



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Solid Waste Management  
Permit ID: 6-3024-00009/00001  
Effective Date: 08/15/2011 Expiration Date: 03/19/2014

Permit Type: Air Title V Facility  
Permit ID: 6-3024-00009/00007  
Mod 0 Effective Date: 12/14/2009 Expiration Date: 12/13/2014  
Mod 1 Effective Date: 08/15/2011 Expiration Date: 03/19/2014

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

Contact: WILLIAM RABBIA  
ONEIDA-HERKIMER SOLID WASTE AUTHORITY  
1600 GENESEE ST  
UTICA, NY 13502  
(315) 733-1224

Facility: AVA LANDFILL  
7044 ST RTE 294  
AVA, NY 13309

Contact: WILLIAM RABBIA  
ONEIDA-HERKIMER SOLID WASTE AUTHORITY  
1600 GENESEE ST  
UTICA, NY 13502  
(315) 733-1224

**Description:**

This Title V Permit Modification is to include emissions from a proposed landfill gas to energy (LFGTE) plant consisting of three (3) Caterpillar 3520C landfill gas engine generator sets to be owned and operated by Waste Management Renewal Energy (WMRE), LLC (DEC Title V Permit ID: 6-3024-00025/00001). The LFGTE plant will be the primary control system for landfill gas generated by the OHSWMA Regional Landfill. OHSWMA Regional Landfill and WMRE, LLC will hold separate Title V Air Permits; however, for the purposes of New Source Review (NSR) applicability they are considered a single facility and will share a common emission cap for combined carbon monoxide (CO) emissions to ensure the facility does not exceed the major facility threshold.

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

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



Special Conditions included as part of this permit.

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

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



**Notification of Other State Permittee Obligations**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- Submission of application for permit modification or renewal-REGION 6 HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

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

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

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

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

**Item 5.1:**

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

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



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

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

Facility: AVA LANDFILL  
7044 ST RTE 294  
AVA, NY 13309

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

Mod 0 Permit Effective Date: 12/14/2009

Permit Expiration Date: 12/13/2014

Mod 1 Permit Effective Date: 08/15/2011

Permit Expiration Date: 03/19/2014



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
  - 1-1 6 NYCRR 201-6.5 (a) (7): Fees
  - 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
  - 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
  - 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
  - 6 6 NYCRR 201-6.5 (e): Compliance Certification
  - 7 6 NYCRR 202-2.1: Compliance Certification
  - 8 6 NYCRR 202-2.5: Recordkeeping requirements
  - 1-2 6 NYCRR 215.2: Open Fires - Prohibitions
  - 10 6 NYCRR 200.7: Maintenance of Equipment
  - 11 6 NYCRR 201-1.7: Recycling and Salvage
  - 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
  - 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
  - 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
  - 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
  - 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
  - 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
  - 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
  - 1-3 6 NYCRR 202-1.1: Required Emissions Tests
  - 20 6 NYCRR 211.3: Visible Emissions Limited
  - 21 40 CFR Part 68: Accidental release provisions.
  - 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
  - 23 6 NYCRR Subpart 201-6: Emission Unit Definition
  - 1-4 6 NYCRR 201-6.5 (c) (2): Compliance Certification
  - 24 6 NYCRR 201-6.5 (f): Compliance Certification
  - 25 6 NYCRR 201-6.5 (g): Non Applicable requirements
  - 1-5 6 NYCRR 201-6.7: Compliance Certification
  - 26 6 NYCRR Subpart 201-7: Facility Permissible Emissions
  - \*1-6 6 NYCRR Subpart 201-7: Capping Monitoring Condition
  - \*1-7 6 NYCRR Subpart 201-7: Capping Monitoring Condition
  - 1-8 40CFR 60.14, NSPS Subpart A: Compliance Certification
  - 28 40CFR 60.754(a)(1), NSPS Subpart WWW: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
  - 29 40CFR 60.754(a)(2), NSPS Subpart WWW: NMOC Calculation - Tier 1
  - 30 40CFR 60.754(a)(3), NSPS Subpart WWW: NMOC Calculation - Tier 2
  - 31 40CFR 60.754(a)(4), NSPS Subpart WWW: NMOC Calculation - Tier 3
  - 32 40CFR 60.754(a)(5), NSPS Subpart WWW: NMOC Calculation - Alternative Methods
  - 33 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
- #### Emission Unit Level
- 34 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
  - 35 6 NYCRR Subpart 201-6: Process Definition By Emission Unit



**EU=1-LFGAS**

- 36 6 NYCRR 212.4 (a): Compliance Certification
- 37 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 38 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 39 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 40 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 41 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 42 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 43 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 44 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 45 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 46 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 47 40CFR 60.9, NSPS Subpart A: Availability of information.
- 48 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and  
Maintenance Requirements
- 49 40CFR 60.12, NSPS Subpart A: Circumvention.
- 51 40CFR 60.752(b)(1), NSPS Subpart WWW: Compliance Certification
- 52 40CFR 60.757(b), NSPS Subpart WWW: Compliance Certification

**EU=1-LFGAS,Proc=FLR**

- 53 6 NYCRR 212.4 (c): Compliance Certification
- 54 6 NYCRR 212.6 (a): Compliance Certification
- 55 6 NYCRR 212.6 (a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 56 ECL 19-0301: Contaminant List
- 57 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 1-9 6 NYCRR 211.2: Visible Emissions Limited
- 59 6 NYCRR 217-3.2: Idling of Diesel Trucks Limited
- 60 6 NYCRR 217-3.3: Exceptions

**Emission Unit Level**

**EU=1-LFGAS,Proc=FLR**

- 61 6 NYCRR 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 - 6 NYCRR 201-1.5**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality  
Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 1.1:**

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

**Condition 1-1: Fees  
Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Replaces Condition(s) 2**

**Item 1-1.1:**

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

**Condition 3: Recordkeeping and reporting of compliance monitoring  
Effective between the dates of 12/14/2009 and 03/19/2014**

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



**Item 3.1:**

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

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

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

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

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

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

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

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

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

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

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



Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.



The initial report is due 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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



Department.

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

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

The address for the RAPCE is as follows:

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

The address for the BQA is as follows:

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

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

**Condition 7: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 7.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

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

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Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 8.1:**

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

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

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

**Condition 1-2: Open Fires - Prohibitions**  
**Effective between the dates of 08/15/2011 and 03/19/2014**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 1-2.1:**

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

**Item 1-2.2**

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

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



untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.

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

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

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

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

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

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

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

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

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

**Condition 10: Maintenance of Equipment  
Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage  
Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 11.1:**

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

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

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 12.1:**

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

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

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 13.1:**

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

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

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 14.1:**

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

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

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 15.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any



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

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 16.1:**

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

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

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

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

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

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 17.1:**

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

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

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

**Condition 18: Off Permit Changes**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 18.1:**



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

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

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

**Condition 1-3: Required Emissions Tests**  
**Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Replaces Condition(s) 19**

**Item 1-3.1:**

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

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement:6 NYCRR 211.3**

**Item 20.1:**

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

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 21.1:**

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

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

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

**Condition 22:     Recycling and Emissions Reduction**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 22.1:**

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

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

**Condition 23:     Emission Unit Definition**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 23.1(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 an estimated design capacity of 28,519,227 cubic yards.

This emission unit consists of up to 24 passive landfill gas and one proposed active candlestick flare and associated collection and control system for the purpose of collecting and destroying methane to control odors, reduce greenhouse gas emissions, and ensure acceptable air

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quality. Landfill gas is also vented as fugitive emissions.

**Item 23.2(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 23.3(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 1-4: Compliance Certification**

**Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Item 1-4.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

OHSWMA Regional Landfill shall operate and maintain a device that continuously measures the flow of landfill gas to the 1,250 cfm open candlestick flare (Emission source: F0025).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 24: Compliance Certification**

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.



**Item 24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Plan

I. Protocol Objective

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

II. Protocol

A. Criteria

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

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

b. Any new or changed emission source shall not be part of a source project that results in a significant net emissions increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231-2 or 40 CFR 52.21.

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

B. Notification Requirements for Changes Reviewed under the Protocol



1. The facility shall notify the Department in writing of the proposed change.
2. Notifications made in accordance with this protocol will include the following documentation:
  - a. Identification of the Title V permit emission unit, process(es), emission sources and emission points affected by the proposed change with applicable revisions to the Emission Unit structure;
  - b. Description of the proposed change, including operating parameters;
  - c. Identification and description of emissions control technology;
  - d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following steps:
    - i. Calculate the emission rate potential and maximum projected actual annual emission rates for all contaminants affected by the change.
    - ii. Submit documentation of major NSR program non-applicability for NYSDEC review and approval.
    - iii. Identify and evaluate the applicability of all regulations likely to be triggered by the new or changed emission source.
    - iv. Propose any operating and record keeping procedures necessary to ensure compliance.
  - e. Any other relevant information used for the evaluation of the proposed project or emission source under the Protocol.

C. Review and Approval of Changes

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification of the permittee.
2. The Department may require a permit modification, in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to notification do not meet the criteria under II. A above or that the changes may have a significant air



quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).

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

**D. Additional Compliance Obligations for Changes Made Under this Protocol**

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

2. The facility shall provide with the semi-annual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 25: Non Applicable requirements  
Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 25.1:**

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

40 CFR 60.18 (c)

Emission Unit: 1LFGAS Process: FLR

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



megagrams per year. The NMOC emission rate is calculated annually per the requirements of 40 CFR 60.752(b)(1) that are contained as a condition of this permit. Since the provisions outlined above do not apply at this time none of the general provisions pertaining to the operation of flares contained in 40 CFR 60 Subpart A apply at this time either.

40 CFR 60.18 (d)

Emission Unit: 1LFGAS Process: FLR

Reason: Same reason as above for 40 CFR 60-A.18(c).

40 CFR 60.18 (e)

Emission Unit: 1LFGAS Process: FLR

Reason: Same reason as above for 40 CFR 60-A.18(c).

40 CFR 60.18 (f)

Emission Unit: 1LFGAS Process: FLR

Reason: Same reason as above for 40 CFR 60-A.18(c).

40 CFR 60.752 (b) (2)

Emission Unit: 1LFGAS

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

40 CFR 60.753 (a)

Emission Unit: 1LFGAS

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

40 CFR 60.753 (b)

Emission Unit: 1LFGAS

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

40 CFR 60.753 (c)

Emission Unit: 1LFGAS

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

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40 CFR 60.753 (d)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.753 (e)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.753 (f)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.753 (g)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.754 (d)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.755 (a)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.755 (b)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.755 (c)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.755 (d)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.755 (e)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.756 (a)  
Emission Unit: 1LFGAS

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

40 CFR 60.756 (c)

Emission Unit: 1LFGAS

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

40 CFR 60.756 (d)

Emission Unit: 1LFGAS

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

40 CFR 60.756 (e)

Emission Unit: 1LFGAS

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

40 CFR 60.757 (a)

Emission Unit: 1LFGAS

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

40 CFR 60.757 (f)

Emission Unit: 1LFGAS

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

40 CFR 60.757 (g)

Emission Unit: 1LFGAS

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

40 CFR 60.758 (a)

Emission Unit: 1LFGAS

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

40 CFR 60.758 (b)

Emission Unit: 1LFGAS

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

40 CFR 60.758 (c)

Emission Unit: 1LFGAS

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

40 CFR 60.758 (d)

Emission Unit: 1LFGAS

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



40 CFR 60.758 (e)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.759 (a)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.759 (b)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 60.759 (c)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
60-WWW.752(b)(2).

40 CFR 63.6 (e) (3)  
Emission Unit: 1LFGAS  
Reason: The provisions of 40 CFR 60 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, that apply to the design, installation, operation, monitoring, record keeping, reporting, and compliance certification of a landfill gas collection and control system do not apply to this facility at this time. Such provisions will apply to this facility when the calculated non-methane organic compound (NMOC) emission rate equals or exceeds 50 megagrams per year. The NMOC emission rate is calculated annually per the requirements of 40 CFR 60.752(b)(1) that are contained as a condition of this permit. Since the provisions outlined above do not apply at this time none of the NESHAP requirements for Municipal Solid Waste Landfills contained in 40 CFR 63 Subpart AAAA apply at this time either.

40 CFR 63.1955 (b)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
63-AAAA.6(e)(3).

40 CFR 63.1980 (a)  
Emission Unit: 1LFGAS  
Reason: Same reason as above for 40 CFR  
63-AAAA.6(e)(3).

**Condition 1-5: Compliance Certification**  
**Effective between the dates of 08/15/2011 and 03/19/2014**



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

**Item 1-5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The OHSWMA Regional Landfill (DEC Permit ID: 6-3024-00009/00007) and WMRE LFGTE Plant (DEC Permit ID: 6-3024-00025/00001) shall be considered a single facility for all air pollution control regulations applicability determinations. This being the case if a modification occurs at either OHSWMA Regional Landfill or WMRE LFGTE Plant both permits will require a modification to address the impact on emissions from the facility as a whole.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Facility Permissible Emissions  
Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 26.1:**

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

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

per year	CAS No: 000630-08-0 (From Mod 1)	PTE: 498,000 pounds
	Name: CARBON MONOXIDE	
per year	CAS No: 0NY998-00-0 (From Mod 1)	PTE: 99,000 pounds
	Name: VOC	

**Condition 1-6: Capping Monitoring Condition  
Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Replaces Condition(s) 27**

**Item 1-6.1:**

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

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

6 NYCRR Subpart 231-2

**Item 1-6.2:**

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

**Item 1-6.3:**

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 1-6.4:**

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 1-6.5:**

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 1-6.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 1-6.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to maintain facility emissions of Volatile Organic Compound (VOC) below the Non-attainment New Source Review (NSR) major source threshold OHSWMA Regional Landfill shall limit waste acceptance rate to 312,000 tons of biodegradable waste during any calendar year. 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

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ash, concrete, brick, stone, glass, plaster, wallboard, piping, plastics, metal objects, and any other material determined to be nondegradable by NYSDEC.

OHSWMA Regional Landfill shall maintain records of the amount of waste accepted on a monthly basis. The amount of waste accepted each month shall be added to the previous monthly waste acceptance amounts within the same calendar year to calculate a waste acceptance rate for the year.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: WASTE MATERIAL

Upper Permit Limit: 312000 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2012.

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

**Condition 1-7: Capping Monitoring Condition**  
**Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Item 1-7.1:**

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

6 NYCRR Subpart 231-7

**Item 1-7.2:**

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

**Item 1-7.3:**

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

**Item 1-7.4:**

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

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Facility DEC ID: 6302400009



**Item 1-7.5:**

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

**Item 1-7.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 1-7.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility (OHSWMA Regional Landfill Permit ID# 6-3024-00009/00007 & WMRE LFGTE Plant Permit ID# 6-3024-00025/00001) emissions of carbon monoxide (CO) shall not exceed 249 tons during any consecutive 12 month period and shall represent the total emissions from the following emission sources: F0001-F0025 (OHSWMA Regional Landfill) and 01ENG-03ENG (WMRE LFGTE Plant). To demonstrate compliance with this limit the facility shall perform the following:

OHSWMA Regional Landfill (Permit ID# 6-3024-00009/00007) shall maintain records of the estimated quantity of landfill gas combusted in up to twenty-four (24) portable passive open flares (emission sources: F0001-F0024) and the metered landfill gas combusted in the active open flare (emission source: F0025) on a monthly basis. At the end of each month OHSWMA Regional Landfill shall calculate the monthly emissions of CO from landfill gas combustion at the OHSWMA Regional Landfill.

The WMRE LFGTE Plant (Permit ID# 6-3024-00025/00001) shall install and maintain a device that continuously measures and provides a monthly total of the actual gross electrical output from each engine (emission sources: 01ENG-03ENG) in kilowatt-hours (kWh). At the end of each month WMRE LFGTE Plant shall calculate the monthly emissions of CO from landfill gas combustion at the WMRE LFGTE Plant.

Flared emissions shall be calculated utilizing the open flare emission factor provided in the permit application (374.4 lb CO/million scf methane) multiplied by the monthly quantity of landfill gas combusted in all flares.



Engine emissions shall be calculated as follows:

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

If no data is available for a specific engine the WMRE LFGTE Plant shall use the highest emission factor from the engines on-site. The monthly CO emissions from each engine will be summed to give the total for all engines operating during each month.

The combined engine and flare monthly CO emissions shall be added to the previous 11 months of CO emissions to give a total CO emission rate over the most recent consecutive 12 month period. The CO emissions over any consecutive 12 month period shall not exceed 249 tons.

Records of all monitoring data and support information shall be retained by the respective emission source operator. The OHSWMA Regional Landfill and WMRE LFGTE Plant shall each submit a combined facility CO emission cap certification report semi-annually.

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

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 249 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2012.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-8: Compliance Certification**  
**Effective between the dates of 08/15/2011 and 03/19/2014**

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

**Replaces Condition(s) 50**

**Item 1-8.1:**  
The Compliance Certification activity will be performed for the Facility.



**Item 1-8.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

For the purposes of this facility any increase in the landfill maximum waste design capacity of 28,519,227 cubic yards (as authorized by the OHSWMA Regional Landfill Solid Waste Permit) shall require OHSWMA Regional Landfill to request a permit modification.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 28: Calculation of Non-Methane Organic Carbon (NMOC) Emissions Effective between the dates of 12/14/2009 and 03/19/2014**

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

**WWW**

**Item 28.1:**

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

i) The following equation shall be used:

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

where,

MNMOC = Total NMOC emission rate from the landfill,  
megagrams per year

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

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

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

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

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

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



**Condition 29:** NMOC Calculation - Tier 1  
Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 29.1:**  
This Condition applies to:

Emission Unit: 1LFGAS

**Item 29.2:**  
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 30:** NMOC Calculation - Tier 2  
Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 30.1:**  
This Condition applies to:

Emission Unit: 1LFGAS

**Item 30.2:**  
The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using either, Method 25 or 25C of 40 CFR Part 60 Appendix A. Method 18 of Appendix A may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller



volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the owner or operator must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to CNMOC as hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of this part by six to convert from CNMOC as carbon to CNMOC as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

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

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

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

**Condition 31: NMOC Calculation - Tier 3**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 31.1:**  
This Condition applies to:

Emission Unit: 1LFGAS

**Item 31.2:**

The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of 40 CFR Part 60 Appendix A. The landfill owner or operator shall estimate the NMOC mass emission rate using equation in 40 CFR Part



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

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

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

**Condition 32: NMOC Calculation - Alternative Methods**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**WWW**

**Item 32.1:**

This Condition applies to:

Emission Unit: 1LFGAS

**Item 32.2:**

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

**Condition 33: Asbestos-containing waste material standard for active waste disposal sites**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 33.1:**

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 34: Emission Point Definition By Emission Unit**



Effective between the dates of 12/14/2009 and 03/19/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

**Item 34.1(From Mod 1):**

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

Emission Unit: 1-LFGAS

Emission Point: 00001  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.56 NYTME (km.): 466.457

Emission Point: 00002  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.539 NYTME (km.): 466.451

Emission Point: 00003  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.525 NYTME (km.): 466.43

Emission Point: 00004  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.533 NYTME (km.): 466.406

Emission Point: 00005  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.557 NYTME (km.): 466.404

Emission Point: 00006  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.578 NYTME (km.): 466.412

Emission Point: 00007  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.589 NYTME (km.): 466.435

Emission Point: 00008  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.573 NYTME (km.): 466.486

Emission Point: 00009  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.547 NYTME (km.): 466.483

Emission Point: 00010  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.525 NYTME (km.): 466.472

Emission Point: 00011  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.507 NYTME (km.): 466.451



Emission Point: 00012  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.496 NYTME (km.): 466.422

Emission Point: 00013  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.512 NYTME (km.): 466.39

Emission Point: 00014  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.539 NYTME (km.): 466.375

Emission Point: 00015  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.57 NYTME (km.): 466.372

Emission Point: 00016  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.602 NYTME (km.): 466.382

Emission Point: 00017  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.613 NYTME (km.): 466.406

Emission Point: 00018  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.615 NYTME (km.): 466.433

Emission Point: 00019  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.61 NYTME (km.): 466.462

Emission Point: 00020  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.594 NYTME (km.): 466.475

Emission Point: 00021  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.544 NYTME (km.): 466.51

Emission Point: 00022  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.518 NYTME (km.): 466.499

Emission Point: 00023  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.499 NYTME (km.): 466.478

Emission Point: 00024  
Height (ft.): 10 Diameter (in.): 8  
NYTMN (km.): 4811.478 NYTME (km.): 466.451



Emission Point: 00025  
Height (ft.): 25 Diameter (in.): 8  
NYTMN (km.): 4811.67 NYTME (km.): 466.547

**Condition 35: Process Definition By Emission Unit**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 35.1(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  
Process Description:

This process consists of flaring of landfill gas with up to 24 passive candlestick flares and one (1) active candlestick flare. Landfill gas is collected and flared to reduce odors and greenhouse gas emissions and to help ensure acceptable air quality.

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

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: F0025 - Control  
Control Type: FLARING

Emission Source/Control: LANDF - Process  
Design Capacity: 28,519,227 cubic yards

**Item 35.2(From Mod 1):**

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 a municipal solid waste landfill.

Emission Source/Control: LANDF - Process  
Design Capacity: 28,519,227 cubic yards

**Item 35.3(From Mod 0):**

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

Emission Unit: 2-VHCPM  
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 35.4(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:  
Storage of landfill leachate in above ground tanks.

Emission Source/Control: LEACH - Process

**Condition 36: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement:6 NYCRR 212.4 (a)**

**Item 36.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

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

**Item 36.2:**

Compliance Certification 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 30. 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 the testing results indicate that the concentration of the AP-42 HAP is greater than the concentration reported in the initial permit application and if the emission rates are higher than those 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 30 and/or 31. 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.

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

**Condition 37:** EPA Region 2 address.  
Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 37.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 37.2:**

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

**New York State Department of Environmental Conservation**

Permit ID: 6-3024-00009/00007

Facility DEC ID: 6302400009



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 38: Recordkeeping requirements.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 38.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 38.2:**

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

**Condition 39: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 39.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year



(or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days following the end of the reporting period, 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 span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 40: Excess Emissions Report**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 40.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 40.2:**

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 41: Facility files for subject sources.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 41.1:**

This Condition applies to Emission Unit: 1-LFGAS



**Item 41.2:**

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 evaluations; all continuous monitoring system or 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 inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 42: Performance test methods.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 42.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 42.2:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

**Condition 43: Required performance test information.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 43.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 43.2:**

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

**Condition 44: Prior notice.**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 44.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 44.2:**

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

**Condition 45: Performance testing facilities.**



Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 45.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 45.2:**

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 46: Number of required tests.**

Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 46.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 46.2:**

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 47: Availability of information.**

Effective between the dates of 12/14/2009 and 03/19/2014

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

**Item 47.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 47.2:**

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

**Condition 48: Compliance with Standards and Maintenance Requirements**

Effective between the dates of 12/14/2009 and 03/19/2014

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

**Item 48.1:**

**New York State Department of Environmental Conservation**

Permit ID: 6-3024-00009/00007

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This Condition applies to Emission Unit: 1-LFGAS

**Item 48.2:**

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

**Condition 49: Circumvention.**

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 49.1:**

This Condition applies to Emission Unit: 1-LFGAS

**Item 49.2:**

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

**Condition 51: Compliance Certification**

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**WWW**

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

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

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 52: Compliance Certification**

**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**WWW**

**Item 52.1:**

The Compliance Certification activity will be performed for:



Emission Unit: 1-LFGAS

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

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

2) The NMOC emission rate report shall include all data,

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calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 53: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement: 6 NYCRR 212.4 (c)**

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Process: FLR

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 53.2:**

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 - F0025) 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 emissions test determines non-compliance.

The Department reserves the right to perform or require the performance of a particulate emissions test following

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EPA Reference Method 5 at any time while Process FLR and its associated Emission Sources (F0001 - F0025) 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 1/30/2010.

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

**Condition 54: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement: 6 NYCRR 212.6 (a)**

**Item 54.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Process: FLR

**Item 54.2:**

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 - F0025) 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

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 1/30/2010.



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

**Condition 55: Compliance Certification**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable Federal Requirement: 6 NYCRR 212.6 (a)**

**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS  
Process: FLR

**Item 55.2:**

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 - F0025) 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 1/30/2010.

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 56: Contaminant List**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 56.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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



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

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

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

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

**Condition 57: Unavoidable noncompliance and violations**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 57.1:**

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

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

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

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



malfunction and the air contaminants emitted.

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

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

**Condition 1-9: Visible Emissions Limited**  
**Effective between the dates of 08/15/2011 and 03/19/2014**

**Applicable State Requirement:6 NYCRR 211.2**

**Replaces Condition(s) 58**

**Item 1-9.1:**

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 59: Idling of Diesel Trucks Limited**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 59.1:**

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 60: Exceptions**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

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

**Item 60.1:**

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 25oF.

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

(h) A hybrid electric vehicle, as defined in subdivision 217-5.1(r), idling for the purpose of providing energy for battery or other form of energy storage recharging.

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

**Condition 61: Compliance Demonstration**  
**Effective between the dates of 12/14/2009 and 03/19/2014**

**Applicable State Requirement:6 NYCRR 212.4 (a)**

**Item 61.1:**  
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS  
Process: FLR

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

**Item 61.2:**  
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1) be designed and operated with no visible emissions as determined by Method 22, except for periods not to exceed 5 minutes during any 2 consecutive hours. Method 22 testing will be conducted upon the request of the Department;



2) be operated with a flame present at all times that landfill gas is being sent to the flares, as determined by Method 22. Method 22 testing will be conducted upon the request of the Department;

3) be used only with a net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam or air assisted, or 200 Btu/scf or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined using Method 22. Method 22 testing will be conducted upon the request of the Department; and

4) be designed to operate under the exit velocity parameters specified by the Administrator.

Reference Test Method: EPA RM 22

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 1/30/2010.

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

