Methods 3 or 3A; Methods 25, 25C or 18
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Operational standards for collection and control systems
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(a), NSPS Subpart WWW

Item 45.1:
Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of 40 CFR Part 60.752(b)(2)(ii) shall:

a) Operate the collection system such that gas is collected from each area, cell or group of cells in the MSW landfill in which solid waste has been in place for:

1) 5 years or more if active; or

2) 2 years or more if closed or at final grade.

Condition 46: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(b), NSPS Subpart WWW

Item 46.1:
The Compliance Certification activity will be performed for the Facility.

Item 46.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Operate the collection system with 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 40 CFR Part 60.757(f)(1).

2) Use of a geomembrane cover or an equivalent gas-impermeable 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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

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: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 47: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(c), NSPS Subpart WWW

Item 47.1:
The Compliance Certification activity will be performed for the Facility.

Item 47.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Operate each interior wellhead in the collection system with a nitrogen level in the landfill gas less than 20%. The owner or operator may establish a higher operating nitrogen value 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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: NITROGEN CONTENT
Upper Permit Limit: 19.9 percent
Reference Test Method: Method 3c
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 48: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(c), NSPS Subpart WWW

Item 48.1:
The Compliance Certification activity will be performed for the Facility.

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Operate each interior wellhead in the collection system 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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: OXYGEN CONTENT
Upper Permit Limit: 4.9 percent
Reference Test Method: Method 3a
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(c), NSPS Subpart

WWW

Item 49.1:
The Compliance Certification activity will be performed for the Facility.

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade. The owner or operator may establish a higher operating temperature 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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: TEMPERATURE
Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(d), NSPS Subpart WWW

Item 50.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000074-82-8 METHANE

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING
Monitoring Description:

Operate the collection system so that the methane concentration is less than 500 part per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and 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. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. This plan shall be submitted to the Department for review and approval within 60 days of issuance of this permit. The plan shall be revised as needed for any landfill expansion. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(c) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Parameter Monitored: METHANE
Upper Permit Limit: 499 parts per million (by volume)
Monitoring Frequency: QUARTERLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 51: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(e), NSPS Subpart WWW

Item 51.1:
The Compliance Certification activity will be performed for the Facility.

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Operate the collection system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR Part 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

Monitoring Frequency: HOURLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 52: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(f), NSPS Subpart WWW

Item 52.1:
The Compliance Certification activity will be performed for the Facility.

Item 52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Operate the control or treatment system at all times when the collected gas is routed to the system

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 53: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.753(g), NSPS Subpart WWW

Item 53.1:
The Compliance Certification activity will be performed for the Facility.

Item 53.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If monitoring demonstrates that the operational requirements of 40 CFR Part 60.753(b), (c) or (d) are not met, corrective action shall be taken as specified in 40 CFR Part 60.755(a)(3) through (5) or 40 CFR Part 60.755(c). If corrective actions are taken as specified in 40 CFR Part 60.755, the monitored exceedance is not a violation of the operational requirements in 40 CFR Part 60.753.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 54: NMOC Calculation After Collection and Control System Installation
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.754(b), NSPS Subpart WWW

Item 54.1:
After the installation of a collection and control system in compliance with 40 CFR Part 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in 40 CFR Part 60.752(b)(2)(v), using the following equation:

MNMOC = 1.89 x 10-3 QLFG CNMOC

where,

MNMOC = mass emission rate of NMOC, megagrams per year
QLFG = flow rate of landfill gas, cubic meters per minute
CNMOC = NMOC concentration, parts per million by volume as hexane

(1) The flow rate of landfill gas, QLFG, shall be 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 calibrated according to the provisions of section 4 of Method 2E of 40 CFR Part 60 Appendix A.

(2) The average NMOC concentration, CNMOC, shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of 40 CFR Part 60 Appendix A. If using Method 18 of 40 CFR Part 60 Appendix A, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of 40 CFR Part 60 Appendix A by six to convert from CNMOC as carbon to CNMOC as hexane.

(3) The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Administrator.

Condition 55: Performance Test
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.754(d), NSPS Subpart WWW

Item 55.1:

For the performance test required in 40 CFR Part 60.752(b)(2)(iii)(B), Method 25, 25C or Method 18 of 40 CFR Part 60 Appendix A shall be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level, unless another method to demonstrate compliance has been approved by the Administrator as provided by 40 CFR Part 60.752(b)(2)(i)(B). Method 3 or 3A shall be used to determine oxygen for correcting the NMOC concentration as hexane to 3 percent. In cases where the outlet concentration is less than 50 ppm NMOC as carbon (8 ppm NMOC as hexane), Method 25A should be used in place of Method 25. If using method 18, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency:

Control Efficiency = (NMOCin - NMOCout)/(NMOCin)

where,

NMOCin = mass of NMOC entering control device
NMOCout = mass of NMOC exiting control device

Condition 56: Compliance Provisions - collection system
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.755(a), NSPS Subpart WWW

Item 56.1:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), the specified methods in paragraphs (1) through (6) below, shall be used to determine whether the gas collection system is in compliance with 40 CFR Part 60.752(b)(2)(ii).

1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(1), the following equation shall be used. The k and Lo kinetic factors should be those published in the most recent Compilation of Air Pollutant Emissions Factors (AP-42) or other site specific values demonstrated to be appropriate for this site and approved by the Administrator. If k has been determined as specified in 40 CFR Part 60.754(a)(4), the value of k determined from the test shall be used. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

ii) For waste sites with known year-to-year solid waste acceptance rate:

QM = S 2 k Lo Mi (e-kti) ,

where,

QM = maximum expected gas generation flow rate, cubic meters per year
k = methane generation rate constant, year-1

Lo = methane generation potential, cubic meters per megagram solid waste
Mi = mass of solid waste in the ith section, megagrams
ti = age of the ith section (years).

2) For the purposes of determining sufficient density of gas collectors for compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(2), the owner shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Administrator, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

3) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(3), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under 40 CFR Part 60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternate timeline for correcting the exceedance may be submitted to the Administrator for approval.

4) Owners or operators are not required to expand the system as required in paragraph (3) above during the first 180 days after gas collection system startup.

5) For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in 40 CFR Part 60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

6) An owner or operator seeking to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR Part 60.759 shall provide information satisfactory to the Administrator as specified in 40 CFR Part 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

Condition 57: Compliance Provisions - wells
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.755(b), NSPS Subpart WWW

Item 57.1:
For purposes of compliance with 40 CFR Part 60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in 40 CFR Part 60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

1) 5 years or more if active; or
2) 2 years or more if closed or at final grade.

Condition 58: Compliance Provisions - surface methane
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.755(c), NSPS Subpart WWW

Item 58.1:
The following procedures shall be used for compliance with the surface methane operational standard as provided in 40 CFR Part 60.753(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 40 CFR Part 60.755(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 8.3.1 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 paragraphs (4)(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 40 CFR Part 60.753(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 paragraph (4)(v) below shall be taken, and no further monitoring of that location is required until the action specified in paragraph (4)(v) 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 paragraph (4)(ii) or (iii) below shall be re-monitored 1 month from the initial exceedance. If the 1-month remonitoring 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 remonitoring shows an exceedance, the actions specified in paragraph (4)(iii) or (v) shall be taken.

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 59: Compliance Provisions - instrumentation specifications
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.755(d), NSPS Subpart WWW

Item 59.1:
Each owner or operator seeking to comply with the provisions in 40 CFR Part 60.755(c) of this section 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 6 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 sample, collection, preservation, storage and transport requirements in Section 8.0 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 8.1 of Method 21 shall be used.

4) The calibration procedures provided in section 10 of Method 21 of 40 CFR Part 60 Appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

Condition 60: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.755(e), NSPS Subpart WWW

Item 60.1:
The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of 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 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.756(b), NSPS Subpart WWW

Item 61.1:
The Compliance Certification activity will be performed for the Facility.

Item 61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.

(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 oC, whichever is greater. A temperature monitoring device is not required for boilers or process heaters with design heat input capacity greater than 44 megawatts.

(2) A device that records flow to or bypass of the control device. The owner or operator shall either:
(i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
(ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 62: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.756(c), NSPS Subpart WWW

Item 62.1:
The Compliance Certification activity will be performed for the Facility.

Item 62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

1) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.

2) A device that records flow to or bypass of the flare. The owner or operator shall either:

i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or

ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 63: Reporting Requirements - Control Equipment Removal
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.757(e), NSPS Subpart WWW

Item 63.1:
Each owner or operator of a controlled landfill shall submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) The equipment removal report shall contain all of the following items:

(i) A copy of the closure report submitted in accordance with 40 CFR Part 60.757(d) of this section;
(ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR Part 60.752(b)(2)(v) have been met.

Condition 64: Reporting requirements - Collection and control system
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.757(g), NSPS Subpart WWW

Item 64.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(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 65: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.758(a), NSPS Subpart WWW

Item 65.1:
The Compliance Certification activity will be performed for the Facility.

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of 40 CFR Part 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 40 CFR Part 60.752(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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.758(b), NSPS Subpart WWW

Item 66.1:
The Compliance Certification activity will be performed for the Facility.

Item 66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Except as provided in 40 CFR Part 60.752(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) through (4) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

1) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii):

i) The maximum expected gas generation flow rate as calculated in 40 CFR Part 60.755(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 Administrator.

ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR Part 60.759(a)(1).

2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity greater than 44 megawatts:

i) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

ii) The percent reduction of NMOC determined as specified in 40 CFR Part 60.752(b)(2)(iii)(B) achieved by the control device.

3) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii)(B)(1) through use of a boiler or process heater of any size: a description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.

4) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii)(A) through use 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 flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 67: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.758(c), NSPS Subpart WWW

Item 67.1:
The Compliance Certification activity will be performed for the Facility.

Item 67.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B),

each owner or operator of a controlled landfill shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR Part 60.756 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.

1) The following constitute exceedances that shall be recorded and reported under 40 CFR Part 60.757(f):

i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all 3-hour periods of operation during which the average combustion temperature was more than 28 degrees C below the average combustion temperature during the most recent performance test at which compliance with 40 CFR Part 60.752(b)(2)(iii) was determined.

ii) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under paragraph 40 CFR Part 60.758(b)(3)(i) of this section.

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 40 CFR Part 60.756.

3) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR Part 60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State, local, Tribal, or Federal regulatory requirements.)

4) Each owner or operator seeking to comply by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR Part 60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 68: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.758(d), NSPS Subpart WWW

Item 68.1:
The Compliance Certification activity will be performed for the Facility.

Item 68.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Except as provided in 40 CFR Part 60.752(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 40 CFR Part 60.755(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 40 CFR Part 60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR Part 60.759(a)(3)(ii).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 69: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.758(e), NSPS Subpart

WWW

Item 69.1:
The Compliance Certification activity will be performed for the Facility.

Item 69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR Part 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 70: Specifications for active collection systems
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.759(a), NSPS Subpart WWW

Item 70.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Administrator as provided in 40 CFR 60.752(b)(2)(i)(C) and (D):

1) The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.

2) The sufficient density of gas collection devices determined in paragraph (1) above shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

3) The placement of gas collection devices determined in paragraph (1) above shall control all gas producing areas, except as provided by paragraphs (3)(i) and (3)(ii) below.

i) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40 CFR Part 60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to the Administrator upon request.

ii) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to the Administrator upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

Qi = 2 k Lo Mi (e-kti) (CNMOC) (3.6 x 10-9)

where,

Qi = NMOC emission rate from the ith section, megagrams per year
k = methane generation rate constant, year-1
Lo = methane generation potential, cubic meters per megagram solid waste
Mi = mass of the degradable solid waste in the ith section, megagram
ti = age of the solid waste in the ith section, years
CNMOC = concentration of nonmethane organic compounds, parts per million by volume
3.6 x 10-9 = conversion factor

iii) The values for k and CNMOC determined in field testing shall be used, if field testing has been performed in determining the NMOC emission rate or the radii of influence (the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k, Lo and CNMOC provided in 40 CFR Part 60.754(a)(1) or the alternative values from 40 CFR Part 60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in paragraph (3)(i) above.

Condition 71: Specifications for active collection systems
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.759(b), NSPS Subpart WWW

Item 71.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

1) The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent

excessive air infiltration.

2) Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

3) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

Condition 72: Specifications for active collection systems
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.759(c), NSPS Subpart WWW

Item 72.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with 40 CFR Part 60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (2) below shall be used.

2) For new collection systems, the maximum flow rate shall be in accordance with 40 CFR Part 60.755(a)(1).

Condition 73: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.1955(b), Subpart AAAA

Item 73.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY100-00-0 HAP

Item 73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
If you are required by 40CFR60.752(b)(2) of subpart WWW,
the Federal plan, or an EPA approved and effective State

or tribal plan to install a collection and control system, you must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of part 63 as specified in table 1 of Subpart AAAA.

The facility shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

This plan must be developed by the facility by the compliance date of 40CFR63, subpart AAAA (the landfill NESHAP) and must comply with all of the provisions as listed in §63.6(e)(3)(ii)-(ix) which includes the following provisions:

- During periods of startup, shutdown, and malfunction, the facility must operate and maintain the affected source in accordance with the procedures specified in the SSM plan.

- When actions taken by the owner/operator during a startup, shutdown, or malfunction are consistent with the procedures specified in the affected source's SSM plan, the owner/operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. In addition, the owner/operator must keep records of these events as specified in §63.10(b), including records of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner/operator shall confirm that actions taken during the startup, shutdown, and malfunction were consistent with the SSM plan in the semiannual report as required in §63.10(d)(5).

- If an action taken by the facility is not consistent with the SSM plan, and the affected source exceeds the relevant emission standard, then the owner/operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the SSM plan, followed by a letter within 7 working days after the end of the event.

- EPA or NYSDEC may at any time request in writing that the facility submit a copy of the SSM plan (or a portion thereof) which is maintained at the affected source. Upon receipt of such a request, the facility must promptly submit a copy of the requested plan to EPA or NYSDEC. EPA

or NYSDEC must request that the facility submit a SSM plan whenever a member of the public submits a specific and reasonable request to examine or to receive a copy of that plan or portion of a plan. If the facility claims that any portion of such a SSM plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40CFR2.301, the material which is claimed as confidential must be clearly designated in the submission.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.1980(a), Subpart AAAA

Item 74.1:
The Compliance Certification activity will be performed for the Facility.

Item 74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator of a landfill seeking to comply with 40 CFR Part 60.752(b)(2) using an active collection system designed in accordance with 40 CFR Part 60.752(b)(2)(ii) shall submit to the Administrator semiannual reports of the recorded information in paragraphs (1) through (6) below. The initial semiannual 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 40 CFR Part 60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under 40 CFR Part 60.756(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 40 CFR Part 60.756.

(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 40 CFR Part 60.753(d) 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 paragraphs 40 CFR Part 60.755(a)(3), (b), and (c)(4).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

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

Condition 75: Emission Point Definition By Emission Unit
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 75.1:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00001

Emission Point: 00001
Height (ft.): 9 Diameter (in.): 12
NYTMN (km.): 4729.043 NYTME (km.): 594.054 Building: 001

Item 75.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00002

Emission Point: 00002
Height (ft.): 9 Diameter (in.): 12
NYTMN (km.): 4729.015 NYTME (km.): 594.18 Building: 001

Item 75.3:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00003

Emission Point: 00003
Height (ft.): 9 Diameter (in.): 12
NYTMN (km.): 4729.003 NYTME (km.): 594.165 Building: 001

Item 75.4:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00004

Emission Point: 00004
Height (ft.): 9 Diameter (in.): 12
NYTMN (km.): 4728.994 NYTME (km.): 594.154 Building: 001

Item 75.5:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00005

Emission Point: 00005
Height (ft.): 21 Diameter (in.): 10
NYTMN (km.): 4729. NYTME (km.): 594.1

Item 75.6:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00006

Emission Point: 00006
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4729. NYTME (km.): 594.1

Emission Point: 00007
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4729. NYTME (km.): 594.1

Emission Point: 00008
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4729. NYTME (km.): 594.1

Item 75.7:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-0007A

Emission Point: 0009A
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4728.989 NYTME (km.): 594.144

Item 75.8:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-0008A

Emission Point: 0010A
Height (ft.): 40 Diameter (in.): 12
NYTMN (km.): 4728.7 NYTME (km.): 594.1

Condition 76: Process Definition By Emission Unit
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 76.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00001
Process: 001 Source Classification Code: 5-02-006-02
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANDFILL AS FUEL. THE LANDFILL GAS IS ASSUMED TO CONTAIN 50% METHANE FOR THE THROUGHPUT CALCULATIONS. THE MAXIMUM HEAT INPUT TO THE ENGINE IS 10,050,000 BTU PER HOUR AT THE HIGH HEATING VALUE OF THE LANDFILL GAS (508 BTU/SCF).

Emission Source/Control: 00001 - Combustion
Design Capacity: 10.05 million Btu per hour

Emission Source/Control: 0000A - Control
Control Type: MIST ELIMINATOR

Item 76.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00002
Process: 002 Source Classification Code: 5-02-006-02
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE LANDFILL GAS IS ASSUMED TO CONTAIN 50% METHANE FOR THE THROUGHPUT CALCULATIONS. THE MAXIMUM HEAT INPUT TO THE ENGINE IS 10,050,000 BTU PER HOUR AT THE HIGH HEATING VALUE OF THE LANDFILL GAS (508 BTU/SCF).

Emission Source/Control: 00002 - Combustion
Design Capacity: 10.05 million Btu per hour

Emission Source/Control: 0000B - Control
Control Type: MIST ELIMINATOR

Item 76.3:

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

Emission Unit: 0-00003
Process: 003 Source Classification Code: 5-02-006-02
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE LANDFILL GAS IS ASSUMED TO CONTAIN 50% METHANE FOR THE THROUGHPUT CALCULATIONS. THE MAXIMUM HEAT INPUT TO THE ENGINE IS 10,050,000 BTU PER HOUR AT THE HIGH HEATING VALUE OF THE LANDFILL GAS (508 BTU/SCF).

Emission Source/Control: 00003 - Combustion
Design Capacity: 10.05 million Btu per hour

Emission Source/Control: 0000C - Control
Control Type: MIST ELIMINATOR

Item 76.4:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00004
Process: 004 Source Classification Code: 5-02-006-02
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE LANDFILL GAS IS ASSUMED TO CONTAIN 50% METHANE FOR THE THROUGHPUT CALCULATIONS. THE MAXIMUM HEAT INPUT TO THE ENGINE IS 10,050,000 BTU PER HOUR AT THE HIGH HEATING VALUE OF THE LANDFILL GAS (508 BTU/SCF).

Emission Source/Control: 00004 - Combustion
Design Capacity: 10.05 million Btu per hour

Emission Source/Control: 0000D - Control
Control Type: MIST ELIMINATOR

Item 76.5:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00005
Process: 005 Source Classification Code: 5-02-006-02
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE FLARE IS DESIGNED TO COMBUST A MAXIMUM OF 2,000 SCFM. THE MAXIMUM HEAT INPUT TO THE FLARE IS 60,000,000 BTU PER HOUR (HIGH HEATING VALUE).

Emission Source/Control: 00005 - Control

Control Type: FLARING

Emission Source/Control: 0000X - Process

Item 76.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00006
Process: 006 Source Classification Code: 5-02-006-02
Process Description:
PLEASE REFER TO THE SUBPART WWW COLLECTION AND CONTROL SYSTEM DESIGN PLAN 'DATED 3/2006'. ADDITIONALLY, THREE LTI CF-5 FLARES COMBUST APPROXIMATELY FIVE SCFM EACH OF LANDFILL GAS FROM THE CITY OF ALBANY LANDFILL. THE THREE FLARES OPERATE IN COMPLIANCE WITH 40 CFR 60.18.

Emission Source/Control: 000F1 - Control
Control Type: FLARING

Emission Source/Control: 000F2 - Control
Control Type: FLARING

Emission Source/Control: 000F3 - Control
Control Type: FLARING

Emission Source/Control: 0000Y - Process

Item 76.7:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0007A
Process: 07A Source Classification Code: 5-02-006-01
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE FLARE IS DESIGNED TO COMBUST A MAXIMUM OF 500 FT3/MIN OF LANDFILL GAS.

Emission Source/Control: 000F5 - Control
Control Type: FLARING

Emission Source/Control: 0000Z - Process

Item 76.8:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0008A
Process: 08A Source Classification Code: 5-03-006-01
Process Description:
COMBUSTION USING LANDFILL GAS FROM THE CITY OF ALBANY LANFILL AS FUEL. THE

FLARE IS DESIGNED TO COMBUST A MAXIMUM OF
3300 CFM OF LANDFILL GAS.

Emission Source/Control: 000F6 - Control
Control Type: FLARING

Emission Source/Control: 0000W - Process

Condition 77: New RICE at an area source of HAP
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.6590(a)(2), Subpart ZZZZ

Item 77.1:
This Condition applies to Emission Unit: 0-00003

Item 77.2:
A stationary reciprocating internal combustion engine (RICE) located at an area source of HAP emissions is new if construction or reconstruction commenced on or after June 12, 2006.

Condition 78: Compliance Dates for new RICE at an area source of HAP
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.6595(a)(7), Subpart ZZZZ

Item 78.1:
This Condition applies to Emission Unit: 0-00003

Item 78.2:
If the facility starts up a new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, the facility must comply with the applicable emission limitations and operating limitations in subpart ZZZZ upon startup.

Condition 79: New RICE at an area source of HAP
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.6590(a)(2), Subpart ZZZZ

Item 79.1:
This Condition applies to Emission Unit: 0-00004

Item 79.2:
A stationary reciprocating internal combustion engine (RICE) located at an area source of HAP emissions is new if construction or reconstruction commenced on or after June 12, 2006.

Condition 80: Compliance Dates for new RICE at an area source of HAP
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 63.6595(a)(7), Subpart ZZZZ

Item 80.1:
This Condition applies to Emission Unit: 0-00004

Item 80.2:
If the facility starts up a new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, the facility must comply with the applicable emission limitations and operating limitations in subpart ZZZZ upon startup.

Condition 81: Flare operation requirements.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 81.1:
This Condition applies to Emission Unit: 0-00005

Item 81.2:
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 82: General Control Device Requirements - Flares
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 82.1:
This Condition applies to Emission Unit: 0-00005

Item 82.2:
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 83: Flare compliance testing.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 83.1:

This Condition applies to Emission Unit: 0-00005

Item 83.2: 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, Vmax, 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, Vmax, for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

Condition 84: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:6 NYCRR 212.6

Item 84.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00005 Emission Point: 00005
Process: 005

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 84.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The flare is fitted with a thermocouple and a Honeywell chart recording device to record temperature history. The thermocouple shuts the flare down if the temperature goes to less than the minimum temperature. When the shutdown occurs, an automatic valve closes off the flow of landfill

gas to the flare.

Parameter Monitored: TEMPERATURE
Lower Permit Limit: 200 degrees Fahrenheit
Monitoring Frequency: CONTINUOUS
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 85: Compliance Certification
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable Federal Requirement:40CFR 60.7(a)(4), NSPS Subpart A

Item 85.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00006

Item 85.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR Part 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 86: Flare operation requirements.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 86.1:
This Condition applies to Emission Unit: 0-0007A

Item 86.2:
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 87: General Control Device Requirements - Flares
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 87.1:
This Condition applies to Emission Unit: 0-0007A

Item 87.2:
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 88: Flare compliance testing.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 88.1:
This Condition applies to Emission Unit: 0-0007A

Item 88.2: 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, Vmax, 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, Vmax, for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

Condition 89: Flare operation requirements.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 89.1:
This Condition applies to Emission Unit: 0-0008A

Item 89.2:
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 90: General Control Device Requirements - Flares
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 90.1:
This Condition applies to Emission Unit: 0-0008A

Item 90.2:
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 91: Flare compliance testing.
Effective between the dates of 06/25/2009 and 06/24/2014

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

Item 91.1:
This Condition applies to Emission Unit: 0-0008A

Item 91.2: 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, Vmax, 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, Vmax, for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

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.

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.

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 92: Contaminant List
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable State Requirement:ECL 19-0301

Item 92.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000074-82-8
Name: METHANE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY100-00-0
Name: HAP

CAS No: 0NY998-00-0
Name: VOC

Condition 93: Unavoidable noncompliance and violations
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable State Requirement:6 NYCRR 201-1.4

Item 93.1:
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 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 94: Air pollution prohibited
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable State Requirement:6 NYCRR 211.2

Item 94.1:
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.

Condition 95: Compliance Demonstration
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable State Requirement:6 NYCRR 211.2

Item 95.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 95.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Permittee shall ensure that Fortistar's maintenance programs titled - 'Routine Maintenance Procedure for the Crankcase Ventilation System (CVS)' and 'Quarterly Flange Check Program' - are fully implemented. Maintenance records shall be kept in a bound book on site for a period of no less than two years and made available to the Department upon notice.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 96: Compliance Demonstration
Effective between the dates of 06/25/2009 and 06/24/2014

Applicable State Requirement:6 NYCRR 211.2

Item 96.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 96.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1. Permittee shall conduct an inspection of all gas recovery plant components (including leak checks) within one hour of receiving a report from the Department or other person regarding off-site landfill gas odors. The inspection shall determine whether off-site gas odors are attributable to the gas recovery plant. If the off-site odors are attributable to the gas recovery plant, Permittee shall determine the source of the odors and the necessary repairs and corrective action needed. Permittee shall record notification and inspection information in a bound log kept available on site for a period of no less than two years and made available to the Department upon notice.

2. Permittee shall undertake either of the following actions for off-site odors attributable to the gas recovery plant:

A. abate and control off-site landfill odors by repairing landfill gas engine(s) and/or related components within three hours of receiving notice of the off-site gas odors; or

B cease operation of the gas recovery plant and divert landfill gas to flare(s) until repairs or corrective actions to control and abate off-site landfill odors attributed to the gas recovery plant are completed.

3. Permittee shall record date and time of detection of engine or related component problems causing off site odors and date and time for either completing the repairs and corrective actions, or the cessation of gas recovery plant and diversion of landfill gas to the flare(s).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2009.
Subsequent reports are due every 6 calendar month(s).