



**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: 08/16/2011 Expiration Date: 08/15/2016  
Mod 1 Effective Date: 11/16/2011 Expiration Date: 08/15/2016

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

Contact: JAMES W WRIGHT  
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY  
317 WASHINGTON ST  
WATERTOWN, NY 13601  
(315) 785-2593

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

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

**Description:**

This Title V renewal application for the DANC SWMF includes emissions from the Innovative/DANC LLC landfill gas to energy (LFGTE) project (DEC Permit ID: 6-2252-00018/00001) for regulatory applicability review as a single facility. The DANC SWMF and Innovative/DANC LLC plant propose to maintain separate Title V permits. A single facility is allowed to maintain multiple permits under 6 NYCRR Part 201-6.

Innovative/DANC LLC is proposing a modification to the existing permitted project consisting of three (3) existing (and permitted) and two (2) future (for a total of five (5) permitted Caterpillar G3520C) landfill gas engine generator sets to add a proposed enclosed flare thermal oxidizer. Potential to emit (PTE) emissions from this modified project include emissions from one (1) enclosed flare thermal oxidizer (emission source: F0011) utilized to control the off-gases from the siloxane removal system regeneration cycle, and a 1,100 scfm candlestick flare (emission source: F0010) to combust excess landfill gas that the engines cannot utilize. This flare was previously permitted on the DANC SWMF permit but a recent modification removed the flare from the DANC SWMF permit and added it to the Innovative/DANC LLC permit. A previous modification also removed emission unit 4-GENST from the DANC SWMF permit, as these generators will return to exempt emergency generator status.



The DANC SWMF and Innovative/DANC LLC plant shall be considered a single facility for all air pollution control regulations applicability determinations. The PTE of any air pollutant from this single facility shall be based on the maximum landfill gas flow rate of 4,209 scfm (expressed as 50% methane). Emissions of carbon monoxide from the DANC SWMF and Innovative/DANC LLC plant will be capped at 262 tons per year from landfill gas combustion in permitted engines and flares. This carbon monoxide limit does not include emissions from exempt and trivial emission sources.

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
  - Permit modifications, suspensions or revocations by the Department
  - Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 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 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be



submitted prior to actual transfer of ownership.

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

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-1.1:**

The Department reserves the right to exercise all available authority 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 4: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 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:  
4953 - REFUSE SYSTEMS

Mod 0 Permit Effective Date: 08/16/2011

Permit Expiration Date: 08/15/2016

Mod 1 Permit Effective Date: 11/16/2011

Permit Expiration Date: 08/15/2016



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6 NYCRR Subpart 201-6: Emission Unit Definition
- 23 6 NYCRR 201-6.5 (c) (2): Compliance Certification
- 24 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 25 6 NYCRR 201-6.7: Compliance Certification
- 26 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- \*1-1 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*28 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- \*29 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 31 6 NYCRR 202-2.3: Required contents of an emission statement.
- 32 6 NYCRR 202-2.4: Emission statement methods and procedures
- 33 6 NYCRR 211.1: Air pollution prohibited
- 34 6 NYCRR 225-1.2 (a) (2): Compliance Certification
- 35 6 NYCRR 225-1.8: Compliance Certification
- 36 6 NYCRR 227-1.3 (a): Compliance Certification
- 37 6 NYCRR 231-3.5 (b): Compliance Certification
- 38 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 39 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 40 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 41 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 42 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 43 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver



- 44 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
  - 45 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
  - 46 40CFR 60.8(d), NSPS Subpart A: Prior notice.
  - 47 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
  - 48 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
  - 49 40CFR 60.9, NSPS Subpart A: Availability of information.
  - 50 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
  - 51 40CFR 60.12, NSPS Subpart A: Circumvention.
  - 52 40CFR 60.14, NSPS Subpart A: Compliance Certification
  - 53 40CFR 60.754(a)(1), NSPS Subpart WWWW: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
  - 54 40CFR 60.754(a)(2), NSPS Subpart WWWW: NMOC Calculation - Tier 1
  - 55 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
  - 56 40CFR 63.6640(f)(1), Subpart ZZZZ: Compliance Certification
- Emission Unit Level**
- 57 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
  - 58 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

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- 59 40CFR 60.18(c), NSPS Subpart A: Flare operation requirements.
- 60 40CFR 60.754(a)(3), NSPS Subpart WWWW: NMOC Calculation - Tier 2
- 61 40CFR 60.754(a)(4), NSPS Subpart WWWW: NMOC Calculation - Tier 3
- 62 40CFR 60.754(a)(5), NSPS Subpart WWWW: NMOC Calculation - Alternative Methods
- 63 40CFR 60.757(b), NSPS Subpart WWWW: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 64 ECL 19-0301: Contaminant List
- 65 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 66 6 NYCRR 211.2: Visible Emissions Limited
- 67 6 NYCRR 217-3.2: Idling of Diesel Trucks Limited
- 68 6 NYCRR 217-3.3: Exceptions

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 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 2.1:**  
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 3.1:**



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

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

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

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum



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

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

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.



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

**Condition 6: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



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

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

The address for the RAPCE is as follows:

State Office Building  
317 Washington Street  
Watertown, NY 13601-3787

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2012.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



Resources, Bureau of Air Quality Planning, 625 Broadway,  
Albany NY 12233-3251

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 8.1:**

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

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

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

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 9.1:**

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 9.2**

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

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended



until extinguished.

(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.

(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.

(i) Prescribed burns performed according to Part 194 of this Title.

(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.

(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

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

**Condition 10: Maintenance of Equipment  
Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 11.1:**

Where practical, any person who owns or operates an air contamination source shall recycle or

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 16.1:**

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

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

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

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

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

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 18.1:**

No permit revision will be required for operating changes that contravene an express permit



term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 20: Accidental release provisions.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 20.1:**

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

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 21: Recycling and Emissions Reduction**  
Effective between the dates of 08/16/2011 and 08/15/2016

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

**Item 21.1:**

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

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

**Condition 22: Emission Unit Definition**  
Effective between the dates of 08/16/2011 and 08/15/2016

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

**Item 22.1(From Mod 0):**

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 consists of one (1) main candlestick flare and up to eight (8) smaller portable, passive candlestick flares defined as emissions sources and emission points. Landfill gas not captured by the facility's gas collection and control system is released as fugitive emissions.

**Item 22.2(From Mod 0):**

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.

**Condition 23: Compliance Certification**  
Effective between the dates of 08/16/2011 and 08/15/2016

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

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 23.2:**

New York State Department of Environmental Conservation

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

DANC SWMF shall operate and maintain a device that continuously measures the flow of landfill gas to the 3,000 cfm open candlestick flare (Emission source: F0999).

The 3,000 cfm open candlestick flare will be utilized as a backup landfill gas combustion device when the landfill gas engines and flare at Innovative/DANC LLC (DEC Facility ID: 6-2252-00018) are not able to combust all landfill gas being collected at the landfill.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 24: Non Applicable requirements  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 24.1:**

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.

40 CFR 60.752 (b) (2)

Reason: The provisions of 40 CFR 60 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, that apply to the design, installation, operation, monitoring, record keeping, reporting and compliance certification of a landfill gas collection and control system do not apply to this facility at this time. Such provisions will apply to this facility when the calculated non-methane organic compound (NMOC) emission rate equals or exceeds 50 megagrams per year. The NMOC emission rate is calculated annually per the requirements of 40 CFR 60.752(b)(1) that are contained as a condition of this permit.

40 CFR 60.753 (a)

Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.753 (b)

Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.753 (c)

Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).



40 CFR 60.753 (d)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.753 (e)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.753 (f)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.753 (g)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.754 (b)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.754 (d)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.755 (a)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.755 (b)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.755 (c)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.755 (d)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.755 (e)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.756 (a)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.756 (c)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).



40 CFR 60.756 (e)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.756 (f)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.757 (f)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.757 (g)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.758 (a)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.758 (b)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.758 (c)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.758 (d)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.758 (e)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.759 (a)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.759 (b)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

40 CFR 60.759 (c)  
Reason: Same reason as described above for 40 CFR 60-WWW 752(b)(2).

**Condition 25: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**



**Applicable Federal Requirement:6 NYCRR 201-6.7**

**Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The DANC SWMF (DEC Facility ID: 6-2252-00007) and Innovative/DANC LLC (DEC Facility ID: 6-2252-00018) plants shall be considered a single facility for all air pollution control regulations applicability determinations. This being the case if a modification occurs at either plant both permits will require a modification to address the impact on emissions from the facility as a whole.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Facility Permissible Emissions  
Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 26.1:**

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 1)	PTE: 414,000 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 0NY998-20-0 (From Mod 1)	PTE: 110,000 pounds
	Name: NMOC - LANDFILL USE ONLY	

**Condition 1-1: Capping Monitoring Condition  
Effective between the dates of 11/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Replaces Condition(s) 30**

**Item 1-1.1:**

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

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 231-7

**Item 1-1.2:**

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

**Item 1-1.3:**

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 1-1.4:**

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 1-1.5:**

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 1-1.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 1-1.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility (DANC SWMF Permit ID# 6-2252-00007/00015 & Innovative DANC LLC plant Permit ID# 6-2252-00018/00001) emissions of carbon monoxide (CO) shall not exceed 262 tons during any consecutive 12 month period and shall represent the total emissions from the following emission sources: F0001-F0008 & F0999 (DANC SWMF) and 01ENG-05ENG & F0010-F0011 (Innovative/DANC LLC plant). To demonstrate compliance with this limit the facility shall perform the following:



The DANC SWMF (Permit ID# 6-2252-00007/00015) shall maintain records of the estimated quantity of landfill gas combusted in eight (8) portable passive open flares (emission sources: F0001-F0008) and the metered landfill gas combusted in the active open flare (emission source: F0999) on a monthly basis. At the end of each month DANC SWMF shall calculate the monthly emissions of CO from landfill gas combustion at the DANC SWMF.

The Innovative/DANC LLC plant (Permit ID# 6-2252-00018/00001) shall maintain records of the metered landfill gas combusted in the open flare (emission source: F0010) and enclosed flare thermal oxidizer (emission source: F0011) on a monthly basis. Additionally plant shall install and maintain a device that continuously measures and provides a monthly total of the actual gross electrical output from each engine (emission sources: 01ENG-05ENG) in kilowatt-hours (kWh). At the end of each month Innovative/DANC LLC shall calculate the monthly emissions of CO from landfill gas combustion at the Innovative/DANC LLC plant.

Flared emissions shall be calculated utilizing the open flare emission factor provided in the permit application (374.4 lb CO/million scf methane) multiplied by the monthly quantity of landfill gas combusted in all open flares (emission sources: F0001-F0008, F0999 & F0010), and shall be calculated utilizing the enclosed flare thermal oxidizer emission factor provided in the permit application (202.4 lb CO/million scf methane) multiplied by the monthly quantity of landfill gas combusted in the enclosed flare thermal oxidizer (emission source: F0011).

Engine emissions shall be calculated as follows:

Monthly CO emission from engine = [(actual monthly gross electrical output, in kWh) x (1.341 bhp/kW) x (engine CO emission factor from most recent performance test, in g/bhp-hr)] / [453.6 g/lb]

If no data is available for a specific engine the facility shall use the highest emission factor from the engines on-site.

The monthly CO emissions from each engine will be summed to give the total for all engines operating during each month.

The combined engine and flare 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

New York State Department of Environmental Conservation

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



12 month period. The CO emissions over any consecutive 12 month period shall not exceed 262 tons.

Records of all monitoring data and support information shall be retained by the respective emission source operator. The DANC SWMF and Innovative/DANC LLC plant shall each submit a combined facility CO emission cap certification report semi-annually.

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: 262 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.

The initial report is due 1/30/2012.

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

**Condition 27: Capping Monitoring Condition**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 27.1:**

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 27.2:**

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

**Item 27.3:**

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 27.4:**

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

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



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 27.5:**

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 27.6:**

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

Emission Unit: 1-LFGAS Process: 001	Emission Source: F0001
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0002
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0003
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0004
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0005
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0006
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0007
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0008
Emission Unit: 1-LFGAS Process: 001	Emission Source: F0999
Regulated Contaminant(s): CAS No: 000630-08-0	CARBON MONOXIDE

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE  
Monitoring Description:  
DANC SWMF emissions of carbon monoxide (CO) from



combustion of landfill gas shall not exceed 207 tons during any consecutive 12 month period. The 207 ton CO limit is based on a maximum landfill gas flow rate of 4,209 scfm (expressed as 50% methane). To demonstrate compliance with this limit the facility shall perform the following:

DANC SWMF shall maintain records of the amount of landfill gas burned, in each landfill gas control device (emission sources: F0001-F0008 & 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 207 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: 207 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.

The initial report is due 1/30/2012.

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

**Condition 28: Capping Monitoring Condition**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 28.1:**

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 28.2:**

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

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



**Item 28.3:**

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 28.4:**

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 28.5:**

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 28.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 28.7:**

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 29: Capping Monitoring Condition**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 29.1:**

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 231-5

6 NYCRR Subpart 231-7

**Item 29.2:**

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

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



**Item 29.3:**

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 29.4:**

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 29.5:**

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 29.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 29.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

DANCSWMF shall limit waste acceptance rate at the landfill to 346,320 tons of municipal solid waste during any calendar year. DANC SWMF shall maintain records of the amount of waste accepted on a monthly basis. The amount of waste accepted each month shall be added to the previous monthly waste acceptance amounts within the same calendar year to calculate a waste acceptance rate for the year.

Parameter Monitored: MUNICIPAL SOLID WASTE

Upper Permit Limit: 346320 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 31: Required contents of an emission statement.**

**Effective between the dates of 08/16/2011 and 08/15/2016**



**Applicable Federal Requirement:6 NYCRR 202-2.3**

**Item 31.1:**

(a) Emission statements shall include the following:

(1) Certification by a duly authorized representative. A duly authorized representative must sign a form provided by the Department to verify the truth, accuracy, and completeness of the emission statement. This certification shall state that, based on information and belief formed after reasonable inquiry by the duly authorized representative, the statements and information in the document are true, accurate, and complete. The certification shall include the full name, title, original signature, date of signature and telephone number of the duly authorized representative.

(2) Facility level information, consisting of:

- (i) verification of full name of facility;
- (ii) verification of parent company name;
- (iii) verification of street address (physical location) of the facility;
- (iv) verification of four digit SIC code(s) for the facility;
- (v) calendar year reportable emissions.

(vi) total facility fuel use and fuel sulfur content and heat value (for combustion installations); and,

(vii) fugitive emissions.

(3) Emission point level information, consisting of:

- (i) average hours of operation per day (peak ozone and carbon monoxide seasons);
- (ii) average days of operation per week (peak ozone and carbon monoxide seasons);
- (iii) weeks of operation per year (seasonal and annual);
- (iv) hours of operation per year; and
- (v) percentage annual throughput (percentage of annual activity by season).
- (vi) verification of latitude and longitude.

(4) Process level information, consisting of:

- (i) maximum heat input (for combustion installations);
- (ii) quantity of fuels consumed (for combustion installations);
- (iii) estimated actual annual reportable emissions, for each air regulated air pollutant emitted, (in units of pounds per year);



(iv) estimated emissions method (see 6 NYCRR Part 202-2.4(b));

(v) emission factor(s) (if used to determine actual emissions);

(vi) primary and secondary control equipment identification code(s);

(vii) control efficiencies achieved by the control equipment. The control efficiency should reflect the total control efficiency from all control equipment for a specific criteria group (e.g., VOCs and NOx). If the actual control efficiency is unavailable, the design efficiency or the control efficiency limit imposed by a permit shall be used;

(viii) annual process rate;

(ix) peak ozone season daily process rate.

(b) Petroleum, volatile organic liquid, and fuel storage and distribution facilities must provide the following additional information:

(1) tank capacity (including maximum and average liquid height, and working volume);  
and

(2) throughput associated with tanks and loading racks (including turnovers per year).

(c) The Department shall provide instructions concerning the emission statements applicable to a particular facility, when the statement is mailed to the facility. These instructions shall include control equipment identification code(s) and estimated emissions method code(s).

**Condition 32: Emission statement methods and procedures  
Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement: 6 NYCRR 202-2.4**

**Item 32.1:**

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

(a) Emissions estimates shall be based on the owner's or operator's use of the following methods. For each instance, the owner or operator must utilize one of the following emissions estimation methods to represent actual emissions emitted during the calendar year.

(1) stack samples or other emission measurements;

(2) material balance using knowledge of the process;

(3) national emission factors;

(4) best engineering judgement (including manufacturers' guarantees);

(5) state or local agency emission factors approved by EPA;

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



(6) standard EPA emission factors (SCC emission factor). The Department shall assign the SCC to a particular facility. A source owner may request the Department to change an assigned SCC;

(7) other published emission factors (please provide); and

(8) other (please specify).

(NOTE: Emissions testing is generally not required for determining emissions to comply with this regulation. When monitoring or testing data is available and has been validated and verified by the Department and is still applicable to the operations during the reporting period, this monitoring or testing data should be used to calculate emissions for this reporting requirement. In the absence of validated monitoring or testing data, the facility should use the emissions estimation method which would yield accurate emissions data.)

(b) If a source owner or operator is required to use a specific monitoring method to demonstrate compliance with other applicable requirements, the Department may require that the emission estimates for the corresponding processes be based on information obtained from that monitoring method. The Department may reject the use of a proposed method for a particular process if it can be demonstrated that the method does not represent actual emissions.

(c) Any owner or operator of a reportable facility shall transmit the emission statement to the Department on forms acceptable to the Department. With the prior approval of the Department, an emission statement which meets the requirements of section 202-2.4 may be submitted on computer diskette or transmitted electronically in lieu of a written submission.

(d) The owner or operator may request that information submitted in emission statements be designated as a trade secret, in accordance with Part 616 of this Title. Data elements not considered to be confidential include: emissions, estimated emissions method, and the SCC. The Department will evaluate claims for confidentiality in accordance with Part 616 of this Title.

**Condition 33: Air pollution prohibited**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 33.1:**

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 34: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:6 NYCRR 225-1.2 (a) (2)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 35: Compliance Certification**

**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement: 6 NYCRR 225-1.8**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;

b. the names of all purchasers of all residual and distillate oil and coal sold;

c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any



residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: PER DELIVERY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2012.  
Subsequent reports are due every 12 calendar month(s).

**Condition 36: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 36.2:**

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 6 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.

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
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 1/30/2012.  
Subsequent reports are due every 6 calendar month(s).

**Condition 37: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement: 6 NYCRR 231-3.5 (b)**

**Item 37.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 000630-08-0 CARBON MONOXIDE

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the purposes of Subparts 231-7 and 231-8 of 6 NYCRR Part 231 only, at such time that a particular facility becomes a major facility, or a modification becomes a NSR major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the facility or modification otherwise to emit a regulated NSR contaminant, such as a

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



restriction on hours of operation, then the requirements of Subparts 231-7 and 231-8 of this Part, as applicable, apply to the facility as though construction had not yet commenced on the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 38: EPA Region 2 address.  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 38.1:**

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

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

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

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

**Condition 39: Recordkeeping requirements.  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 39.1:**

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

**Condition 40: Compliance Certification  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 41: Excess emissions report.  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 41.1:**

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

**Condition 42: Facility files for subject sources.  
Effective between the dates of 08/16/2011 and 08/15/2016**



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

**Item 42.1:**

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

**Condition 43: Performance Test Methods - Waiver**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 43.1:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 44: Performance test methods.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 44.1:**

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

**Condition 45: Required performance test information.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 45.1:**

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

**Condition 46: Prior notice.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 46.1:**

**New York State Department of Environmental Conservation**

Permit ID: 6-2252-00007/00015

Facility DEC ID: 6225200007



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

**Condition 47: Performance testing facilities.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 47.1:**

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

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

**Condition 48: Number of required tests.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 48.1:**

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

**Condition 49: Availability of information.**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 49.1:**

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

**Condition 50: Compliance with Standards and Maintenance Requirements**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 50.1:**

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



**Condition 51: Circumvention.**

Effective between the dates of 08/16/2011 and 08/15/2016

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

**Item 51.1:**

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

**Condition 52: Compliance Certification**

Effective between the dates of 08/16/2011 and 08/15/2016

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

For the purposes of this permit any increase in the landfill maximum waste design capacity of 8,736,500 tons (based on the DANC SWMF Title V application) or any increase in the landfill maximum waste design capacity of 8,736,500 cubic yards (as authorized by the DANC SWMF Solid Waste Permit) shall require DANC SWMF to request a Title V permit modification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 53: Calculation of Non-Methane Organic Carbon (NMOC) Emissions**

Effective between the dates of 08/16/2011 and 08/15/2016

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

**WWW**

**Item 53.1:**

The landfill owner or operator shall calculate the NMOC emission rate using the equation provided below. The values to be used in the equation are 0.05 per year for k, 170 cubic meters



per megagram for Lo and 4,000 parts per million by volume as hexane for CNMOC.

i) The following equation shall be used:

$$MNMOC = S \sum_{k=1}^n k L_o M_i (e^{-k t_i}) (CNMOC) (3.6 \times 10^{-9})$$

where,

megagrams per year

solid waste

hexane

MNMOC = Total NMOC emission rate from the landfill,

k = methane generation rate constant, year<sup>-1</sup>

Lo = methane generation potential, cubic meters per megagram

Mi = mass of solid waste in the ith section, megagrams

ti = age of the ith section, years

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

3.6 x 10<sup>-9</sup> = conversion factor.

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

**Condition 54: NMOC Calculation - Tier 1**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**WWW**

**Item 54.1:**

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

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

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

**Condition 55: Asbestos-containing waste material standard for active waste disposal sites**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M**

**Item 55.1:**

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



61.149, 61.150, or 61.155.

**Condition 56: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable Federal Requirement:40CFR 63.6640(f)(1), Subpart ZZZZ**

**Item 56.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing emergency stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions, a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake horsepower located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions must operate the emergency stationary RICE according to the requirements in paragraphs (i) through (iii) below. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (i) through (iii) below, is prohibited. If you do not operate the engine according to the requirements in paragraphs (i) through (iii) below, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) The facility may operate the emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the EPA Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.



(iii) The facility may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph, as long as the power provided by the financial arrangement is limited to emergency power.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 57: Emission Point Definition By Emission Unit  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 57.1(From Mod 0):**

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
Emission Point: 00008	
Height (ft.): 10	Diameter (in.): 8
NYTMN (km.): 4851.924	NYTME (km.): 426.195
Emission Point: 00999	
Height (ft.): 30	Diameter (in.): 12
NYTMN (km.): 4852.554	NYTME (km.): 425.941

**Condition 58: Process Definition By Emission Unit**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 58.1(From Mod 0):**

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

Emission Unit: 1-LFGAS  
Process: 001 Source Classification Code: 5-01-004-06  
Process Description:  
This process consists of landfilled waste generating landfill gas by decomposition and the control of the landfill gas emissions by flaring landfill gas collected from the landfill via gas collection wells.

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: F0999 - Control  
Control Type: FLARING

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

**Item 58.2(From Mod 0):**

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

**Condition 59: Flare operation requirements.  
Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 59.1:**

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

**Item 59.2:**

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

- 1) be designed for and operated with no visible emissions as determined by the



methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;

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

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

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

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

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

**Condition 60: NMOC Calculation - Tier 2**

**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**WWW**

**Item 60.1:**

This Condition applies to Emission Unit: 1-LFGAS

Process: 001

**Item 60.2:**

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



CNMOC as hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of this part by six to convert from  $C_{\text{NMOC}}$  as carbon to  $C_{\text{NMOC}}$  as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

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

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

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

**Condition 61: NMOC Calculation - Tier 3**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**WWW**

**Item 61.1:**

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

**Item 61.2:**

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

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



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

**Condition 62: NMOC Calculation - Alternative Methods**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**WWW**

**Item 62.1:**

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

**Item 62.2:**

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

**Condition 63: Compliance Certification**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**WWW**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS  
Process: 001

Regulated Contaminant(s):  
CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1) The NMOC emission rate report shall contain an annual



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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

Subsequent reports are due every 12 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 64: Contaminant List**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable State Requirement:ECL 19-0301**

**Item 64.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000630-08-0  
Name: CARBON MONOXIDE



CAS No: 0NY998-20-0

Name: NMOC - LANDFILL USE ONLY

**Condition 65: Unavoidable noncompliance and violations**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

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

**Item 65.1:**

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

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

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

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

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



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

**Condition 66: Visible Emissions Limited**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 66.1:**

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

**Condition 67: Idling of Diesel Trucks Limited**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable State Requirement:6 NYCRR 217-3.2**

**Item 67.1:**

No person who owns, operates or leases a bus or truck, the motive power for which is provided by a diesel engine or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a bus or truck present on such land, the motive power for which said bus or truck is provided by a diesel engine, shall allow or permit the diesel engine of such bus or truck to idle for more than five consecutive minutes when the bus or truck is not in motion, except as otherwise permitted by 6 NYCRR Subpart 217-3.3.

**Condition 68: Exceptions**  
**Effective between the dates of 08/16/2011 and 08/15/2016**

**Applicable State Requirement:6 NYCRR 217-3.3**

**Item 68.1:**

The prohibitions of section 217-3.2 shall not apply when:

(a) A bus or truck is forced to remain motionless because of the traffic conditions over which the operator thereof has no control.

(b) Regulations adopted by Federal, State or local agencies having jurisdiction require the maintenance of a specific temperature for passenger comfort. The idling time specified in section 217-3.2 may be increased, but only to the extent necessary to comply with such regulations.

(c) A diesel engine is being used to provide power for an auxiliary purpose, such as loading, discharging, mixing or processing cargo; controlling cargo temperature; construction; lumbering; oil or gas well servicing; farming; or when operation of the engine is required for the purpose of maintenance.

(d) Fire, police and public utility trucks or other vehicles are performing emergency services.

(e) Trucks owned or operated by persons engaged in mining and quarrying are used within

**New York State Department of Environmental Conservation**

**Permit ID: 6-2252-00007/00015**

**Facility DEC ID: 6225200007**



the confines of such person's property.

(f) A truck is to remain motionless for a period exceeding two hours, and during which period the ambient temperature is continuously below 25oF.

(g) A heavy duty diesel vehicle, as defined in subdivision 217-5.1(o), that is queued for or is undergoing a state authorized periodic or roadside diesel emissions inspection pursuant to Subpart 217-5.

(h) A hybrid electric vehicle, as defined in subdivision 217-5.1(r), idling for the purpose of providing



energy for battery or other form of energy storage recharging.