



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 6-2252-00007/00015
Mod 0 Effective Date: 08/15/2006 Expiration Date: 08/14/2011
Mod 1 Effective Date: 06/03/2008 Expiration Date: 08/14/2011
Mod 2 Effective Date: 09/02/2008 Expiration Date: 08/14/2011
Mod 3 Effective Date: Expiration Date:

Permit Issued To: DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
DULLES STATE OFFICE BLDG
317 WASHINGTON ST
WATERTOWN, NY 13601-3744

Contact: WILLIAM SEIFRIED
DANC SOLID WASTE MANAGEMENT FACILITY
23400 ST RTE 177
RODMAN, NY 13682
(315) 232-3236

Facility: DANC SOLID WASTE MANAGEMENT FACILITY
23400 ST RTE 177
RODMAN, NY 13682

Contact: PETER CHERESHNOSKI
DANC RODMAN LANDFILL
PO BOX C 23400 ST RTE 177
RODMAN, NY 13682
(135) 232-3236

Description:
This Title V Air Facility Permit Modification is to modify the Development Authority of the North Country (DANC) Solid Waste Management Facility (SWMF) Title V Permit (Title V Permit ID: 6-2252-00007/00015) to include the Innovative/DANC, LLC landfill gas to energy (LFGTE) facility (Title V Permit ID: 6-2252-00018/00001), operated by Innovative Energy Systems, LLC (IES).

The DANC SWMF (Initial Title V Effective Date: 4/16/2001) and the Innovative/DANC LFGTE facility (Initial Title V Effective Date: 8/9/2005) currently operate under separate Title V Air permits in accordance with New York State Department of Environmental Conservation (NYSDEC) and federal EPA regulations. Each facility has been previously determined to be a separate facility, due to separate ownership, and therefore is permitted individually. A March 2009 Prevention of Significant Deterioration (PSD) permit application by IES has triggered EPA review of the common control determination for these two facilities. Based on discussions with EPA and NYSDEC, DANC and IES have chosen to modify the existing DANC SWMF Title V



Permit to include the Innovative/DANC LFGTE facility, effectively creating a single combined facility Title V Air Permit.

Due to the fact that combining the facilities is occurring post installation of the LFGTE facility, this permit modification has been completed as if the LFGTE facility had been added to the DANC SWMF Title V permit in 2005 when the LFGTE facility was initially permitted, and therefore changes to the existing DANC SWMF Title V permit that have occurred since 2005, including the permitting of a 6-inch open candlestick flare in 2008 (EP00010) and the conversion of two (2) of the SWMF's previously exempt diesel powered emergency generators to be permitted for use as part of a Coordinated Demand Reduction Program (CDRP) in 2008, are considered as part of this permit modification application. Baseline emissions are presented as the potential to emit (PTE) of the SWMF prior to the 2005 permitting of the LFGTE plant in accordance with the landfill gas emission updates provided in this modification application.

The project defined for this permit modification includes the addition of the Innovative/DANC LFGTE facility consisting of three (3) existing (and permitted) and two (2) proposed (for a total of five (5)) Caterpillar® 3520C landfill gas engine generator sets, the addition of the currently permitted 6-inch open candlestick flare (Emission Unit 1-LFGAS, Emission Point 00010) to combust excess LFG that the engines cannot utilize, and the conversion of two (2) of the SWMF's previously exempt diesel powered emergency generators (Emission Unit 4-GENST) to be permitted for use as part of a CDRP.

This modification application presents updated emission inventories for the combined facility. The LFGTE facility engines are the primary landfill gas control for the site. The operating scenario for landfill gas control presented in this application includes all collected landfill gas used as a fuel source for the LFGTE engines to generate electricity. The existing 3,100 cfm open candlestick flare (EP00999), which was permitted in the initial DANC SWMF Title V Air Permit issued in 2001 and served as the primary landfill gas control device for the landfill until installation of the LFGTE facility, will be utilized as a backup control device during periods when the LFGTE engines are shut down.

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: LAWRENCE R AMBEAU
 NYSDEC - STATE OFFICE BLDG
 317 WASHINGTON ST
 WATERTOWN, NY 13601

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
 - Applications for Permit Renewals and Modifications
 - Permit modifications, suspensions or revocations by the Department
 - Permit modifications, suspensions or revocations by the Department
 - Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 1-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 1-1.1:

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 1-1.2:

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 1-1.3:

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 approval.



Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6 NYCRR 621.13

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 prior to actual transfer of ownership.

Condition 1-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 1-2.1:

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

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

Condition 3-1: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 3-1.1:

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;



provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

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 Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

Condition 1-3: Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 1-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

New York State Department of Environmental Conservation

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
DULLES STATE OFFICE BLDG
317 WASHINGTON ST
WATERTOWN, NY 13601-3744

Facility: DANC SOLID WASTE MANAGEMENT FACILITY
23400 ST RTE 177
RODMAN, NY 13682

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

Permit Effective Date:

Permit Expiration Date:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 9 : Open Fires Prohibited at Industrial and Commercial Sites
- 3-1 6 NYCRR 215.2: Open Fires - Prohibitions
- 3-2 6 NYCRR 202-1.1: Required Emissions Tests
- 19 : Required Emissions Tests
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 3-3 6 NYCRR 201-6.5 (f): Compliance Certification
- 3-4 6 NYCRR 201-6.5 (f) (1): Compliance Certification
- 3-5 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 3-6 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *3-7 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-8 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-9 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-10 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-11 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-12 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *3-13 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 25 6 NYCRR 201-7.2: Facility Permissible Emissions
- *26 : Capping Monitoring Condition
- 3-14 6 NYCRR 227-1.3 (a): Compliance Certification
- 3-15 6 NYCRR 227-1.3 (a): Compliance Certification
- 2-3 : Compliance Certification
- 3-16 40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ: Applicability of facilities subject to Subpart JJJJ
- 3-17 40CFR 63.6590(c), Subpart ZZZZ: Stationary RICE subject to Regulations under 40 CFR Part 60

Emission Unit Level

- 51 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 52 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-LFGAS,Proc=001

- 3-18 40CFR 60.752(b)(2)(iii)(C), NSPS Subpart WWW: Control of collected landfill gas by gas treatment system option.

EU=1-LFGAS,Proc=001,ES=F0999

- *3-19 6 NYCRR Subpart 201-7: Capping Monitoring Condition

EU=4-GENST,Proc=003,ES=OLYM1

- *3-20 6 NYCRR Subpart 201-7: Capping Monitoring Condition

EU=4-GENST,Proc=003,ES=ONAN1

- *3-21 6 NYCRR Subpart 201-7: Capping Monitoring Condition

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 53 ECL 19-0301: Contaminant List
- 3-22 6 NYCRR 201-1.4: Unavoidable noncompliance and violations



- 54 : Unavoidable noncompliance and violations
- 3-23 6 NYCRR 211.2: Air pollution prohibited
- 55 : 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.



Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

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

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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

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

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

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



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

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

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

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

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

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

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



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

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

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 08/15/2006 and Permit Expiration Date**

Applicable Federal Requirement:

Expired by Mod 3

Item 9.1:

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 3-1: Open Fires - Prohibitions
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 215.2

Item 3-1.1:

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 3-1.2

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.

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

**Condition 3-2: Required Emissions Tests
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 202-1.1

Replaces Condition(s) 19

Item 3-2.1:

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.

Condition 19: Required Emissions Tests
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable Federal Requirement:

Replaced by Condition(s) 3-2

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. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

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

Condition 23: Emission Unit Definition
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1(From Mod 3):

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

Emission Unit: 1-LFGAS

Emission Unit Description:

This emission unit consists of landfilled waste generating landfill gas by anaerobic decomposition. The emission unit will consist of the Innovative/DANC landfill gas to energy (LFGTE) facility with up to five (5) lean burn Caterpillar, Inc. G3520C IC engine generator sets as the primary landfill gas control devices for collected gas. One (1) 3,100 cfm open candlestick flare is utilized as a backup landfill gas control device during periods when the LFGTE engines are shutdown. One (1) 1,100 cfm open candlestick flare is utilized to control landfill gas that is not combusted by the engines (during periods of engine shutdown, or prior to all permitted engines being installed). Eight (8) portable, passive flares will be utilized as additional landfill gas controls as needed. Landfill gas not captured by the facility's gas collection and control system will be classified as fugitive emissions.



Building(s): ENGBLD

Item 23.2(From Mod 3):

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

Emission Unit: 3-LCHST

Emission Unit Description:

This unit consists of one 2.5 million gallon concrete open-topped leachate storage tank.

Item 23.3(From Mod 3):

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

Emission Unit: 4-GENST

Emission Unit Description:

This emission unit consists of two engine generator sets (Onan Model 80DGDA & Olympian Model D200P1) that may be used as part of a coordinated demand reduction program (CDRP). Any other use will only be on an emergency basis.

Building(s): GENERATOR
O&M

**Condition 3-3: Compliance Certification
Effective for entire length of Permit**

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

Item 3-3.1:

The Compliance Certification activity will be performed for the Facility.

Item 3-3.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Plan

I. Protocol Objective

The objective of this condition is to maximize operational flexibility at the facility by building into the Title V permit the capability to make certain changes using a protocol. As provided under 6 NYCRR Part 201-6.5(f)(2), changes made under an approved protocol are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.7.

II. Protocol

A. Criteria

1. Changes reviewed under this protocol shall be evaluated in accordance with the following criteria:



a. All underlying federal and state requirements with which the new or changed emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed emission source and any related information, and/or subject to DEC approval, new conditions proposed, to provide the appropriate monitoring parameters.

b. Any new or changed emission source shall not be part of a source project that results in a significant net emissions increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231 or 40 CFR 52.21.

c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable cap either to avoid major NSR requirements or to address and comply with other Clean Air Act requirements, such as RACT. Such changes must be addressed via the significant permit modification provisions.

B. Notification Requirements for Changes Reviewed under the Protocol

1. The facility shall notify the Department in writing of the proposed change.

2. Notifications made in accordance with this protocol will include the following documentation:

a. Identification of the Title V permit emission unit, process(es), emission sources and emission points affected by the proposed change with applicable revisions to the Emission Unit structure;

b. Description of the proposed change, including operating parameters;

c. Identification and description of emissions control technology;

d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following steps:

i. Calculate the emission rate potential and maximum projected actual annual emission rates for all



contaminants affected by the change.

ii. Submit documentation of major NSR program non-applicability for NYSDEC review and approval.

iii. Identify and evaluate the applicability of all regulations likely to be triggered by the new or changed emission source.

iv. Propose any operating and record keeping procedures necessary to ensure compliance.

e. Any other relevant information used for the evaluation of the proposed project or emission source under the Protocol.

C. Review and Approval of Changes

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification of the permittee.

2. The Department may require a permit modification, in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to notification do not meet the criteria under II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).

3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall include a listing of information required for further review, if necessary.

D. Additional Compliance Obligations for Changes Made Under this Protocol

1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with II.A.1.a above.

2. The facility shall provide with the semi-annual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should



include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-4: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (1)

Item 3-4.1:

The Compliance Certification activity will be performed for the Facility.

Item 3-4.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Since the landfill is only capable of generating a quantity of landfill gas sufficient to allow for operation of either the landfill gas to energy engines (emission sources: 01ENG - 05ENG) and their associated 1,100 cfm excess landfill gas flare (emission source: F0010) or the backup 3,100 cfm landfill gas flare (emission source: F0999) the following operating restriction applies at all times:

Facility will only operate the 3,100 cfm landfill gas flare (emission source: F0999) on an emergency basis when the landfill gas engines (emission sources: 01ENG - 05ENG) and the 1,100 cfm landfill gas flare (emission source: F0010) are unable to operate due to shutdown or malfunction. Emission source F0999 is further restricted to 500 hours/year by condition elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 3-5: Non Applicable requirements
Effective for entire length of Permit

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

Item 3-5.1:



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.

(From Mod 3) 40 CFR 52.21

Emission Unit: 1LFGAS

Reason: The existing facility is a minor source of attainment area pollutants including NOx, CO, SO2, and PM-10. As such, the proposed project emissions were compared with the major source threshold of 250 tons per year (tpy) to determine whether or not the project is subject to Prevention of Significant Deterioration (PSD) for attainment pollutants. The project emission potential for all of these contaminants is below 250 tpy and are as follows:

- NOx = 65.73 tpy
- CO = 61.99 tpy
- SO2 = 1.67 tpy
- PM-10 = 28.47 tpy

Thus, this project is not subject to PSD. However, the resulting facility-wide CO PTE after the project is 306.26 tpy which is greater than the major facility threshold of 250 tpy. As such, the facility will be evaluated as an existing major source for any future PSD projects.

**Condition 3-6: Facility Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 3-6.1:

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:

per year	CAS No: 000630-08-0 (From Mod 3)	PTE: 612,000 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 0NY998-20-0 (From Mod 3)	PTE: 110,000 pounds
	Name: NMOC - LANDFILL USE ONLY	

**Condition 3-7: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 3-7.1:

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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 231-7

Item 3-7.2:

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

Item 3-7.3:

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 3-7.4:

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 3-7.5:

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 3-7.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-7.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility emissions of carbon monoxide (CO) shall not exceed 306 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall perform the following:

Facility shall maintain records of the amount of landfill gas burned, in each landfill gas control device (emission sources: 01ENG-05ENG, F0010 & F0999) on a monthly basis.



At the end of each month facility owner shall utilize the monthly quantity of landfill gas burned in each landfill gas control device and the corresponding CO emission factor to calculate the monthly emissions of CO. The monthly CO emissions shall be added to the previous 11 months of CO emissions to give a total CO emission rate over the most recent consecutive 12 month period. The CO emissions over any consecutive 12 month period shall not exceed 306 tons.

When sufficient new evidence becomes available to substantiate changing any of the emission factors used to calculate the monthly CO emissions the Department will discuss utilizing the new emission factors with the applicant prior to the applicant using the revised emission factors.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 306 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 3-8: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-8.1:

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:

40 CFR 52.21

Item 3-8.2:

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

Item 3-8.3:

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 3-8.4:

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 3-8.5:

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 3-8.6:

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 04ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 05ENG
Regulated Contaminant(s): CAS No: 000630-08-0	CARBON MONOXIDE

Item 3-8.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall perform the following periodic monitoring for carbon monoxide (CO) emissions in the exhaust stacks of the five (5) internal combustion (IC) engines listed above:

1. CO emissions shall be measured, at a stack location acceptable to the Department, while the engine is operating at base load (base load is a normal operating load) using a properly calibrated portable gas analyzer approved for use by the Department.
2. The CO measurement will consist of the average of three instantaneous concentration readings that are obtained



over a 3 minute period.

3. The first of the three CO concentration readings will start after the portable analyzer has sampled engine exhaust for at least 1 minute.
4. The second and third CO concentration readings will occur at consecutive 1 minute intervals.
5. The three CO concentration readings will be recorded and their average calculated.
6. The calculated average, for each IC engine, will be the CO measurement for that month and must not exceed 815 ppmvd (corrected to 8.5% O₂).

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 815 parts per million by volume
(dry)

Reference Test Method: Handheld CO monitor

Monitoring Frequency: MONTHLY

Averaging Method: 3-MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 3-9: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-9.1:

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:

40 CFR 52.21

Item 3-9.2:

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

Item 3-9.3:

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 3-9.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an

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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 3-9.5:

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 3-9.6:

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 04ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 05ENG
Regulated Contaminant(s): CAS No: 000630-08-0	CARBON MONOXIDE

Item 3-9.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to maintain emissions of carbon monoxide (CO) below the Prevention of Significant Deterioration (PSD) major source project threshold each of the five (5) stationary internal combustion engines shown above must operate at a maximum CO emission rate of 3.0 g/bhp-hr.

Compliance with the emission rate of 3.0 g/bhp-hr shall be demonstrated by performance tests as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the



locations of the sampling devices must be acceptable to the department.

2. The facility must utilize the procedure set forth in 40 CFR part 60, Appendix A, Method 10, or any other method acceptable to the department for determining compliance with the CO limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.

3. The facility must submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

An initial performance test must be completed within 180 days of commencement of operation of emission sources 04ENG and 05ENG. Since all five (5) stationary internal combustion devices at this facility are identical only two (2) of the five (5) internal combustion engines described above will require performance testing to demonstrate compliance with this CO emission limit. Subsequent performance tests must be performed at least once during the term of the permit.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 3.0 grams per brake horsepower-hour

Reference Test Method: EPA RM 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3-10: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-10.1:

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

6 NYCRR Subpart 231-2

Item 3-10.2:

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

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Item 3-10.3:

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 3-10.4:

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 3-10.5:

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 3-10.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 04ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 05ENG
Regulated Contaminant(s): CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 3-10.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall perform the following periodic monitoring
for oxides of nitrogen (NOx) emissions in the exhaust



stacks of the five (5) internal combustion (IC) engines listed above:

1. NO_x emissions shall be measured, at a stack location acceptable to the Department, while the engine is operating at base load (base load is a normal operating load) using a properly calibrated portable gas analyzer approved for use by the Department.
2. The NO_x measurement will consist of the average of three instantaneous concentration readings that are obtained over a 3 minute period.
3. The first of the three NO_x concentration readings will start after the portable analyzer has sampled engine exhaust for at least 1 minute.
4. The second and third NO_x concentration readings will occur at consecutive 1 minute intervals.
5. The three NO_x concentration readings will be recorded and their average calculated.
6. The calculated average, for each IC engine, will be the NO_x measurement for that month and must not exceed 99 ppmvd (corrected to 8.5% O₂).

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 parts per million by volume (dry)

Reference Test Method: Handheld NO_x monitor

Monitoring Frequency: MONTHLY

Averaging Method: 3-MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 3-11: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-11.1:

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

6 NYCRR Subpart 231-2

Item 3-11.2:

Operation of this facility shall take place in accordance with the approved criteria, emission

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limits, terms, conditions and standards in this permit.

Item 3-11.3:

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 3-11.4:

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 3-11.5:

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 3-11.6:

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 04ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 05ENG
Regulated Contaminant(s): CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 3-11.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Facility shall keep records of the monthly hours of operation and monthly average horsepower for each of the



five (5) internal combustion (IC) engines listed above. Facility will use this information and the oxides of nitrogen (NOx) emission rate from the most recent acceptable emission test to calculate the monthly emissions of NOx from each IC engine as well as the total from all five (5) IC engines.

The monthly NOx emissions from all five (5) IC engines will be added to the NOx emissions from the previous 11 months to generate an annual NOx emission rate for the five (5) IC engines.

Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 3-12: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-12.1:

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

6 NYCRR Subpart 231-2

Item 3-12.2:

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

Item 3-12.3:

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 3-12.4:

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 3-12.5:

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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 3-12.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 001

Emission Source: 01ENG

Emission Unit: 1-LFGAS

Process: 001

Emission Source: 02ENG

Emission Unit: 1-LFGAS

Process: 001

Emission Source: 03ENG

Emission Unit: 1-LFGAS

Process: 001

Emission Source: 04ENG

Emission Unit: 1-LFGAS

Process: 001

Emission Source: 05ENG

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

Item 3-12.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to maintain facility emissions of NO_x below the Non-attainment New Source Review (NSR) and the Reasonably Available Control Technology (RACT) for Oxides Of Nitrogen (NO_x) major source thresholds each of the five (5) stationary internal combustion engines shown above must operate at a maximum NO_x emission rate of 0.60 g/bhp-hr.

Compliance with the emission rate of 0.60 g/bhp-hr shall be demonstrated by performance tests as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department.

2. The facility must utilize the procedures set forth in 40 CFR part 60, Appendix A, Method 7, 7E, or 19, or any



other method acceptable to the department for determining compliance with the NO_x limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.

3. The facility must submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

An initial performance test must be completed within 180 days of commencement of operation of emission sources 04ENG and 05ENG. Since all five (5) stationary internal combustion devices at this facility are identical only two (2) of the five (5) internal combustion engines described above will require performance testing to demonstrate compliance with this NO_x emission limit. Subsequent performance tests must be performed at least once during the term of the permit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.60 grams per brake horsepower-hour

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3-13: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-13.1:

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:

40 CFR 60.752 (b) (2)

Item 3-13.2:

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

Item 3-13.3:

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 3-13.4:

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 3-13.5:

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 3-13.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

Item 3-13.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

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 the landfill using the procedures specified in 40 CFR Part 60.754(a). 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) 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

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control system in compliance with 40 CFR Part 60.752(b)(2).

2) If the calculated NMOC emission rate is less than 50 megagrams per year, the following provisions of 40 CFR Part 60 Subpart WWW, do not apply: 60.752(b)(2), 60.753(a)-(g), 60.754(b), 60.754(d), 60.755(a)-(e), 60.756(a), 60.756(c), 60.756(e)-(f), 60.757(f)-(g), 60.758(a)-(e), and 60.759(a)-(c).

3) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, all provisions outlined in paragraph (2), will at that time become applicable requirements for this facility. Additionally, when the NMOC emission rate is equal to or greater than 50 megagrams per year, the facility will have to apply for a modification to this permit that will add all the provisions contained in paragraph (2) of this condition.

Parameter Monitored: NMOC - LANDFILL USE ONLY

Upper Permit Limit: 50 Megagrams (10**6 grams) per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 25: Facility Permissible Emissions
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-7.2

Expired by Mod 3
Applicaton Specific Data

Condition 26: Capping Monitoring Condition
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 3

Item 26.1:

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:

40 CFR 60.752 (b) (2)

Item 26.2:

Operation of this facility shall take place in accordance with the approved criteria, emission



limits, terms, conditions and standards in this permit.

Item 26.3:

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 26.4:

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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

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 the landfill using the procedures specified in 40 CFR Part 60.754(a). 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) 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).

2) If the calculated NMOC emission rate is less than 50 megagrams per year, the following provisions of 40 CFR Part 60 Subpart WWW, do not apply: 60.752(b)(2), 60.753(a)-(g), 60.754(b), 60.754(d), 60.755(a)-(e), 60.756(a), 60.756(c), 60.756(e)-(f), 60.757(f)-(g), 60.758(a)-(e), and 60.759(a)-(c).

3) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, all provisions outlined in paragraph (2), will at that time become applicable requirements for this facility. Additionally, when the NMOC emission rate is equal to or greater than 50 megagrams per year, the facility will have to apply for a modification to this permit that will add all the provisions contained in paragraph (2) of this condition.

Parameter Monitored: NMOC - LANDFILL USE ONLY
Upper Permit Limit: 50 Megagrams (10**6 grams) per year
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-14: Compliance Certification
Effective for entire length of Permit

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

Item 3-14.1:

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG



Emission Unit: 1-LFGAS
Process: 001 Emission Source: 04ENG

Emission Unit: 1-LFGAS
Process: 001 Emission Source: 05ENG

Emission Unit: 4-GENST
Process: 003 Emission Source: OLYM1

Emission Unit: 4-GENST
Process: 003 Emission Source: ONAN1

Item 3-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee will conduct observations of visible emissions, from each of the internal combustion engines listed above, at the monitoring frequency stated below while they are 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 an emission source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission points) and in compliance with Part 227-1.3(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 an EPA Reference 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: DAILY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 30 days after first semi-annual (6 month) period following Permit Issue Date



Condition 3-15: Compliance Certification
Effective for entire length of Permit

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

Replaces Condition(s) 2-3

Item 3-15.1:

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: 01ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 02ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 03ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 04ENG
Emission Unit: 1-LFGAS Process: 001	Emission Source: 05ENG
Emission Unit: 4-GENST Process: 003	Emission Source: OLYM1
Emission Unit: 4-GENST Process: 003	Emission Source: ONAN1

Item 3-15.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Facility shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Method 9 opacity evaluation, from any of the internal combustion engines listed above, at any time during facility operation.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA RM 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)



Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-3: Compliance Certification
Effective between the dates of 09/02/2008 and Permit Expiration Date

Applicable Federal Requirement:

Replaced by Condition(s) 3-15

Item 2-3.1:

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

Emission Unit: 4-GENST
Process: 003 Emission Source: OLYM1

Emission Unit: 4-GENST
Process: 003 Emission Source: ONAN1

Item 2-3.2:

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 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

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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
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

**Condition 3-16: Applicability of facilities subject to Subpart JJJJ
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart
JJJJ**

Item 3-16.1:

This Condition applies to:

Emission Unit: 1LFGAS
Process: 001 Emission Source: 04ENG

Emission Unit: 1LFGAS
Process: 001 Emission Source: 05ENG

Item 3-16.2:

The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006, and where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

**Condition 3-17: Stationary RICE subject to Regulations under 40 CFR Part
60
Effective for entire length of Permit**

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

Item 3-17.1:

This Condition applies to:



Emission Unit: 1LFGAS
Process: 001 Emission Source: 04ENG

Emission Unit: 1LFGAS
Process: 001 Emission Source: 05ENG

Item 3-17.2: An affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

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

**Condition 51: Emission Point Definition By Emission Unit
Effective between the dates of 08/15/2006 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 51.1(From Mod 3):

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

Emission Unit: 1-LFGAS

Emission Point: 00001
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.461 NYTME (km.): 426.195

Emission Point: 00002
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.58 NYTME (km.): 426.28

Emission Point: 00003
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.685 NYTME (km.): 426.39

Emission Point: 00004
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.614 NYTME (km.): 426.489

Emission Point: 00005
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.437 NYTME (km.): 426.627

Emission Point: 00006
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.194 NYTME (km.): 426.584

Emission Point: 00007
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4852.023 NYTME (km.): 426.393

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Emission Point: 00008
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4851.924 NYTME (km.): 426.195

Emission Point: 00010
Height (ft.): 20 Diameter (in.): 6
NYTMN (km.): 4852.257 NYTME (km.): 426.118

Emission Point: 00999
Height (ft.): 30 Diameter (in.): 12
NYTMN (km.): 4852.554 NYTME (km.): 425.941

Emission Point: ENG01
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4852.784 NYTME (km.): 426.78 Building: ENGBLD

Emission Point: ENG02
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4852.784 NYTME (km.): 426.78 Building: ENGBLD

Emission Point: ENG03
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4852.784 NYTME (km.): 426.78 Building: ENGBLD

Emission Point: ENG04
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4852.784 NYTME (km.): 426.78 Building: ENGBLD

Emission Point: ENG05
Height (ft.): 45 Diameter (in.): 15
NYTMN (km.): 4852.784 NYTME (km.): 426.78 Building: ENGBLD

**Condition 52: Process Definition By Emission Unit
Effective between the dates of 08/15/2006 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 52.1(From Mod 3):

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

Emission Unit: 1-LFGAS
Process: 001 Source Classification Code: 5-01-004-10

Process Description:

This process consists of the control of collected landfill gas generated by decomposition of landfill waste. Primary control devices include five (5) Caterpillar G3520C IC engine generator sets. The maximum landfill gas fuel use rate of each IC engine is approximately 531 cfm (at 50% methane). Two (2) open candlestick flares and up to eight (8) passive, portable candlestick flares will be used to control any landfill gas in excess of the amount

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that can be burned by the IC engines and as backup control of landfill gas if the IC engines are not operating.

Emission Source/Control: 01ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 02ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 03ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 04ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 05ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: F0001 - Control
Control Type: FLARING

Emission Source/Control: F0002 - Control
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: F0010 - Control
Control Type: FLARING

Emission Source/Control: F0999 - Control
Control Type: FLARING

Item 52.2(From Mod 3):

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

Emission Unit: 1-LFGAS



Process: 005 Source Classification Code: 5-01-004-02

Process Description:
This process consists of fugitive emissions of uncollected landfill gas to the atmosphere.

Emission Source/Control: LFGAS - Process
Design Capacity: 8,736,500 cubic yards

Item 52.3(From Mod 3):

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

Emission Unit: 3-LCHST
Process: 002 Source Classification Code: 5-03-006-02

Process Description:
Landfill leachate is collected and stored in a 2.5 million gallon concrete open-topped storage tank prior to removal and shipment to a water treatment facility.

Emission Source/Control: LCHST - Process
Design Capacity: 2.5 million gallons

Item 52.4(From Mod 3):

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

Emission Unit: 4-GENST
Process: 003 Source Classification Code: 2-01-001-02

Process Description:
Generation of facility power by 2 diesel engine generator sets as part of a coordinated demand reduction program (CDRP).

Emission Source/Control: OLYM1 - Combustion
Design Capacity: 325 horsepower (mechanical)

Emission Source/Control: ONAN1 - Combustion
Design Capacity: 135 horsepower (mechanical)

Condition 3-18: Control of collected landfill gas by gas treatment system option.

Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.752(b)(2)(iii)(C), NSPS

Subpart WWW

Item 3-18.1:

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

Item 3-18.2:

All collected landfill gas must be routed to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (B). For purposes



of this rule, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (B). The owner/operator of the landfill gas treatment system must ensure compliance with these requirements. The owner/operator of a combustion device who uses or purchases treated landfill gas for fuel in a combustion device shall be exempt from further compliance with this 40 CFR 60 Subpart WWW. Since the treatment option is only valid when treated landfill gas is sold or used as a fuel in a combustion device, the gas must be used as a fuel, and venting of treated landfill gas to the ambient air is not allowed under this option.

**Condition 3-19: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 3-19.1:

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 231-7

Item 3-19.2:

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

Item 3-19.3:

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 3-19.4:

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 3-19.5:

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 3-19.6:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS
Process: 001

Emission Source: F0999

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Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3-19.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operation of the 3,100 cfm John Zink flare (emission source: F0999) for the control of landfill gas is limited to times when the normal sources of landfill gas control (emission sources: 01ENG - 05ENG & F0010) are unavailable during an emergency situation. To maintain its emergency backup status emission sources F0999 operation shall be limited to less than 500 hours during any 12-month period. Facility shall maintain records of the monthly hours of operation of emission source F0999 and calculate the hours of operation for each 12-month period on a monthly basis.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 500 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 3-20: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 3-20.1:

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 231-2

Item 3-20.2:

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

Item 3-20.3:

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.

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Item 3-20.4:

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 3-20.5:

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 3-20.6:

The Compliance Certification activity will be performed for:

Emission Unit: 4-GENST

Process: 003

Emission Source: OLYM1

Regulated Contaminant(s):

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

Item 3-20.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operation of the Olympian generator (emission source: OLYM1) is allowed during emergency situations when facility power is lost and as part of a Coordinated Demand Reduction Program (CDRP). CDRP operation must remain less than 2,628 hours during any 12-month period.

Work Practice Type: HOURS PER YEAR OPERATION

Manufacturer Name/Model Number: Olympian D200P1

Upper Permit Limit: 2628 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 3-21: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 3-21.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

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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 231-2

Item 3-21.2:

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

Item 3-21.3:

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 3-21.4:

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 3-21.5:

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 3-21.6:

The Compliance Certification activity will be performed for:

Emission Unit: 4-GENST

Process: 003

Emission Source: ONAN1

Regulated Contaminant(s):

CAS No: 0NY210-00-0

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Item 3-21.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operation of the Onan generator (emission source: ONAN1) is allowed during emergency situations when facility power is lost and as part of a Coordinated Demand Reduction Program (CDRP). CDRP operation must remain less than 2,628 hours during any 12-month period.

New York State Department of Environmental Conservation

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 2628 hours per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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



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 53: Contaminant List
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 53.1:
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



CAS No: 0NY075-00-0
Name: PARTICULATES

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

CAS No: 0NY998-20-0
Name: NMOC - LANDFILL USE ONLY

**Condition 3-22: Unavoidable noncompliance and violations
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 201-1.4

Replaces Condition(s) 54

Item 3-22.1:

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

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

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

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



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

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

Condition 54: Unavoidable noncompliance and violations
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable State Requirement:

Replaced by Condition(s) 3-22

Item 54.1:

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

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

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

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of



each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

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

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

Condition 3-23: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 55

Item 3-23.1:

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

Condition 55: Air pollution prohibited
Effective between the dates of 08/15/2006 and Permit Expiration Date

Applicable State Requirement:

Replaced by Condition(s) 3-23

Item 55.1:

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.

