

New York State Department of Environmental Conservation
Facility DEC ID: 6302400009



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 6-3024-00009/00007
Mod 0 Effective Date: 03/19/2004 Expiration Date: 03/18/2009
Mod 1 Effective Date: 06/22/2007 Expiration Date: 03/18/2009

Permit Issued To: ONEIDA-HERKIMER SOLID WASTE AUTHORITY
1600 GENESEE ST
UTICA, NY 13502

Contact: HANS G ARNOLD
ONEIDA HERKIMER SOLID WASTE MANAGEMENT AUTHORITY
1600 GENESEE STREET
UTICA, NY 13502
(315) 733-1224

Facility: AVA LANDFILL
GLEASMAN RD - SW CORNER OF ST RTE 294
AVA, NY

Contact: HANS G ARNOLD
ONEIDA HERKIMER SOLID WASTE MANAGEMENT AUTHORITY
1600 GENESEE STREET
UTICA, NY 13502
(315) 733-1224

Description:

Project is for the proposed minor modification that will involve the construction and installation of up to 24 landfill gas odor control flares for the purpose of controlling odors from the site. The installation, operation and eventual removal of these flares will proceed over the life of the landfill as gas generation dictates. The flares will be used on the leachate cleanouts and other locations selected based on odor causing potential. The odor control flares will be new emission sources and emission points for emission unit 1-LFGAS. Flares are passive flow solar spark candlestick type each capable of controlling 2 to 90 cubic feet per minute of landfill gas. The average actual flow is expected to be 15 cubic feet per minute.

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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: BRIAN D FENLON
 DIVISION OF ENVIRONMENTAL PERMITS
 STATE OFFICE BLDG, 317 WASHINGTON ST
 WATERTOWN, NY 13601-3787

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 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 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
- Applications for Permit Renewals and Modifications
- Permit Modifications, Suspensions and Revocations by the Department
- Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

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



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 1-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 1-1.1:

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

Item 1-1.2:

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

Item 1-1.3:



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

Condition 1-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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

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

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

Item 3.1:

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

Item 3.2:

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

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

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

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related to the permitted activity.

Condition 5: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 5.1:

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

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

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

Condition 6: Submission of Applications for Permit Modification or Renewal -REGION 6
SUBOFFICE
Applicable State Requirement: 6NYCRR 621.5(a)

Item 6.1:

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

NYSDEC Regional Permit Administrator
Region 6 Sub-office
Division of Environmental Permits
State Office Building, 207 Genesee Street
Utica, NY 13501-2885
(315) 793-2555

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

Item 1-3.1:

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

NYSDEC Regional Permit Administrator
Region 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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1600 GENESEE ST
UTICA, NY 13502

Facility: AVA LANDFILL
GLEASMAN RD - SW CORNER OF ST RTE 294
AVA, NY

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

Mod 0 Permit Effective Date: 03/19/2004

Permit Expiration Date: 03/18/2009

Mod 1 Permit Effective Date: 06/22/2007

Permit Expiration Date: 03/18/2009



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 1-2 6NYCRR 201-6.5(a)(7): Fees
- 12 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 13 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 14 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 15 6NYCRR 201-6.5(e): Compliance Certification
- 19 6NYCRR 202-2.1: Compliance Certification
- 21 6NYCRR 202-2.5: Recordkeeping requirements
- 1-3 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 1-4 6NYCRR 200.7: Maintenance of Equipment
- 1-5 6NYCRR 201-1.7: Recycling and Salvage
- 1-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 1-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 1-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 1-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 1-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 1-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 1-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 1-13 6NYCRR 202-1.1: Required Emissions Tests
- 1-14 6NYCRR 211.3: Visible Emissions Limited
- 1-15 40CFR 68: Accidental release provisions.
- 80 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 200.5: Sealing
- 4 6NYCRR 201-1.2: Unpermitted Emission Sources
- 11 6NYCRR 201-6: Emission Unit Definition
- 1-16 6NYCRR 201-7.2: Facility Permissible Emissions
- *1-17 6NYCRR 201-7.2: Capping Monitoring Condition
- 17 6NYCRR 202-1.2: Notification
- 18 6NYCRR 202-1.3(a): Acceptable procedures
- 20 6NYCRR 202-2.3: Required contents of an emission statement.
- 1-18 6NYCRR 231-2.2: Schedule of requirements necessary in order to maintain status as a minor source for New Source Review.
- 27 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 28 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 29 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 30 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 31 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 32 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 33 40CFR 60.8(d), NSPS Subpart A: Prior notice.



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- 34 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 35 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 36 40CFR 60.9, NSPS Subpart A: Availability of information.
- 37 40CFR 60.12, NSPS Subpart A: Circumvention.
- 39 40CFR 60.752, NSPS Subpart WWW: Compliance Certification
- 40 40CFR 60.752(b)(1), NSPS Subpart WWW: Standards for air emissions from MSW landfills
- 41 40CFR 60.752(b)(2), NSPS Subpart WWW: Design of a Collection and Control Systems
- 42 40CFR 60.752(b)(2), NSPS Subpart WWW: Compliance Certification
- 43 40CFR 60.753(a), NSPS Subpart WWW: Operational Standards for Collection and Control Systems
- 44 40CFR 60.753(b), NSPS Subpart WWW: Compliance Certification
- 45 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 46 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 47 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 48 40CFR 60.753(d), NSPS Subpart WWW: Compliance Certification
- 49 40CFR 60.753(e), NSPS Subpart WWW: Compliance Certification
- 50 40CFR 60.753(f), NSPS Subpart WWW: Compliance Certification
- 51 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 52 40CFR 60.754(a)(1), NSPS Subpart WWW: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
- 53 40CFR 60.754(a)(2), NSPS Subpart WWW: NMOC Calculation - Tier 1
- 54 40CFR 60.754(a)(3), NSPS Subpart WWW: NMOC Calculation - Tier 2
- 55 40CFR 60.754(a)(4), NSPS Subpart WWW: NMOC Calculation - Tier 3
- 56 40CFR 60.754(a)(5), NSPS Subpart WWW: NMOC Calculation - Alternative Methods
- 57 40CFR 60.754(d), NSPS Subpart WWW: Performance Test
- 58 40CFR 60.755(a), NSPS Subpart WWW: Compliance Provisions - collection system
- 59 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells
- 60 40CFR 60.755(c), NSPS Subpart WWW: Compliance Provisions - surface methane
- 61 40CFR 60.755(d), NSPS Subpart WWW: Compliance Provisions - instrumentation specifications
- 62 40CFR 60.755(e), NSPS Subpart WWW: Compliance Provisions - Start-up, shutdown, or malfunction
- 63 40CFR 60.756(a), NSPS Subpart WWW: Compliance Certification
- 64 40CFR 60.756(c), NSPS Subpart WWW: Compliance Certification
- 65 40CFR 60.756(d), NSPS Subpart WWW: Monitoring of Operations - Other devices
- 66 40CFR 60.756(e), NSPS Subpart WWW: Monitoring of Operations - Alternative Parameters
- 67 40CFR 60.757(a), NSPS Subpart WWW: Reporting requirements - Initial design capacity
- 68 40CFR 60.757(b), NSPS Subpart WWW: Reporting requirements - NMOC emission rate



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- 69 40CFR 60.757(f), NSPS Subpart WWW: Compliance Certification
- 70 40CFR 60.757(g), NSPS Subpart WWW: Reporting requirements -
Collection and control system
- 71 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
- 72 40CFR 60.758(b), NSPS Subpart WWW: Compliance Certification
- 73 40CFR 60.758(c), NSPS Subpart WWW: Compliance Certification
- 74 40CFR 60.758(d), NSPS Subpart WWW: Compliance Certification
- 38 40CFR 60.758(e), NSPS Subpart WWW: Compliance Certification
- 75 40CFR 60.759(a), NSPS Subpart WWW: Specifications for active
collection systems
- 76 40CFR 60.759(b), NSPS Subpart WWW: Specifications for active
collection systems
- 77 40CFR 60.759(c), NSPS Subpart WWW: Specifications for active
collection systems
- 78 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material
standard for active waste disposal sites

Emission Unit Level

- 81 6NYCRR 201-6: Process Definition By Emission Unit

EU=1-LFGAS,Proc=FLR

- 1-19 6NYCRR 212.4(c): Compliance Certification
- 1-20 6NYCRR 212.6(a): Compliance Certification
- 1-21 6NYCRR 212.6(a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 82 ECL 19-0301: Contaminant List
- 83 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 84 6NYCRR 211.2: Air pollution prohibited
- 85 6NYCRR 217-3.2: Idling of Diesel Trucks Limited
- 86 6NYCRR 217-3.3: Exceptions

Emission Unit Level

EU=1-LFGAS

- 87 6NYCRR 212.4(a): Ambient Air Quality Impacts
- 88 6NYCRR 212.4(a): Compliance Demonstration

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 - 6NYCRR Part 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 - 6NYCRR Part 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



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 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 Part 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 Part 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 Part 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 - 6NYCRR Part 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

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order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR Part 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 Part 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 Part 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

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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 Part 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



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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 1-1: Acceptable Ambient Air Quality
Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 200.6

Replaces Condition(s) 2

Item 1-1.1:



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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 1-2: Fees

Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-2.1:

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

Condition 12: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 12.1:

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 13: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 13.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions



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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 14: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 14.1:

The Compliance Certification activity will be performed for the Facility.

Item 14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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



occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

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

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

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

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

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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 Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 15: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 15.1:

The Compliance Certification activity will be performed for the Facility.

Item 15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and

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conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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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 BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
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 1/30/2005.
Subsequent reports are due on the same day each year

Condition 19: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 19.1:

The Compliance Certification activity will be performed for the Facility.

Item 19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year



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Condition 21: Recordkeeping requirements
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 21.1:

(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 1-3: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 215

Replaces Condition(s) 23

Item 1-3.1:

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

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

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

Condition 1-4: Maintenance of Equipment
Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 200.7

Replaces Condition(s) 3

Item 1-4.1:

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

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specifications, required to operate such device effectively.

Condition 1-5: Recycling and Salvage
Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-1.7

Replaces Condition(s) 6

Item 1-5.1:

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

Condition 1-6: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-1.8

Replaces Condition(s) 7

Item 1-6.1:

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 1-7: Exempt Sources - Proof of Eligibility
Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-7.1:

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 1-8: Trivial Sources - Proof of Eligibility
Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-8.1:

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



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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 1-9: Standard Requirement - Provide Information
Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-9.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 1-10: General Condition - Right to Inspect
Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-10.1:

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 1-11: Standard Requirements - Progress Reports
Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-11.1:



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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 1-12: Off Permit Changes

Effective between the dates of 06/22/2007 and 03/18/2009

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

Item 1-12.1:

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 1-13: Required Emissions Tests

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 202-1.1

Replaces Condition(s) 16

Item 1-13.1:

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

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Condition 1-14: Visible Emissions Limited

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 211.3

Replaces Condition(s) 22

Item 1-14.1:

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 1-15: Accidental release provisions.

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 40CFR 68

Replaces Condition(s) 79

Item 1-15.1:

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

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

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

Condition 80: Recycling and Emissions Reduction

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 80.1:

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 1: Sealing
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

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

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

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

Condition 4: Unpermitted Emission Sources
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 11: Emission Unit Definition



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Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-6

Item 11.1(From Mod 1):

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

Emission Unit: 1-LFGAS

Emission Unit Description:

This unit consists of the landfilled wastes generating landfill gas by decomposition. All landfilled wastes must meet the requirements for acceptable wastes as specified in 6 NYCRR Part 360 and 40 CFR Part 258. The landfill has a designed capacity of 11.724 million megagrams. Up to 24 passive landfill gas flares may be operating for the purpose of controlling odors. Landfill gas is also vented as fugitive emissions.

Once landfill gas is generated in sufficient quantities to require collection this emission unit will include a collection and control system that meets the requirements of 40 CFR Part 60 Subpart WWW.

Item 11.2(From Mod 0):

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

Emission Unit: 2-VHCPM

Emission Unit Description:

This unit consists of the vehicular movement within the landfill site, including waste haul trucks, maintenance, and personal vehicles on paved and unpaved portions of the road. The unit also includes the placement of waste within the landfill by heavy construction vehicles, and the hauling and compaction of cover soils over the filled waste. This emission unit will not include any defined emission points.

Item 11.3(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 the landfill leachate storage tanks. For this permit term this unit will consist of two 1.3 million gallon glass lined covered storage tanks.

Condition 1-16: Facility Permissible Emissions

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-7.2

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Item 1-16.1:

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

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

CAS No: 0NY998-00-0 (From Mod 1) PTE: 99,000 pounds per year
Name: VOC

Condition 1-17: Capping Monitoring Condition

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 1-17.1:

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:

6NYCRR 231-2.2

Item 1-17.2:

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

Item 1-17.3:

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 1-17.4:

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 1-17.5:

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 1-17.6:

The Compliance Certification activity will be performed for the Facility.



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Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-17.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility emissions of Volatile Organic Compound (VOC) shall be less than 49.5 tons during any 12 month period. Prior to having a landfill gas collection and control system in operation, owner shall limit waste placement at the landfill to 178,880 tons of biodegradable waste during any 12 month period. The tonnage of waste that is sufficiently documented to meet the definition of nondegradable does not have to be included in demonstrating compliance with this waste limit. For the purposes of this permit "nondegradable waste" shall include the following wastes: incinerator ash, concrete, brick, stone, glass, plaster, wallboard, piping, plastics, metal objects, and any other material determined to be nondegradable by NYSDEC.

In order to assure an 80% capture efficiency, of landfill gas, the landfill shall be constructed with a geomembrane liner, horizontal gas collection trenches with a disposable plastic cover while the landfill is active and a gas-impermeable geomembrane final cover, or an equivalent system approved by NYSDEC (delegated authority), at closure.

Owner shall perform the following calculations and keep records of such calculations to demonstrate compliance with this VOC emission limit. The facility VOC emissions shall be calculated as the summation of landfill emissions and emissions from all other facility sources. The landfill non-methane organic compound (NMOC) emissions shall be calculated by the EPA LandGEM using the following parameters: $L_0 = 100$ cubic meters/Mg, $k=0.04$ /year, $NMOC=2420$ ppmv, as hexane, and the actual waste placement amounts. Owner may utilize site specific parameters for NMOC concentration and methane generation constant, k , if determined based on testing conducted in accordance with condition 54 and/or 55, and approved by NYSDEC (delegated authority). Owner may request modification or deletion of



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the waste placement limit and the requirement for a geomembrane final cover, contained above, based on the submittal of these site specific parameters along with supporting data and calculations.

Using the landfill NMOC emissions calculated above, the VOC emissions shall be calculated as follows: $VOC = 0.85 * NMOC$. VOC emissions from all other sources shall be calculated using the appropriate emission factors from the most recent Compilation of Air Pollutant Emission Factors (AP-42).

In addition the date of first waste placement shall be reported to NYSDEC Region 6 and EPA Region 2.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: WASTE MATERIAL
Upper Permit Limit: 178880 tons per year
Monitoring Frequency: PER DELIVERY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 17: Notification

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 17.1:

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

Condition 18: Acceptable procedures

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 202-1.3(a)

Item 18.1:

Emission testing, sampling and analytical determinations to ascertain compliance with this Subchapter shall be conducted in accordance with test methods acceptable to the commissioner. The Reference Methods contained in part 60, appendix A and part 61, appendix B of title 40 of the Code of Federal Regulations and all future technical revisions, additions or corrections made thereto shall be considered as



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acceptable test methods for those sources and contaminants for which they are expressly applicable, except where the commissioner has issued a specific method to be used instead of a Reference Method contained in these Federal regulations or where the commissioner determines that one or more alternate methods are also acceptable. The person who owns or operates an air contamination source shall submit the emission test report in triplicate, to the commissioner within 60 days after the completion of tests. In the event such source owner/operator can demonstrate to the commissioner such time is not sufficient, he may request in writing and be granted an extension. Where an opacity emission standard is applicable to the source tested, the emission test report shall include the opacity observation.

**Condition 20: Required contents of an emission statement.
Effective between the dates of 03/19/2004 and 03/18/2009**

Applicable Federal Requirement: 6NYCRR 202-2.3

Item 20.1:

(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);

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- (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 1-18: Schedule of requirements necessary in order to maintain status as a minor source for New Source Review. Effective between the dates of 06/22/2007 and 03/18/2009

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Applicable Federal Requirement: 6NYCRR 231-2.2

Item 1-18.1:

In order to maintain its status as a minor source relative to New Source Review (NSR), the landfill will collect and control landfill gas emissions by the schedule outlined below. In some cases the schedule contained in this permit is more stringent than the regulatory requirements of 40 CFR 60 Subpart WWW. This table is intended as a summary of requirements only and not an applicable requirement. The specific requirements of each step are detailed in the appropriate regulatory citations of this permit.

REQUIREMENT	NSPS SCHEDULE	PERMIT SCHEDULE
Initial design capacity report due: 40 CFR 60.757(a)(1)(ii)	90 days after commencement of construction.	90 days after commencement of construction.
Report the date that waste placement begins:	None.	April 15th of the year after first waste placement.
Annual emissions report due: 40 CFR 60.757(b)(1)	Annually.	April 15th of each year for the previous year.
Gas collection and control system (GCCS) design plan due: 40 CFR 60.752(b)(2)	Within 1 year of NMOC emissions 50 Mg/yr.	Within 36 months from the date of first waste placement.
GCCS construction complete and operation starts: 40 CFR 60.752(b)(2)(ii)	Within 30 months of NMOC emissions 50 Mg/yr.	Within 54 months from date of first waste placement.
Performance testing of GCCS: 40 CFR 60.752(b)(2)(iii)(B)	Within 180 days of start-up of GCCS.	Within 180 days of start-up Of GCCS.
Annual Report due: 40 CFR 60.757(f)	Initial report within 180 days of start-up of GCCS. Annually thereafter.	Initial report within 180 days Of start-up of GCCS. April 15th for previous year thereafter.

All time periods specified above may be extended if testing conducted in accordance with 40 CFR 60 Subpart WWW Tier 2 or Tier 3 procedures, and approved by NYSDEC (delegated authority), demonstrates that the NMOC emission rate is less than 50 megagrams per year after 2 years of placing waste.



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Condition 27: EPA Region 2 address.

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 27.1:

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 28: Excess emissions report.

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 28.1:

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

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

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Condition 29: Excess emissions report.
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 29.1:

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 30: Facility files for subject sources.
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 30.1:

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 31: Performance test methods.
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 31.1:

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 32: Required performance test information.
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 32.1:

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 33: Prior notice.
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 33.1:



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

Condition 34: Performance testing facilities.

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 34.1:

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 35: Number of required tests.

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 35.1:

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 36: Availability of information.

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 36.1:

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

Condition 37: Circumvention.

Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 37.1:

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



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use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 39: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 60.752, NSPS Subpart WWW

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Source owner shall plan, design, construct and operate a landfill gas collection and control system that meets the requirements of 40 CFR Part 60.752, 753, 756 and 759 . Source owner shall submit to, NYSDEC, all required components of the landfill gas collection and control system design plan, prepared by a professional engineer, within 36 months of acceptance of the first waste at the landfill.

Source owner shall install and begin operation of a landfill gas collection and control system within 54 months of receipt of the first waste at the landfill, such that:

1) gas will be collected from each active area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of 4 years or more; or

2) gas will be collected from each area, cell, or group of cells, that has been closed or is at final grade, in the landfill in which the initial solid waste has been placed for a period of 2 years or more.

The time periods specified in this condition may be extended if testing conducted in accordance with conditions 54 and/or 55, and approved by NYSDEC (delegated authority), demonstrates that the NMOC emission rate is



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less than 50 megagrams per year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 40: Standards for air emissions from MSW landfills
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 40.1:

Owner or operator of a municipal solid waste (MSW) landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall either comply with 40 CFR Part 60.752(b)(2) or calculate a non-methane organic compound (NMOC) emission rate for the landfill using the procedures specified in 40 CFR Part 60.754. The NMOC emission rate shall be recalculated annually, except as provided in 40 CFR Part 60.757(b)(1)(ii).

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

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

ii) Recalculate the NMOC emission rate annually using the procedures specified in 40 CFR Part 60.754(a) 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), or condition number 50 whichever schedule is more stringent.

**Condition 41: Design of a Collection and Control Systems
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 41.1:

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

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

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

B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or

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reporting provisions of 40 CFR Part 60.753 through 60.758 proposed by the owner or operator.

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

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

ii) Install a collection and control system that captures the gas generated within the landfill as required by paragraphs (ii)(A) or (B) and (iii) below, within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in 40 CFR Part 60.757(c)(1) or (2).

A) An active gas collection system shall:

1) be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

2) collect gas from each area, cell or group of cells in the landfill in which the initial solid waste has been placed for a period of 4 years (if active) or 2 years (if closed or at final grade);

3) collect gas at a sufficient extraction rate; and

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

(B) A passive collection system shall:

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

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

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

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

B) is a control system designed and operated to reduce NMOC by 98% (by weight) or, when an enclosed combustion device is used for control, to either reduce NMOC by 98% weight or reduce the NMOC outlet concentration to less than 20 parts per million by volume, dry basis as hexane at 3%



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oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR Part 60.754(d).

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

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

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

Condition 42: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Notwithstanding any language to the contrary in this permit, the construction of the initial phase of the gas collection and control system (GCCS) shall be completed within 54 months from the date of the first waste placement and the start-up of the GCCS shall occur immediately following completion of that initial phase, and no extension of this time period shall be requested by the Authority. Installation and operation of subsequent phases of the GCCS shall be undertaken in accordance with the time periods specified in condition 41.1(i) and (ii). The permittee shall otherwise construct subsequent phases of the GCCS accordance with applicable permit conditions and the permit application documents.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 43: Operational Standards for Collection and Control Systems



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

Item 43.1:

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

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

- 1) 4 years or more if active; or
- 2) 2 years or more if closed or at final grade.

Condition 44: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 44.1:

The Compliance Certification activity will be performed for the Facility.

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operate the collection system with negative pressure at each wellhead except under the following conditions:

- 1) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR Part 60.757(f)(1).
- 2) Use of a geomembrane cover or an equivalent gas-impermeable synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan.
- 3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows.



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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: PRESSURE
Upper Permit Limit: 0 pounds per square inch gauge
Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 45.1:

The Compliance Certification activity will be performed for the Facility.

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Operate each interior wellhead in the collection system with a nitrogen level in the landfill gas less than 20%. The owner or operator may establish a higher operating nitrogen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: NITROGEN CONTENT
Upper Permit Limit: 19.9 percent
Reference Test Method: Method 3c
Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

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Item 46.1:

The Compliance Certification activity will be performed for the Facility.

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: OXYGEN CONTENT

Upper Permit Limit: 4.9 percent

Reference Test Method: Method 3a

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 47: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 47.1:

The Compliance Certification activity will be performed for the Facility.

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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



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operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 48: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000074-82-8 METHANE

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

Operate the collection system so that the methane concentration is less than 500 part per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent overage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. This plan shall be submitted to the Department for review and approval



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within 60 days of issuance of this permit. The plan shall be revised as needed for any landfill expansion. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

Parameter Monitored: METHANE
Upper Permit Limit: 499 parts per million (by volume)
Monitoring Frequency: QUARTERLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

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

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 50.1:



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The Compliance Certification activity will be performed for the Facility.

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 51: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 51.1:

The Compliance Certification activity will be performed for the Facility.

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 52: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
Effective between the dates of 03/19/2004 and 03/18/2009

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



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Item 52.1:

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 L₀ and 4,000 parts per million by volume as hexane for C_{NMOC}.

i) The following equation shall be used:

$$M_{NMOC} = \sum 2kL_0M_i(e^{-kt_i})(C_{NMOC})(3.6 \times 10^{-9})$$

where,

M_{NMOC} = Total NMOC emission rate from the landfill, megagrams per year

k = methane generation rate constant, year⁻¹

L₀ = methane generation potential, cubic meters per megagram solid waste

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

t_i = age of the ith section, years

C_{NMOC} = concentration of NMOC, parts per million by volume as hexane

3.6 x 10⁻⁹ = conversion factor.

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

Condition 53: NMOC Calculation - Tier 1
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 53.1:

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 54: NMOC Calculation - Tier 2
Effective between the dates of 03/19/2004 and 03/18/2009



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

Item 54.1:

The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using either, Method 25C or Method 18 of 40 CFR Part 60 Appendix A. If using Method 18 the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). If composite sampling is used, equal volumes shall be taken from each sample probe. If more than the required number of samples are taken, all samples shall be used in the analysis. The landfill owner or operator shall divide the NMOC concentration from method 25C by six to convert from CNMOC as carbon to CNMOC as hexane.

1) The landfill owner or operator shall recalculate the NMOC mass emission rate using the equation provided in 40 CFR Part 60.754(a)(1)(i) and using the average NMOC concentration from the collected samples instead of the default values 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 2 years, or less frequently if agreed to by NYSDEC (delegated authority) after issuance of this permit, using the methods specified in this condition.

Condition 55: NMOC Calculation - Tier 3
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 55.1:

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



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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 56: NMOC Calculation - Alternative Methods
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 56.1:

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

Condition 57: Performance Test
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 57.1:

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

$$\text{Control Efficiency} = (\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}) / (\text{NMOC}_{\text{in}})$$

where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

Condition 58: Compliance Provisions - collection system

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Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 58.1:

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

1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(1), the following equation shall be used. The k and L_0 kinetic factors should be those published in the most recent Compilation of Air Pollutant Emissions Factors (AP-42) or other site specific values demonstrated to be appropriate for this site and approved by the Administrator. If k has been determined as specified in 40 CFR Part 60.754(a)(4), the value of k determined from the test shall be used. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

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

$$Q_M = \sum 2 k L_0 M_i (e^{-kt_i}) ,$$

where,

Q_M = maximum expected gas generation flow rate, cubic meters per year

k = methane generation rate constant, year⁻¹

L_0 = methane generation potential, cubic meters per megagram solid waste

M_i = mass of solid waste in the i^{th} section, megagrams

t_i = age of the i^{th} section (years).

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

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



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

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

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

Condition 59: Compliance Provisions - wells
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 59.1:

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

- 1) 4 years or more if active; or
- 2) 2 years or more if closed or at final grade.

Condition 60: Compliance Provisions - surface methane
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 60.1:

The following procedures shall be used for compliance with the surface methane operational standard as provided in 40 CFR Part 60.753(d).

1) After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR Part 60.755(d)

- 2) The background concentration shall be determined by moving the probe inlet upwind and



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downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

3) Surface emission monitoring shall be performed in accordance with section 8.3.1 of Method 21 of 40 CFR Part 60 Appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

4) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in paragraphs (4)(i) through (v) below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR Part 60.753(d).

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

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

iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in paragraph (4)(v) below shall be taken, and no further monitoring of that location is required until the action specified in paragraph (4)(v) has been taken.

iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in paragraph (4)(ii) or (iii) below shall be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month re-monitoring shows an exceedance, the actions specified in paragraph (4)(iii) or (v) shall be taken.

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

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

**Condition 61: Compliance Provisions - instrumentation specifications
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 61.1:

Each owner or operator seeking to comply with the provisions in 40 CFR Part 60.755(c) of this section shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

1) The portable analyzer shall meet the instrument specifications provided in section 6 of Method 21 of 40 CFR Part 60 Appendix A, except that "methane" shall replace all references to VOC.



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2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.

3) To meet the sample, collection, preservation, storage and transport requirements in Section 8.0 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 8.1 of Method 21 shall be used.

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

**Condition 62: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 62.1:

The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

**Condition 63: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

(1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR Part 60.755(a)(3); and

(2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR Part 60.755(a)(5); and

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(3) Monitor temperature of the landfill gas on a monthly basis as provided in 40CFR Part 60.755(a)(5).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 64: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 64.1:

The Compliance Certification activity will be performed for the Facility.

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 65: Monitoring of Operations - Other devices
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 65.1:

Each owner or operator seeking to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii) using a device other than an open flare or an enclosed combustor shall provide information satisfactory to the Administrator as provided in 40 CFR Part 60.752(b)(2)(i)(B) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator shall review the information and either approve it, or request that additional information be submitted. The Administrator may specify additional appropriate monitoring procedures.

Condition 66: Monitoring of Operations - Alternative Parameters
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 66.1:

Each owner or operator seeking to install a collection system that does not meet the specifications in 40 CFR Part 60.759 or seeking to monitor alternative parameters to those required by 40 CFR Part 60.753 through Part 60.756 shall provide information satisfactory to the Administrator as provided in 40 CFR Part 60.752(b)(2)(i)(B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator may specify additional appropriate monitoring procedures.

Condition 67: Reporting requirements - Initial design capacity
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 67.1:

Owner or operator shall submit an initial design capacity report to the Administrator.

1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required under 40 CFR Part 60.7(a)(1) and shall be submitted no later than 90 days after the date of commenced construction.

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2) The initial design capacity report shall contain the following information:

i) A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by NYSDEC;

ii) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by NYSDEC, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The State or Administrator may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

Condition 68: Reporting requirements - NMOC emission rate
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 68.1:

Owner or operator shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided in (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 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 (3) below.

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

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

Condition 69: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 69.1:

The Compliance Certification activity will be performed for the Facility.

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Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a landfill seeking to comply with 40 CFR Part 60.752(b)(2) using an active collection system designed in accordance with 40 CFR Part 60.752(b)(2)(ii) shall submit to the Administrator annual reports of the recorded information in paragraphs (1) through (6) below. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR Part 60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under 40 CFR Part 60.756(a), (b), (c), and (d).

(2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR Part 60.756.

(3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.

(4) All periods when the collection system was not operating in excess of 5 days.

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR Part 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

(6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs 40 CFR Part 60.755(a)(3), (b), and (c)(4).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

Subsequent reports are due every 12 calendar month(s).

**Condition 70: Reporting requirements - Collection and control system
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 70.1:

Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) shall include the following information with the initial performance test report required under 40 CFR Part 60.8:

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

**Condition 71: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009**

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

Item 71.1:

The Compliance Certification activity will be performed for the Facility.

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of 40 CFR Part 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 40 CFR Part 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 72: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 72.1:

The Compliance Certification activity will be performed for the Facility.

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraphs (1) through (4) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

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

i) The maximum expected gas generation flow rate as

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calculated in 40 CFR Part 60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.

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

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

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

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

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

4) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR Part 60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 73: Compliance Certification
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 73.1:

The Compliance Certification activity will be performed for the Facility.

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR Part 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

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

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

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

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2) Each owner or operator shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR Part 60.756.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 74: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 74.1:

The Compliance Certification activity will be performed for the Facility.

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

1) Each owner or operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 40 CFR Part 60.755(b).

2) Each owner or operator shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR Part 60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR Part 60.759(a)(3)(ii).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 38: Compliance Certification

Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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exceedance, and the location of each exceedance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

Condition 75: Specifications for active collection systems
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 75.1:

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

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

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

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

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

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



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$$Q_i = 2 k L_o M_i (e^{-kt_i}) (C_{NMOC}) (3.6 \times 10^{-9})$$

where,

Q_i = NMOC emission rate from the i th section, megagrams per year

k = methane generation rate constant, year⁻¹

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of the degradable solid waste in the i th section, megagram

t_i = age of the solid waste in the i th section, years

C_{NMOC} = concentration of nonmethane organic compounds, parts per million by volume

3.6×10^{-9} = conversion factor

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

Condition 76: Specifications for active collection systems
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 76.1:

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

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

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



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

Condition 77: Specifications for active collection systems
Effective between the dates of 03/19/2004 and 03/18/2009

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

Item 77.1:

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

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

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

Condition 78: Asbestos-containing waste material standard for active waste disposal sites
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Item 78.1:

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

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

Condition 81: Process Definition By Emission Unit
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 201-6

Item 81.1(From Mod 1):

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

Emission Unit: 1-LFGAS

Process: FLR

Source Classification Code: 5-01-004-10

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Process Description:

This process consists of flaring of landfill gas with passive candlestick flares. Flared gas is collected in the leachate lines and in some portions of the horizontal landfill gas piping for the purpose of odor control.

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: F0009 - Control
Control Type: FLARING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Emission Source/Control: LANDF - Process
Design Capacity: 11,724,000 Megagrams (10**6 grams)

Item 81.2(From Mod 0):

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

Emission Unit: 1-LFGAS
Process: LFG Source Classification Code: 5-01-004-06
Process Description: Generation of landfill gas in the landfill

Emission Source/Control: LANDF - Process

Item 81.3(From Mod 0):

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

Emission Unit: 2-VHCPM



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Process: VEH

Source Classification Code: 5-01-004-02

Process Description:

Fugitive emissions from vehicular traffic at the landfill.

Emission Source/Control: VEHIC - Process

Item 81.4(From Mod 0):

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

Emission Unit: 3-LCHST

Process: LEA

Source Classification Code: 5-01-007-95

Process Description: Leachate storage tanks

Emission Source/Control: LEACH - Process

Condition 1-19: Compliance Certification

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 1-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Process: FLR

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 1-19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates from the flaring of landfill gas are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. This standard applies to each Emission Source (F0001 - F0024) associated with Process FLR.

Performance of the monitoring, record keeping, and reporting requirements contained in the permit condition for the opacity standard codified at 6 NYCRR Part 212.6(a), will constitute compliance with the particulate emission limit contained above unless an approved



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emissions test determines non-compliance.

The Department reserves the right to perform or require the performance of a particulate emissions test following EPA Reference Method 5 at any time while Process FLR and its associated Emission Sources (F0001 - F0024) are in service at the facility.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: EPA RM 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 1-20: Compliance Certification

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 1-20.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Process: FLR

Item 1-20.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Facility shall not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any Emission Source (F0001 - F0024) associated with Process FLR, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY



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Upper Permit Limit: 20 percent
Reference Test Method: EPA RM 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 1-21: Compliance Certification

Effective between the dates of 06/22/2007 and 03/18/2009

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 1-21.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS
Process: FLR

Item 1-21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The permittee will conduct observations of visible emissions from each Emission Source (F0001 - F0024) associated with Process FLR at the monitoring frequency stated below while they are in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from an emission source.

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

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct an EPA Reference Method 9 assessment within 24



hours to determine the degree of opacity.

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

Monitoring Frequency: WEEKLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 82: Contaminant List
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: ECL 19-0301

Item 82.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this



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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY100-00-0

Name: HAP

CAS No: 000074-82-8

Name: METHANE

CAS No: 0NY998-20-0

Name: NMOC - LANDFILL USE ONLY

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY998-00-0

Name: VOC

Condition 83: Unavoidable noncompliance and violations
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: 6NYCRR 201-1.4

Item 83.1:

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



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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 84: Air pollution prohibited
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: 6NYCRR 211.2

Item 84.1:

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 85: Idling of Diesel Trucks Limited
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: 6NYCRR 217-3.2

Item 85.1:

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 86: Exceptions
Effective between the dates of 03/19/2004 and 03/18/2009

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Applicable State Requirement: 6NYCRR 217-3.3

Item 86.1:

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 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 25°F.
- (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.

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

Condition 87: Ambient Air Quality Impacts
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: 6NYCRR 212.4(a)

Item 87.1:

This Condition applies to Emission Unit: 1-LFGAS

Item 87.2:

Source owner is prohibited from the combustion of condensate generated and collected in the landfill gas collection system. Should the source owner desire to undertake such a practice they must apply for a modification to this permit. Such application shall include an estimate of air contaminant emissions and the air quality impacts associated with those emissions.

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Condition 88: Compliance Demonstration
Effective between the dates of 03/19/2004 and 03/18/2009

Applicable State Requirement: 6NYCRR 212.4(a)

Item 88.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 88.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Source owner shall test for all Hazardous Air Pollutants (HAP) identified in AP-42, section 2.4, during the testing required in condition number 54. For those contaminants measured in conjunction with this testing and not having specific emission limits established in this permit, the following procedure will be followed:

a) The emission rates available will be input into, an EPA approved, atmospheric dispersion model if they are higher than the rates predicted in the permit application. The purpose of this modeling will be to predict the maximum short-term and annual ambient impacts for those contaminants. Owner may utilize site specific parameters, in determining the landfill emissions, if the parameters have been determined based on testing conducted in accordance with condition 54 and/or 55. Permittee shall notify NYSDEC Region 6, with the results of such modeling within 30 days of completion.

b) If any Short-term Guideline Concentrations (SGCs) or Annual Guideline Concentrations (AGCs), as contained in NYSDEC Policy Document, DAR-1, "Guidelines for the Control of Toxic Ambient Air Contaminants", are exceeded as a result of these analyses, the permittee will be required to perform a risk assessment for possible health impacts. The health impact will be performed only for those contaminants that exceed their respective SGCs or AGCs.

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Permit ID: 6-3024-00009/00007

Facility DEC ID: 6302400009



c) Source owner shall submit a proposed risk assessment protocol to NYSDEC within 90 days of notification to the NYSDEC Region 6, by the permittee, that an SGC or AGC has been exceeded. The results of the risk assessment will be submitted to NYSDEC within 90 days of NYSDEC's written approval of the Owner's proposed risk assessment protocol. As a result of the risk assessment, NYSDEC may consider additional terms and conditions for the operation of the landfill to mitigate identified emissions of concern.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION