



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-2648-00014/00011
Effective Date: 09/11/2006 Expiration Date: 09/10/2011

Permit Issued To: MONROE COUNTY
39 W MAIN ST
ROCHESTER, NY 14614-1476

Facility: RIGA/MILL SEAT LANDFILL
303 BREW RD
BERGEN, NY 14416

Contact: GENE DRIES
WASTE MANAGEMENT - MILL SEAT LANDFILL
303 BREW RD
BERGEN, NY 14416
(585) 494-3000

Description:
Renewal of the Title V Facility Permit originally issued December 13, 1999, with a minor modification effective August 4, 2004 to reflect removal of several odor control flares and the installation of new flares. This renewed Permit reflects the addition of a landfill gas to energy plant to existing landfill operations authorized by the previous Permit. This landfill is subject to federal New Source Performance Standards in 40 CFR Part 60, Subpart WWW, since its design capacity exceeds 2,500,000 megagrams (metric tons) and 2,500,000 cubic meters, which meets the major stationary source definition of 6 NYCRR Part 201-6.1(a)(2).

The original Emission Unit, 1-LANDF, now includes a 900-cfm open flare, a 3500-cfm enclosed flare to be used as a backup emission control after generator plant startup, 4 candlestick flares at the vents of the leachate collection system for odor control, fugitive emissions from two 1.5 million gallon leachate storage tanks, and other exempt equipment.

The landfill gas to energy plant, new Emission Unit P-00001, will generate electrical power from six 1148 horsepower landfill gas fired generators, and eventually expand to eight generators as landfill gas volume increases. Construction of the plant requires an Article 24 Freshwater Wetland Permit for construction of landfill gas pipelines and maintenance access roads in the 100 foot wide adjacent area of Class 2 NYS Freshwater Wetland RG-7, and overhead electric transmission lines and maintenance access points in the 100 foot wide adjacent area of Class 2 NYS Freshwater Wetland RG-10.

This permit includes Special Permit Conditions to allow flexibility in the combustion of landfill gas, by either the generators or the flares, sufficient to restrict the project potential to emit CO to below the 250 ton per year increase applicability threshold of 40CFR 52.21 Prevention of Significant Deterioration, and to restrict the project potential to emit NOx to below the 100 ton per year increase applicability threshold of 6 NYCRR Part 231-2 New Source Review in Ozone

New York State Department of Environmental Conservation
Facility DEC ID: 8264800014



Transport Regions.

Compliance verification includes emissions testing on CO and NOx sources, calculation of monthly emissions of CO and NOx, and calculation of 12 month rolling totals of emissions.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: DAVID L BIMBER
 DIVISION OF ENVIRONMENTAL PERMITS
 6274 EAST AVON LIMA RD
 AVON, NY 14414-9519

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 and Modifications
- Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal
- REGION 8 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 and Modifications

Applicable State Requirement: 6 NYCRR 621.13

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



submitted prior to actual transfer of ownership.

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

Item 4.1:

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

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

**** Facility Level ****

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(716) 226-2466

New York State Department of Environmental Conservation

Permit ID: 8-2648-00014/00011

Facility DEC ID: 8264800014



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: MONROE COUNTY
39 W MAIN ST
ROCHESTER, NY 14614-1476

Facility: RIGA/MILL SEAT LANDFILL
303 BREW RD
BERGEN, NY 14416

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

Permit Effective Date: 09/11/2006

Permit Expiration Date: 09/10/2011

SAPA Extended Begin Date: 09/11/2011



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40 CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (f): Compliance Certification
- 25 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 26 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *28 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *29 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *30 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- *31 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 32 6 NYCRR 227-2.3 (c): Compliance Certification
- 33 6 NYCRR 227-2.4 (f) (2) (iii): Compliance Certification
- 34 6 NYCRR 227-2.4 (f) (2) (iii): Compliance Certification
- 35 6 NYCRR 227-2.6 (c): Compliance Certification
- 36 40 CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 37 40 CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 38 40 CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 39 40 CFR 60.8(d), NSPS Subpart A: Prior notice.
- 40 40 CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 41 40 CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 42 40 CFR 60.9, NSPS Subpart A: Availability of information.



- 43 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
- 44 40CFR 60.12, NSPS Subpart A: Circumvention.
- 45 40CFR 60.752(b)(1), NSPS Subpart WWW: Standards for air emissions from MSW landfills
- 46 40CFR 60.752(b)(2), NSPS Subpart WWW: Standards for air emissions from MSW landfills
- 47 40CFR 60.754(a)(1), NSPS Subpart WWW: Calculation of Non-Methane Organic Carbon (NMOC) Emissions
- 48 40CFR 60.754(a)(2), NSPS Subpart WWW: NMOC Calculation - Tier 1
- 49 40CFR 60.754(a)(3), NSPS Subpart WWW: NMOC Calculation - Tier 2
- 50 40CFR 60.757(a), NSPS Subpart WWW: Reporting requirements - Initial design capacity
- 51 40CFR 60.757(b), NSPS Subpart WWW: Reporting requirements - NMOC emission rate
- 52 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
- 53 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
- Emission Unit Level**
- 54 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 55 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-LANDF,Proc=002

- 56 6 NYCRR 212.6 (a): Compliance Certification

EU=P-00001

- 57 6 NYCRR 227-1.3 (a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 58 ECL 19-0301: Contaminant List
- 59 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 60 6 NYCRR 211.2: Air pollution prohibited

Emission Unit Level

EU=1-LANDF,Proc=001

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

EU=1-LANDF,Proc=002

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

EU=1-LANDF,Proc=003

- 63 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications

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



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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date

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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2007.
Subsequent reports are due every 6 calendar month(s).



Condition 6: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date

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



Condition 8: Recordkeeping requirements
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Part 215

Item 9.1:

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

**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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

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

Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

No person shall 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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date



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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date



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

Item 18.1:

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

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

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

Condition 19: Required Emissions Tests
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited
Effective between the dates of 09/11/2006 and Permit Expiration Date

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 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:40 CFR Part 68



Building(s): LANDFILL

Item 23.2:

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

Emission Unit: P-00001

Emission Unit Description:

The proposed emission unit is a landfill gas-to-energy plant, consisting of six (6) Caterpillar 3516 engine/generator sets that will use LFG to generate electricity for sale. Each engine/generator set is designed to produce 1148 bhp. The plant will also contain insignificant activities such as crankcase breather vents, and storage tanks/drums for motor oil, transmission fluid, etc.

Building(s): GASPLANT

Condition 24: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date

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 in 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 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 emission sources that would require a new or modified federally enforceable cap either to avoid major New Source Review 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 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 from 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 III.A or that the change may have a significant air quality impact or be otherwise potentially significant under SEQRA (6NYCRR 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 III.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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 25: Non Applicable requirements
Effective between the dates of 09/11/2006 and Permit Expiration Date

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 60.7 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.7 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.7 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.7 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.18 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.18 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas



collection and control.

40 CFR 60.18 (e)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.18 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (a)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (e)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.753 (g)

Reason: The facility is not subject to this section until they



meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.754 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.754 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.755 (a)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.755 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.755 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.755 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.755 (e)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.756 (a)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.



40 CFR 60.756 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.756 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.757 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.757 (e)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.757 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.757 (g)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.758 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.758 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.758 (d)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas



collection and control.

40 CFR 60.758 (e)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.759 (a)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 60.759 (c)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 63.6 (e) (3)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 63.1955 (b)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

40 CFR 63.1980 (a)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

Condition 26: Facility Permissible Emissions
Effective between the dates of 09/11/2006 and Permit Expiration Date

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:

CAS No: 000630-08-0

PTE: 960,600 pounds per year

Name: CARBON MONOXIDE

New York State Department of Environmental Conservation

Permit ID: 8-2648-00014/00011

Facility DEC ID: 8264800014



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

PTE: 383,000 pounds per year

Condition 27: Capping Monitoring Condition
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 27.1:

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

40 CFR 52.21

Item 27.2:

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

Item 27.3:

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

Item 27.4:

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

Item 27.5:

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

Item 27.6:

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

Emission Unit: 1-LANDF

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 27.7:

Compliance Certification shall include the following monitoring:



Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility must show that they are in compliance with the 480.3 tons/yr limit for carbon monoxide. An emissions test is required for each type of enclosed flare. These tests must be completed within 180 days of startup of the engine plant.

A second emissions tests for the above mentioned emission sources must also be completed no later than 180 days prior to renewal of the TV permit.

Upper Permit Limit: 480.3 tons per year

Reference Test Method: 40CFR60 APP A-10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 28: Capping Monitoring Condition
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 28.1:

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

6 NYCRR Subpart 231-2
40 CFR 52.21

Item 28.2:

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

Item 28.3:

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

Item 28.4:

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

New York State Department of Environmental Conservation

Permit ID: 8-2648-00014/00011

Facility DEC ID: 8264800014



applicable requirement.

Item 28.5:

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

Item 28.6:

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

Emission Unit: 1-LANDF

Regulated Contaminant(s):

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

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility must show that they are in compliance with the 191.5 tons/yr limit for oxides of nitrogen. An emissions test is required for each type of enclosed flare. These tests must be completed within 180 days of startup of the engine plant.

A second emissions tests for the above mentioned emission sources must also be completed no later than 180 days prior to renewal of the TV permit.

Upper Permit Limit: 191.5 tons per year

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 29: Capping Monitoring Condition

Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 29.1:

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

6 NYCRR Subpart 231-2
40 CFR 52.21



Item 29.2:

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

Item 29.3:

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

Item 29.4:

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

Item 29.5:

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

Item 29.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of oxides of nitrogen from this facility are limited to 191.5 tons/year calculated on a rolling 12 month total. This cap limits the facility PTE to avoid applicability to New Source Review. Facility will keep monthly records of all oxides of nitrogen emissions in a format acceptable to the Department. The facility shall keep records of gas burned and oxygen readings at each engine to calculate the monthly emissions.

Records of gas burned in conjunction with AP-42 or other confirmed emission factors may be used to calculate monthly emissions for the candlestick flares, open flares, and other NOx sources.



Emission Unit: P-00001

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

Item 30.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The facility must show that they are in compliance with the 480.3 tons/yr limit for carbon monoxide. An emission test using 40CFR60 APP A-10 must be completed on each engine type. The Department will determine which engine(s) is to be tested utilizing the procedures specified under 6NYCRR Part 227-2.6(c) of this permit for emissions testing for oxides of nitrogen. These tests must be completed within 180 days of startup of the engine plant.

A second emissions tests for the above mentioned emission sources must also be completed no later than 180 days prior to renewal of the TV permit.

Upper Permit Limit: 480.3 tons per year

Reference Test Method: 40CFR60 APP A-10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 31: Capping Monitoring Condition
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 31.1:

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

40 CFR 52.21

Item 31.2:



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

Item 31.3:

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 31.4:

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 31.5:

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 31.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 31.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of carbon monoxide from this facility are limited to 480.3 tons/year calculated on a rolling 12 month total. This cap limits the facility PTE to avoid applicability New Source Review. Facility will keep monthly records of all carbon monoxide emissions in a format acceptable to the Department. The facility shall keep records of gas burned at each engine to calculate the monthly emissions. The monthly emissions shall be calculated using the monthly flow and the CO emissions factor determined by the most recent approved performance test.

Records of gas burned in conjunction with AP-42 or other confirmed emission factors may be used to calculate monthly emissions for the candlestick flares, open flares, and other carbon monoxide sources.

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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: FLOW
Upper Permit Limit: 480.3 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-2.3 (c)

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The facility is subject to the NOx RACT requirements of 6NYCRR Part 227-2. The facility is required to submit an operating plan as described in 6NYCRR Part 227-2.3(c) to the Department for approval. The facility must operate the applicable NOx sources in accordance with the approved operating plan. This will ensure that the engines are operating under the same conditions as the most recent approved performance test. The document shall be updated when any changes occur.

The plan must include provisions to maintain daily fuel usage records and to perform maintenance on each internal combustion engine in use at the facility in accordance with the facility's Operations and Maintenance Manual.

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 1/30/2007.

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

Condition 33: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 227-2.4 (f) (2) (iii)

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 33.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The facility will limit NO_x emissions from each engine to 2.0 grams per brake horsepower-hour. The facility will measure and record oxygen levels in the exhaust stack of each engine on a monthly basis. The output/emissions from the engines are regulated by an air/fuel ratio controller, which automatically adjusts the air/fuel ratio of the inlet fuel supply as needed. The range of oxygen levels is based on manufacturer's specifications of an engine operating at full load. This range may be modified based on the most recent approved emissions test.

Parameter Monitored: OXYGEN CONTENT
Lower Permit Limit: 6.3 percent
Upper Permit Limit: 9.0 percent
Monitoring Frequency: MONTHLY
Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-2.4 (f) (2) (iii)

Item 34.1:

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

Emission Unit: P-00001

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

Item 34.2:

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Facility DEC ID: 8264800014



Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to show compliance with the NO_x RACT standard of sources firing landfill gas of 2.0 grams per brake horsepower-hour, the facility is required to conduct instantaneous testing over a 15-minute period (in order to ensure a stabilized reading) semiannually per calendar year using a portable NO_x analyzer. The sampling will be done in accordance with the analyzer manufacturer's recommendations for testing and calibration (using non-EPA methods).

The facility shall use the average flow exhaust rate determined in the most recent approved performance test in order to convert the concentration measured to a mass rate for the purpose of demonstrating compliance with the specified limit.

Upper Permit Limit: 2.0 grams per brake horsepower-hour

Reference Test Method: Method (See Monitoring Description)

Monitoring Frequency: SEMI-ANNUALLY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 35: Compliance Certification

Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)

Item 35.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: P-00001

Regulated Contaminant(s):

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

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to show compliance with the NO_x RACT standard of sources firing landfill gas of 2.0 grams per brake horsepower-hour, the facility is required to conduct an

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emission test under 6NYCRR Part 227-2.6(a)(7). In accordance with this requirement, the facility must:

1) submit a compliance test protocol to the Department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department; and

2) utilize the procedures set forth in 40 CFR Part 60, Appendix A or any other method acceptable to the Department and the Administrator for determining compliance with the NO_x limit of 2.0 grams per brake horsepower-hour, and must, in addition, follow the procedures set forth in 6NYCRR Part 202 as follows:

For stationary internal combustion engines, utilize Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference method approved by the Department;

3) submit a compliance test report containing the results of the emission test to the Department no later than 60 days after completion of the emission test.

The facility should complete the initial performance test no later than 180 days of startup of the engine plant. The facility must conduct the required emissions test at 100% +/- 10% load on each engine type determined by the Department. The Department will base its decision using the NO_x emission rates as determined by the portable NO_x analyzer prior to the emissions test.

Prior to renewal of the Title V permit, the facility must complete a second performance test utilizing procedures for engine selection and testing as described above. This performance test must be completed no later than 180 days prior to expiration of the Title V permit.

Upper Permit Limit: 2.0 grams per brake horsepower-hour

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 36: EPA Region 2 address.

Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 36.1:

All requests, reports, applications, submittals, and other communications to the Administrator



standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 45: Standards for air emissions from MSW landfills
Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 45.1:

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

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

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

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

Condition 46: Standards for air emissions from MSW landfills
Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 46.1:

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

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

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

B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR Part 60.753 through 60.758 proposed by the owner or operator.

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



60.759.

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

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

A) An active gas collection system shall:

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

2) collect gas from each area, cell or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years (if active) or 2 years (if closed or at final grade);

3) collect gas at a sufficient extraction rate; and

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

(B) A passive collection system shall:

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

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

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

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

B) is a control system designed and operated to reduce NMOC by 98% (by weight) or, when an enclosed combustion device is used for control, to either reduce NMOC by 98% weight or reduce the NMOC outlet concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR Part 60.754(d).

(1) If a boiler or process heater is used as the control device, the landfill gas



stream shall be introduced into the flame zone.

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

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

Condition 47: Calculation of Non-Methane Organic Carbon (NMOC) Emissions Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 47.1:

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:

$$MNOC = S 2kLoMi(e-kti)(CNMOC)(3.6x10-9)$$

where,

- MNOC = Total NMOC emission rate from the landfill, megagrams per year
- k = methane generation rate constant, year⁻¹
- Lo = methane generation potential, cubic meters per megagram solid waste
- Mi = mass of solid waste in the ith section, megagrams
- ti = age of the ith section, years
- CNMOC = concentration of NMOC, parts per million by volume as hexane
- 3.6 x 10⁻⁹ = conversion factor.

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

Condition 48: NMOC Calculation - Tier 1 Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 48.1:

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



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

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

Condition 49: NMOC Calculation - Tier 2
Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 49.1:

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

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 50: Reporting requirements - Initial design capacity
Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 50.1:

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

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

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

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

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

Condition 51: Reporting requirements - NMOC emission rate
Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 51.1:

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



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

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

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

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

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

Condition 52: Compliance Certification

Effective between the dates of 09/11/2006 and Permit Expiration Date

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

WWW

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 53: Asbestos-containing waste material standard for active waste disposal sites Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:40CFR 61.154, NESHAP Subpart M

Item 53.1:

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 54: Emission Point Definition By Emission Unit Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 54.1:

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

Emission Unit: 1-LANDF

Emission Point: 00001

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4771.5 NYTME (km.): 261.02 Building: LANDFILL

Emission Point: 00002

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4771.5 NYTME (km.): 261.02 Building: LANDFILL

Emission Point: 00003

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4771.5 NYTME (km.): 261.02 Building: LANDFILL

Emission Point: 00004

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4771.5 NYTME (km.): 261.02 Building: LANDFILL

Emission Point: 00011

Height (ft.): 18 Diameter (in.): 1440

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NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: LANDFILL
Emission Point: 00012		
Height (ft.): 18	Diameter (in.): 1440	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: LANDFILL
Emission Point: 00013		
Height (ft.): 23	Diameter (in.): 34	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: LANDFILL
Emission Point: 00015		
Height (ft.): 50	Diameter (in.): 132	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: LANDFILL

Item 54.2:

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

Emission Unit: P-00001		
Emission Point: 00016		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT
Emission Point: 00017		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT
Emission Point: 00018		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT
Emission Point: 00019		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT
Emission Point: 00020		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT
Emission Point: 00021		
Height (ft.): 29	Diameter (in.): 10	
NYTMN (km.): 4771.5	NYTME (km.): 261.02	Building: GASPLANT

Condition 55: Process Definition By Emission Unit
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 55.1:

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

Emission Unit: 1-LANDF



Process: 001 Source Classification Code: 5-01-004-02
Process Description:
Process 001 represents the fugitive landfill gas emissions.

Emission Source/Control: LF001 - Process
Design Capacity: 16,250,000 cubic yards

Item 55.2:

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

Emission Unit: 1-LANDF
Process: 002 Source Classification Code: 5-01-004-10
Process Description:
Landfill gas is combusted in several devices at the Mill Seat Landfill. Gas is collected and conveyed to a 900-cfm open flare (designated as FL003) and a new 3500-cfm enclosed flare (designated as FL004). Additionally, landfill gas is combusted at the vents of the leachate collection system by 4 candlestick flares placed throughout the landfill facility (designated FL001).

Emission Source/Control: FL001 - Control
Control Type: FLARING

Emission Source/Control: FL003 - Control
Control Type: FLARING

Emission Source/Control: FL004 - Control
Control Type: FLARING

Emission Source/Control: LF001 - Process
Design Capacity: 16,250,000 cubic yards

Item 55.3:

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

Emission Unit: 1-LANDF
Process: 003 Source Classification Code: 5-01-004-02
Process Description:
Process 003 consists of fugitive emissions from two (2) 1.5 million gallon leachate storage tanks.

Emission Source/Control: LT001 - Process
Design Capacity: 1.5 million gallons

Item 55.4:

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

Emission Unit: P-00001
Process: 100 Source Classification Code: 2-01-008-02
Process Description:



Collected landfill gas will be routed to the landfill gas-to-energy plant. The engine generator sets will combust the collected landfill gas to generate electricity for sale. The combustion of landfill gas results in the emission of criteria pollutants.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG02 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG03 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG04 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG05 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG06 - Combustion
Design Capacity: 1,148 horsepower (electric)

Item 55.5:

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

Emission Unit: P-00001

Process: 200

Source Classification Code: 2-01-008-05

Process Description:

The landfill gas-to-energy plant will have an insignificant emission point called a "crankcase breather vent." Each engine has a crankcase for engine oil. The purpose of the crankcase breather vent is to remove water vapor from the crankcase in order to prevent water from collecting in the oil pan. The water vapor may contain an oil mist. The breather vent in each engine removes the vapors generated within the crankcase and ducts them to a single common emission point called the crankcase breather vent. The mist can be reported as PM. Other insignificant activities include emissions from oil tanks, a condensate tank, and a gas chromatograph vent. Calculations for all of these activities are provided in the application.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG02 - Combustion
Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG03 - Combustion

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Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG04 - Combustion

Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG05 - Combustion

Design Capacity: 1,148 horsepower (electric)

Emission Source/Control: ENG06 - Combustion

Design Capacity: 1,148 horsepower (electric)

Condition 56: Compliance Certification
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 212.6 (a)

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LANDF

Process: 002

Item 56.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. The facility will perform a visual observation of each flare on a daily basis during business days (this excludes holidays and weekends). If any opacity is noted, corrective action will be taken immediately or a Method 9 will be performed within 2 business days. The facility shall keep records of daily observations and any corrective action performed in a format acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 57: Compliance Certification



Effective between the dates of 09/11/2006 and Permit Expiration Date

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

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: P-00001

Item 57.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. The facility will perform a visual observation of each exhaust and crankcase vent on a daily basis during business days (this excludes holidays and weekends). If any opacity is noted, corrective action will be taken immediately or a Method 9 will be performed within 2 business days. The facility shall keep records of daily observations and any corrective action performed in a format acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

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

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

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

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

Condition 58: Contaminant List
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 58.1:
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: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 59: Unavoidable noncompliance and violations
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 59.1:

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.

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(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 60: Air pollution prohibited
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 60.1:

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

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

Condition 61: Emissions from new emission sources and/or modifications
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 212.4 (a)

Item 61.1:

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

Item 61.2:

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

Condition 62: Emissions from new emission sources and/or modifications
Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 212.4 (a)

Item 62.1:

This Condition applies to Emission Unit: 1-LANDF
Process: 002

Item 62.2:

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

Condition 63: Emissions from new emission sources and/or modifications



Effective between the dates of 09/11/2006 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 212.4 (a)

Item 63.1:

This Condition applies to Emission Unit: 1-LANDF
Process: 003

Item 63.2:

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

