



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 5-0946-00049/00008
Effective Date: 02/03/2011 Expiration Date: 02/02/2016

Permit Issued To: NEW ENGLAND WASTE SERVICES OF N Y INC
408 EAST MONTPELIER RD
MONTPELIER, VT 05602-0866

Contact: LARRY B LACKEY
NEW ENGLAND WASTE SERVICES OF N Y INC
408 E MONTPELIER RD
MONTPELIER, VT 05602
(802) 224-0109

Facility: CLINTON COUNTY REGIONAL LANDFILL
286 SAND RD
MORRISONVILLE, NY 12962

Description:

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: MICHAEL J MCMURRAY
NYSDEC
PO BOX 296
RAY BROOK, NY 12977-0296

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

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and
Determinations
Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department

Facility Level

Submission of application for permit modification or
renewal-REGION 5 SUBOFFICE - WARRENSBURG



DEC GENERAL CONDITIONS

****** General Provisions ******

**For the purpose of your Title V permit, the following section contains
state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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 to the Department for review and approval.



Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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 5: Submission of application for permit modification or renewal-REGION 5
SUBOFFICE - WARRENSBURG
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Golf Course Road
Warrensburg, NY 12885-1172
(518) 623-1281

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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408 EAST MONTPELIER RD
MONTPELIER, VT 05602-0866

Facility: CLINTON COUNTY REGIONAL LANDFILL
286 SAND RD
MORRISONVILLE, NY 12962

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4953 - REFUSE SYSTEMS

Permit Effective Date: 02/03/2011

Permit Expiration Date: 02/02/2016



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 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR Subpart 201-6: Compliance Certification
- 25 6 NYCRR Subpart 201-6: Compliance Certification
- 26 6 NYCRR Subpart 201-6: Compliance Certification
- 27 6 NYCRR Subpart 201-6: Compliance Certification
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- 29 6 NYCRR Subpart 201-6: Compliance Certification
- 30 6 NYCRR Subpart 201-6: Compliance Certification
- 31 6 NYCRR Subpart 201-6: Compliance Certification
- 32 6 NYCRR 201-6.5 (e): Compliance Certification
- 33 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 34 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *35 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 36 6 NYCRR 202-1.1: Compliance Certification
- 37 6 NYCRR 202-1.1: Compliance Certification
- 38 6 NYCRR 202-1.1: Compliance Certification
- 39 6 NYCRR 202-1.1: Compliance Certification
- 40 6 NYCRR 202-1.1: Compliance Certification
- 41 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 42 40CFR 60.9, NSPS Subpart A: Availability of information.

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- 43 40CFR 60.12, NSPS Subpart A: Circumvention.
- 44 40CFR 60.14, NSPS Subpart A: Modifications.
- 45 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 46 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 47 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 48 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Certification
- 49 40CFR 60.4245(c), NSPS Subpart JJJJ: Compliance Certification
- 50 40CFR 60.752(b)(1), NSPS Subpart WWW: Standards for air emissions from MSW landfills
- 51 40CFR 60.754(a)(1), NSPS Subpart WWW: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
- 52 40CFR 60.754(a)(2), NSPS Subpart WWW: NMOC Calculation - Tier 1
- 53 40CFR 60.754(a)(3), NSPS Subpart WWW: NMOC Calculation - Tier 2
- 54 40CFR 60.754(a)(4), NSPS Subpart WWW: NMOC Calculation - Tier 3
- 55 40CFR 60.754(a)(5), NSPS Subpart WWW: NMOC Calculation - Alternative Methods
- 56 40CFR 60.757(b), NSPS Subpart WWW: Reporting requirements - NMOC emission rate
- 57 40CFR 60.757(c), NSPS Subpart WWW: Reporting Requirements - Collection and Control System Design Plan
- 58 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
- Emission Unit Level**
- 59 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 60 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-LFGAS,Proc=001

- 61 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications
- 62 6 NYCRR 212.6 (a): Compliance Certification

EU=1-LFGAS,Proc=005

- 63 6 NYCRR 227-1.3 (a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 64 ECL 19-0301: Contaminant List
- 65 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 66 6 NYCRR 211.2: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.



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.

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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.

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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

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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 02/03/2011 and 02/02/2016

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 02/03/2011 and 02/02/2016

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 72-0303.

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 3.1:

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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 02/03/2011 and 02/02/2016

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 02/03/2011 and 02/02/2016

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

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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

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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 7/30/2011.

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

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Condition 6: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016

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.

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 02/03/2011 and 02/02/2016

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 02/03/2011 and 02/02/2016

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.

Condition 9: Open Fires - Prohibitions
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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.

New York State Department of Environmental Conservation

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[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 10: Maintenance of Equipment
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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 11: Recycling and Salvage
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 13.1:

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.

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Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 14.1:

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 15: Standard Requirement - Provide Information

Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 15.1:

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 16: General Condition - Right to Inspect

Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 16.1:

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.

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Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 17.1:

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 18: Off Permit Changes
Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 18.1:

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 19: Required Emissions Tests
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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.

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Condition 20: Visible Emissions Limited
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 211.3

Item 20.1:

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 21: Accidental release provisions.
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:

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 22: Recycling and Emissions Reduction
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:

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.

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Condition 23: Emission Unit Definition
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1:

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

Emission Unit: 1-LFGAS

Emission Unit Description:

This unit consists of landfilled waste generating landfill gas by anaerobic decomposition. The emission unit will consist of the landfill gas to energy facility with up to (5) gas engine generator sets as the primary landfill gas control device for collected gas. The main flare and 28 portable candlestick flares will be used as backup control devices. Emission points for this unit will be defined as the main flare, 28 portable candlestick flares, and the engine exhaust stacks for each of the (5) caterpillar 3520 engine generator sets. Landfill gas will also be released as a fugitive emission.

Condition 24: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 24.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 24.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of PSD requirements by limiting carbon monoxide emissions, facility wide, to 389.5 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, from the flares and exempt sources. CO emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate CO emissions. Emission calculations shall be included in each capping report.

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Facility DEC ID: 5094600049



Work Practice Type: PARAMETER OF PROCESS MATERIAL

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 389.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 25: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 25.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 25.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of NO_x RACT requirements by limiting nitrogen oxides emissions, facility wide, to 99 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, from the flares and exempt sources. NO_x emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate NO_x emissions. Emission calculations shall be included in each capping report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 26: Compliance Certification

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Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 26.1:

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

Emission Unit: 1-LFGAS

Process: 001

Emission Source: FLARE

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of NSR requirements by limiting the total carbon monoxide emissions from its flare, to 152 tons per 12 consecutive months, rolled monthly. The facility shall maintain flare usage log, and multiply the gas flow burned at the flare by the emission factor supplied by the flare manufacturer (0.37 lb CO/MMBTU). Appropriate conversion factors must be used to calculate emissions as tons of CO. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 152 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 27: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 27.1:

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

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

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Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 27.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of PSD requirements by limiting the total carbon monoxide emissions from its five LFGTE generators, to 237.5 tons per 12 consecutive months, rolled monthly. The facility shall maintain monthly electricity production records for each engine, and multiply the electrical production by the emission factor established by the most recent stack test for that engine. If no data is available for a specific engine the facility may use the highest emission factor from the engines on site. For each engine and the sum of all the engines, CO emissions shall be reported in tons emitted per 12 consecutive months, rolled monthly. Appropriate conversion factors must be used to calculate emissions as tons of CO emitted per 12 consecutive months, rolled monthly. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ELECTRICAL LOAD OUTPUT

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 237.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 28: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

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Facility DEC ID: 5094600049



Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 28.1:

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

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 28.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of NSR requirements by limiting the total oxides of nitrogen emissions from its five LFGTE generators, to 95 tons per 12 consecutive months, rolled monthly. The facility shall maintain monthly electricity production records for each engine, and multiply the electrical production by the emission factor established by the most recent stack test for that engine. If no data is available for a specific engine the facility may use the highest emission factor from the engines on site. For each engine and the sum of all the engines, NOx emissions shall be reported in tons emitted per 12 consecutive months, rolled monthly. Appropriate conversion factors must be used to calculate emissions as tons of NOx emitted per 12 consecutive months, rolled monthly. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ELECTRICAL LOAD OUTPUT

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 95 tons per year

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Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 29: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 29.1:

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

Emission Unit: 1-LFGAS
Process: 001 Emission Source: FLARE

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 29.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of NSR requirements by limiting the total oxides of nitrogen emissions from its flare, to 28 tons per 12 consecutive months, rolled monthly. The facility shall maintain flare usage log production records for each engine, and multiply the gas flow burned at the flare by the emission factor supplied by the flare manufacturer (0.068 lb NO_x/MMBTU). Appropriate conversion factors must be used to calculate emissions as tons of NO_x. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 28 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016

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Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 30.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 30.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of PSD and NSR requirements by limiting volatile organic compounds emissions, facility wide, to 49 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, from the flares and exempt sources. VOC emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate VOC emissions. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Parameter Monitored: VOC

Upper Permit Limit: 49 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 31: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 31.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

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Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 31.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility is capping out of PSD and NSR requirements by limiting the total volatile organic compounds emissions from its five LFGTE generators, to 47.5 tons per 12 consecutive months, rolled monthly. The facility shall maintain monthly electricity production records for each engine, and multiply the electrical production by the emission factor established by the most recent stack test for that engine. If no data is available for a specific engine the facility may use the highest emission factor from the engines on site. For each engine and the sum of all the engines, VOC emissions shall be reported in tons emitted per 12 consecutive months, rolled monthly. Appropriate conversion factors must be used to calculate emissions as tons of VOC emitted per 12 consecutive months, rolled monthly. Emission calculations shall be included in each capping report.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ELECTRICAL LOAD OUTPUT

Parameter Monitored: VOC

Upper Permit Limit: 47.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 32: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

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



Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

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

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(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:

Region 5 Suboffice
232 Golf Course Road.
Warrensburg, NY 12885-0220

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 1/30/2012.
Subsequent reports are due on the same day each year

Condition 33: Non Applicable requirements
Effective between the dates of 02/03/2011 and 02/02/2016

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

Item 33.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

6 NYCRR 208.5 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

6 NYCRR 208.8 (a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.



6 NYCRR 208.8 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

6 NYCRR 208.9 (a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.754 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.754 (d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.756 (a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.756 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.756 (f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.757 (d)

Reason: The facility is not subject to performance testing until



they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.757 (e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.757 (f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.757 (g)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.758 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.758 (c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.758 (d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.758 (e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults,

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facility never reaches 50 Mg/yr NMOC.

40 CFR 60.759 (a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 60.759 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 63.6 (e) (3)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 63.1955 (b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40 CFR 63.1980 (a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

Condition 34: Facility Permissible Emissions

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 34.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0

PTE: 198,000 pounds per year

Name: OXIDES OF NITROGEN

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Condition 35: Capping Monitoring Condition
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 35.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 227-2

Item 35.2:

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

Item 35.3:

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

Item 35.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 35.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 35.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 35.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is capping out of NO_x RACT requirements by limiting nitrogen oxides emissions, facility wide, to 99

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tons per 12 consecutive months, rolled monthly. This includes emissions from engines, from the flares and exempt sources. NOx emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate NOx emissions. Emission calculations shall be included in each capping report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 36: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 36.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 36.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

PERIODIC MONITORING(group engines 1,2,3)

1.) Stack emissions on each engine shall be monitored using a portable combustion analyzer. The periodic monitoring shall begin the day of the initial performance test.

2.) Portable Combustion Analyzer - The suitability of the

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portable analyzer shall be approved by the Department. Portable analyzers equipped with electrochemical cells such as a Testo 350 Portable Emission Analyzer are acceptable.

3.) Sample Method - A permanent sample port shall be installed in each engine stack at a location to obtain a representative sample. The facility shall follow the ASTM D6522-00 or may follow an alternative procedure that has been approved by the Department. The emission monitoring shall be completed during normal operating conditions.

4.) Monitoring Frequency. - The frequency of monitoring shall be based on the estimated emissions as defined by equation 1 in attachment 1 coming from the engines as a percentage of the emission cap for the engines, according to the table below. Monitoring will be performed for both gases CO and NOx at the more frequent interval. (i.e, a handheld monitoring result of 190 tons per year CO and a handheld monitoring result of 65 tons per year NOx, requires periodic monitoring to be done every three months since 190 tons is 80% of 237.5 t/yr):

% of permitted emission cap -----	Monitoring Frequency -----
75% or less	once every six months
75 % - 90%	once every three months
90% or greater	once a month

Equation 1) See Attachment 1

5.) Recordkeeping - Records shall include: (1) date and time of the measurement, (2) a log of the NOx and CO measurements in ppm, (3) conversion of the measurements into g/bhp-hr for each engine, (4) 12-month rolling total emissions using results from the hand held monitor, (5) A report for each calibration of the handheld monitor and (6) description of adjustments made to the engine (if any). These records shall be kept on site and made available for Department review upon request.

6.) Exceedance Reporting - If any exceedance of a permitted emission cap is documented during the periodic monitoring, the facility shall notify to the Department within two (2) business days. Within 30 days of the exceedance, the facility shall submit a proposed program

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for correction, including a performance test protocol and a schedule for compliance.

7.) Reporting - A summary of all periodic monitoring results shall be submitted as an attachment to the "Semi-Annual Monitoring Report" to the Region 5 Division of Air Resources on a semi-annual basis.

8.) Every Stack test conforming to an EPA test method for NOx or CO shall compare results to the Portable Combustion Analyzer used on site. The results and an interpretation shall be included in the stack test report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 95 tons per year

Reference Test Method: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 37: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 37.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 37.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

PERIODIC MONITORING(group engines 1,2,3)

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1.) Stack emissions on each engine shall be monitored using a portable combustion analyzer. The periodic monitoring shall begin the day of the initial performance test.

2.) Portable Combustion Analyzer - The suitability of the portable analyzer shall be approved by the Department. Portable analyzers equipped with electrochemical cells such as a Testo 350 Portable Emission Analyzer are acceptable.

3.) Sample Method - A permanent sample port shall be installed in each engine stack at a location to obtain a representative sample. The facility shall follow the ASTM D6522-00 or may follow an alternative procedure that has been approved by the Department. The emission monitoring shall be completed during normal operating conditions.

4.) Monitoring Frequency. - The frequency of monitoring shall be based on the estimated emissions as defined by equation 1 in attachment 1 coming from the engines as a percentage of the emission cap for the engines, according to the table below. Monitoring will be performed for both gases CO and NOx at the more frequent interval. (i.e, a handheld monitoring result of 190 tons per year CO and a handheld monitoring result of 65 tons per year NOx, requires periodic monitoring to be done every three months since 190 tons is 80% of 237.5 t/yr):

% of permitted emission cap -----	Monitoring Frequency -----
75% or less	once every six months
75 % - 90%	once every three months
90% or greater	once a month

Equation 1) See Attachment 1

5.) Recordkeeping - Records shall include: (1) date and time of the measurement, (2) a log of the NOx and CO measurements in ppm, (3) conversion of the measurements into g/bhp-hr for each engine, (4) 12-month rolling total emissions using results from the hand held monitor, (5) A report for each calibration of the handheld monitor and (6) description of adjustments made to the engine (if any). These records shall be kept on site and made

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available for Department review upon request.

6.) Exceedance Reporting - If any exceedance of a permitted emission cap is documented during the periodic monitoring, the facility shall notify to the Department within two (2) business days. Within 30 days of the exceedance, the facility shall submit a proposed program for correction, including a performance test protocol and a schedule for compliance.

7.) Reporting - A summary of all periodic monitoring results shall be submitted as an attachment to the "Semi-Annual Monitoring Report" to the Region 5 Division of Air Resources on a semi-annual basis.

8.) Every Stack test conforming to an EPA test method for NO_x or CO shall compare results to the Portable Combustion Analyzer used on site. The results and an interpretation shall be included in the stack test report.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 237.5 tons per year

Reference Test Method: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 38: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 38.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

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Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Within 365 days of issuance of this permit and once per permit term thereafter engine 1, engine 2, or engine 3 shall be tested to determine appropriate NOx emission factors for these three engines. The emission factors shall be established in units of g of NOx per bhp-hr.

The Department either 1 day prior to testing or the day of testing will determine which engine shall be tested.

The performance test will consist of three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

Owners and/or operators of must submit a copy of each performance test within 60 days after the test has been completed.

The Department reserves the right to require any additional emission testing at its discretion.

The purpose of this condition is to determine an emission factor to comply with a yearly emission cap. The limit is based on the cap and is not a measurable limit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 95 tons per year

Reference Test Method: Method 7, 7E, or 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 39: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 39.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

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Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Within 365 days of issuance of this permit and once per permit term thereafter engine 1, engine 2, or engine 3 shall be tested to determine appropriate VOC emission factors for these three engines. The emission factors shall be established in units of g of VOC per bhp-hr.

The Department either 1 day prior to testing or the day of testing will determine which engine shall be tested.

The performance test will consist of three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

Owners and/or operators of must submit a copy of each performance test within 60 days after the test has been completed.

The Department reserves the right to require any additional emission testing at its discretion.

The purpose of this condition is to determine an emission factor to comply with a yearly emission cap. The limit is based on the cap and is not a measurable limit.

Parameter Monitored: VOC

Upper Permit Limit: 47.5 tons per year

Reference Test Method: 25A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 40: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 40.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Within 365 days of issuance of this permit and once per permit term thereafter engine 1, engine 2, or engine 3 shall be tested to determine appropriate CO emission factors for these three engines. The emission factors shall be established in units of g of CO per bhp-hr.

The Department either 1 day prior to testing or the day of testing will determine which engine shall be tested.

The performance test will consist of three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

Owners and/or operators of must submit a copy of each performance test within 60 days after the test has been completed.

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The Department reserves the right to require any additional emission testing at its discretion.

The purpose of this condition is to determine an emission factor to comply with a yearly emission cap. The limit is based on the cap and is not a measurable limit.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 237.5 tons per year
Reference Test Method: EPA Reference method 10
Monitoring Frequency: MONTHLY
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 41: EPA Region 2 address.
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 41.1:

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

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

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

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

Condition 42: Availability of information.
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 42.1:

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

Condition 43: Circumvention.
Effective between the dates of 02/03/2011 and 02/02/2016



Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 43.1:

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

Condition 44: Modifications.

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 44.1:

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 45: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 45.1:

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

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

60.4233

(e)Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for oxides of Nitrogen 3.0 g/HP-hr for their stationary SI ICE.

60.4244



Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (d) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 of this section:

$$ER = (Cd \times 1.912 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 1})$$

Where:

ER = Emission rate of NO_x in g/HP-hr.

Cd = Measured NO_x concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

60.4243(b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

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60.4245

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed.

227-2.4

Compliance with this condition assures compliance with 227-2.4 (f)(2)(iii) for Engings 4 & 5

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 3.0 grams per brake horsepower-hour

Reference Test Method: see permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2011.

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

Condition 46: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 46.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

60.4233

(e) Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for carbon monoxide 5.0 g/HP-hr (610 ppmvd at 15% O2) for their stationary SI ICE.



60.4244

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (c) and (e) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = (Cd \times 1.164 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 2})$$

Where:

ER = Emission rate of CO in g/HP-hr.

Cd = Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in

HP-hr.

60.4243(b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.

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In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

60.4245

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 5.0 grams per brake horsepower-hour

Reference Test Method: See Permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2011.

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

Condition 47: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ

Item 47.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 000000-00-0 VOC

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

60.4233

(e) Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for volatile organic compounds



1.0 g/ HP-hr (80 ppmvd at 15% O₂) for their stationary SI ICE.

60.4244

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (c) and (f) or (g) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = (Cd \times 1.833 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor



differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = CM_i/CA_i \quad (\text{Eq. 4})$$

Where:

RF_i = Response factor of compound i when measured with EPA Method 25A.

CM_i = Measured concentration of compound i in ppmv as carbon.

CA_i = True concentration of compound i in ppmv as carbon.

$$C_i \text{ corr} = RF_i \times C_i \text{ meas} \quad (\text{Eq. 5})$$

Where:

$C_i \text{ corr}$ = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A,

ppmv as carbon.

$C_i \text{ meas}$ = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$CP_{eq} = 0.6098 \times C_i \text{ corr} \quad (\text{Eq. 6})$$

Where:

CP_{eq} = Concentration of compound i in mg of propane equivalent per DSCM.

60.4243 (b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

60.4245

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed

Parameter Monitored: VOC

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: See Permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2011.

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

Condition 48: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.4245(a), NSPS Subpart JJJJ

Item 48.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

60.4245

Owners or operators of stationary spark ignition Internal combustion engine (SI ICE) must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary spark ignition Internal combustion engine (SI ICE) must keep records of the information in paragraphs (a)(1), (2), and (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(4) If the stationary SI internal combustion engine is not a certified engine documentation that the engine meets the emission standards.

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 7/30/2011.

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

Condition 49: Compliance Certification

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Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 60.4245(c), NSPS Subpart JJJJ

Item 49.1:

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

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG04

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

60.4245

(c) Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

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 7/30/2011.

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

Condition 50: Standards for air emissions from MSW landfills
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 60.752(b)(1), NSPS Subpart

WWW

Item 50.1:

Owner or operator of a municipal solid waste (MSW) landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall either comply with 40 CFR Part 60.752(b)(2) or calculate a non-methane organic compound (NMOC) emission rate for

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the landfill using the procedures specified in 40 CFR Part 60.754. The NMOC emission rate shall be recalculated annually, except as provided in 40 CFR Part 60.757(b)(1)(ii).

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

i) Submit an annual emission report to the Administrator, except as provided for in 40 CFR Part 60.757(b)(1)(ii); and

ii) Recalculate the NMOC emission rate annually using the procedures specified in 40 CFR Part 60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year. If upon recalculation the NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall install a collection and control system in compliance with 40 CFR Part 60.752(b)(2).

Condition 51: Calculation of Non-Methane Organic Carbon (NMOC) Emissions Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.754(a)(1), NSPS Subpart

WWW

Item 51.1:

The landfill owner or operator shall calculate the NMOC emission rate using the equation provided below. The values to be used in the equation are 0.05 per year for k, 170 cubic meters per megagram for Lo and 4,000 parts per million by volume as hexane for CNMOC.

i) The following equation shall be used:

$$MNMOC = S \sum 2kLoMi(e^{-kti})(CNMOC)(3.6 \times 10^{-9})$$

where,

MNMOC = Total NMOC emission rate from the landfill,
megagrams 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

CNMOC = concentration of NMOC, parts per million by volume as
hexane

3.6 x 10⁻⁹ = conversion factor.

The mass of the nondegradable waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for Mi if the documentation provisions of 40 CFR Part 60.758(d)(2) are followed.

Condition 52: NMOC Calculation - Tier 1 Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.754(a)(2), NSPS Subpart

WWW



Item 52.1:

The owner or operator shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year.

1) If the NMOC mass emission rate calculated in 40 CFR Part 60.754(a)(1) is less than 50 megagrams per year, then the landfill owner shall submit a mass emission rate report as provided in 40 CFR Part 60.757(b)(1), and shall recalculate the NMOC mass emission rate annually as required under 40 CFR Part 60.752(b)(1).

2) If the calculated NMOC mass emission rate is equal to or greater than 50 megagrams per year, then the landfill owner shall either comply with 40 CFR Part 60.752(b)(2), or determine the site-specific NMOC concentration and recalculate the NMOC mass emission rate using the procedures provided in 40 CFR Part 60.754(a)(3).

Condition 53: NMOC Calculation - Tier 2

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.754(a)(3), NSPS Subpart

WWW

Item 53.1:

The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using either, Method 25 or 25C of 40 CFR Part 60 Appendix A. Method 18 of Appendix A may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the owner or operator must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to CNMOC as hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of this part by six to convert from CNMOC as carbon to CNMOC as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

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1) The landfill owner or operator shall recalculate the NMOC mass emission rate using the equations provided in 40 CFR Part 60.754(a)(1)(i) or (ii) and using the average NMOC concentration from the collected samples instead of the default value in the equation provided in 40 CFR Part 60.754(a)(1).

2) If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with 40 CFR Part 60.752(b)(2), or determine the site-specific methane gas generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in 40 CFR Part 60.754(a)(4).

3) If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in 40 CFR Part 60.757(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in this condition.

Condition 54: NMOC Calculation - Tier 3

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.754(a)(4), NSPS Subpart

WWW

Item 54.1:

The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of 40 CFR Part 60 Appendix A. The landfill owner or operator shall estimate the NMOC mass emission rate using equation in 40 CFR Part 60.754(a)(1)(i) and using the site-specific methane generation rate constant k , and the site-specific NMOC concentration as determined in 40 CFR Part 60.754(a)(3) instead of the default values provided in 40 CFR Part 60.754(a)(1). The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year.

i) If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC, is equal to or greater than 50 megagrams per year, the owner or operator shall comply with 40 CFR Part 60.752(b)(2).

ii) If the NMOC mass emission rate is less than 50 megagrams per year, then the owner or operator shall submit a periodic emission rate report as provided in 40 CFR Part 60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in 40 CFR Part 60.757(b)(1) using the equation in 40 CFR Part 60.754(a)(1)(i) and using the site-specific methane generation rate constant and NMOC concentration obtained in 40 CFR Part 60.754(a)(3). The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.

Condition 55: NMOC Calculation - Alternative Methods

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 40CFR 60.754(a)(5), NSPS Subpart

WWW



Item 55.1:

The owner or operator may use other methods to determine the NMOC concentration or a site-specific methane generation rate constant as an alternative to the methods required in 40 CFR Part 60.754(a)(3) and (a)(4) if the method has been approved by the Administrator.

Condition 56: Reporting requirements - NMOC emission rate
Effective between the dates of 02/03/2011 and 02/02/2016

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

WWW

Item 56.1:

Owner or operator shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided in (1)(ii) or (3) below. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.

1) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate, calculated using the formula and procedures provided in 40 CFR Part 60.754(a) or (b), as applicable.

i) The initial NMOC emission rate report may be combined with the initial design capacity report required by 40 CFR Part 60.757(a) and shall be submitted no later than 90 days after the date of commenced construction. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in (1)(ii) and (3) below.

ii) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Administrator. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

2) The NMOC emission rate report shall include all data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

3) Owner or operator is exempted from the requirements in paragraphs (1) and (2) above, after installation of a collection and control system in compliance with 40 CFR Part 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR Part 60.753 and Part 60.755

Condition 57: Reporting Requirements - Collection and Control System
Design Plan
Effective between the dates of 02/03/2011 and 02/02/2016

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

WWW

Item 57.1:

Each owner or operator subject to the provisions of 40 CFR Part 60.752(b)(2)(i) shall submit a collection and control system design plan to the Administrator within 1 year of the first report, required under 40 CFR Part 60.757(b), in which the emission rate exceeds 50 megagrams per year, except as follows:

(1) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in 40 CFR Part 60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

(2) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in 40 CFR Part 60.754(a)(4), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of 40 CFR Part 60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year.

Condition 58: Asbestos-containing waste material standard for active waste disposal sites

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:40CFR 61.154, NESHAP Subpart M

Item 58.1:

Owner or operator shall comply with the requirements of 40 CFR Part 61.154 when accepting asbestos-containing waste material from any source required to comply with 40 CFR Part 61.149, 61.150, or 61.155.

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

Condition 59: Emission Point Definition By Emission Unit

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 59.1:

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

Emission Unit: 1-LFGAS

Emission Point: 00001

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Height (ft.): 34	Diameter (in.): 10
NYTMN (km.): 4949.64	NYTME (km.): 611.342
Emission Point: 00002	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00003	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00004	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00005	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00006	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00007	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00008	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00009	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00010	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00011	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00012	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00013	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00014	

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Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00015	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00016	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00017	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00018	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00019	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00020	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00021	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00022	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00023	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00024	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00025	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00026	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4948.364	NYTME (km.): 610.502
Emission Point: 00027	

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Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00028
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00029
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00032
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00033
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00034
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00035
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00036
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Condition 60: Process Definition By Emission Unit
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 60.1:

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

Emission Unit: 1-LFGAS
Process: 001 Source Classification Code: 5-01-004-06
Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the collection and control of the landfill gas emissions by flaring gas collected from the unlined landfill, West Side Development Area, East Side Development Area, Overlay Development Area, and Phase V expansion area. All collected gas will be routed to the LFGTE facility. Flaring of gas will be used as a backup control device only.

Emission Source/Control: F0002 - Control

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Control Type: FLARING

Emission Source/Control: F0003 - Control
Control Type: FLARING

Emission Source/Control: F0004 - Control
Control Type: FLARING

Emission Source/Control: F0005 - Control
Control Type: FLARING

Emission Source/Control: F0006 - Control
Control Type: FLARING

Emission Source/Control: F0007 - Control
Control Type: FLARING

Emission Source/Control: F0008 - Control
Control Type: FLARING

Emission Source/Control: F0009 - Control
Control Type: FLARING

Emission Source/Control: F0010 - Control
Control Type: FLARING

Emission Source/Control: F0011 - Control
Control Type: FLARING

Emission Source/Control: F0012 - Control
Control Type: FLARING

Emission Source/Control: F0013 - Control
Control Type: FLARING

Emission Source/Control: F0014 - Control
Control Type: FLARING

Emission Source/Control: F0015 - Control
Control Type: FLARING

Emission Source/Control: F0016 - Control
Control Type: FLARING

Emission Source/Control: F0017 - Control
Control Type: FLARING

Emission Source/Control: F0018 - Control
Control Type: FLARING

Emission Source/Control: F0019 - Control
Control Type: FLARING

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Emission Source/Control: F0020 - Control
Control Type: FLARING

Emission Source/Control: F0021 - Control
Control Type: FLARING

Emission Source/Control: F0022 - Control
Control Type: FLARING

Emission Source/Control: F0023 - Control
Control Type: FLARING

Emission Source/Control: F0024 - Control
Control Type: FLARING

Emission Source/Control: F0025 - Control
Control Type: FLARING

Emission Source/Control: F0026 - Control
Control Type: FLARING

Emission Source/Control: F0027 - Control
Control Type: FLARING

Emission Source/Control: F0028 - Control
Control Type: FLARING

Emission Source/Control: F0029 - Control
Control Type: FLARING

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

Emission Source/Control: LFGCE - Process

Emission Source/Control: OLA&B - Process
Design Capacity: 1,875,000 cubic yards

Emission Source/Control: PH1&2 - Process
Design Capacity: 743,719 tons

Emission Source/Control: PH3ES - Process
Design Capacity: 349,959 tons

Emission Source/Control: PHSE5 - Process
Design Capacity: 7,124,100 cubic yards

Emission Source/Control: ULPH0 - Process
Design Capacity: 1,190,618 tons

Item 60.2:

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

Emission Unit: 1-LFGAS

Process: 002

Source Classification Code: 5-01-004-02

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the fugitive emission of landfill gas to the atmosphere.

Emission Source/Control: LFGFE - Process

Item 60.3:

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

Emission Unit: 1-LFGAS

Process: 005

Source Classification Code: 2-01-008-02

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the collection of landfill gas for combustion. Collected landfill gas is combusted in up to five (5) Caterpillar G3520 gas engine generator sets consuming up to 531 cubic feet per minute of landfill gas each. LFGTE Facility will be the primary landfill gas control device consuming all collected gas generated at the site.

Emission Source/Control: ENG01 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: ENG02 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: ENG03 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: ENG04 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: ENG05 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: OLA&B - Process

Design Capacity: 1,875,000 cubic yards

Emission Source/Control: PH1&2 - Process

Design Capacity: 743,719 tons

Emission Source/Control: PH3ES - Process

Design Capacity: 349,959 tons

Emission Source/Control: PHSE5 - Process

Design Capacity: 7,124,100 cubic yards

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Emission Source/Control: ULPH0 - Process
Design Capacity: 1,190,618 tons

**Condition 61: Emissions from new emission sources and/or modifications
Effective between the dates of 02/03/2011 and 02/02/2016**

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 61.1:

This Condition applies to Emission Unit: 1-LFGAS
Process: 001

Item 61.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 62: Compliance Certification
Effective between the dates of 02/03/2011 and 02/02/2016**

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS
Process: 001

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. 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 observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may

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be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Monitoring Frequency: WEEKLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2011.

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

Condition 63: Compliance Certification

Effective between the dates of 02/03/2011 and 02/02/2016

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Process: 005

Item 63.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

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 observations of visible emissions from the emission unit, process, etc. to which

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this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and 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 the next operating day of the sources associated with the potential noncompliance 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 (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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 64: Contaminant List
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable State Requirement:ECL 19-0301

Item 64.1:

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

CAS No: 000630-08-0

Name: CARBON MONOXIDE

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CAS No: 0NY210-00-0
Name: OXIDES OF NITROGEN

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

Condition 65: Unavoidable noncompliance and violations
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable State Requirement: 6 NYCRR 201-1.4

Item 65.1:

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

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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 66: Air pollution prohibited
Effective between the dates of 02/03/2011 and 02/02/2016

Applicable State Requirement:6 NYCRR 211.2

Item 66.1:

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.

