

New York State Department of Environmental Conservation
Facility DEC ID: 8453200023



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-4532-00023/00041
Effective Date: 06/26/2001 Expiration Date: 06/26/2006

Permit Issued To: SENECA MEADOWS INC
1786 SALCMAN RD
WATERLOO, NY 13165-9444

Contact: THOMAS P. HASEK
SENECA MEADOWS LANDFILL
SALCMAN RD
WATERLOO, NY 13165

Facility: SENECA MEADOWS SWMF
1786 SALCMAN RD
WATERLOO, NY 13165

Contact: THOMAS P. HASEK
SENECA MEADOWS LANDFILL
SALCMAN RD
WATERLOO, NY 13165

Description:
Initial Title V Air Facility Permit for the privately owned and operated sanitary landfill (SIC code 4953-Refuse Systems), Seneca Meadows, located at 1786 Salcman Rd. in the Town of Seneca Falls, Seneca County.

The facility consists of 3 emission units:

Emission Unit 1-LEACH - consisting of one (1) 297,000 gallon aboveground leachate storage tank.

Emission Unit 1-LFGAS - consisting of four (4) landfill areas (existing, A/B Expansion, Southeast Landfill and the Tantalio site) along with the apparatus (flares, thermal oxidizers, gas scrubber/glycol reconcentrator)necessary to collect & combust the landfill gas and recirculation of leachate.

Emission Unit 1-SOILS - consisting of the temporary outdoor storage piles of contaminated soils used as Beneficial Use Materials (BUDs).



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

Permit Administrator: PETER A. LENT
6274 EAST AVON LIMA RD
AVON, NY 14414-9519

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

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

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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 ******

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: 6NYCRR 621.13(a)

Item 3.1:

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

Item 3.2:

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

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

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for

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modification, suspension or revocation include:

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

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

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



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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



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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Definitions Applicable To This Permit
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 200.1

Item 1.1:

The definitions found in Parts 200 and 201 apply throughout this permit. Specific definitions used in this permit and their meanings include:

1. "Act" refers to the Federal Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Public Law 101-549, November 15, 1990.
2. "Administrator" refers to the Administrator of the United States Environmental Protection Agency or designee.
3. "Department" refers to the New York State Department of Environmental Conservation.

Condition 2: Sealing
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 200.5

Item 2.1:

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

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

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

Condition 3: Acceptable ambient air quality
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 200.6

Item 3.1:



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

Condition 4: Maintenance of equipment
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 200.7

Item 4.1:

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

Condition 5: Unpermitted Emission Sources
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 5.1:

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

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 6: Unavoidable Noncompliance and Violations
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 6.1:

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



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representative when requested to do so in writing or when so required by a condition of a permit or certificate issued for the corresponding air contamination source. 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.

(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.

Condition 7: Emergency Defense
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 7.1:

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



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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.

Condition 8: Recycling and Salvage
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 8.1:

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 6 NYCRR.

Condition 9: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 9.1:

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

Condition 10: Public Access to Recordkeeping for Title V facilities
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 10.1:

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 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Condition 11: Proof of Eligibility
Effective between the dates of 06/26/2001 and 06/26/2006

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



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Item 11.1:

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 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 12: Exempt Activities - Maintenance of Control Equipment
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 12.1:

Owner of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.2(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

Condition 13: Proof of Eligibility
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 13.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 Activities - Maintenance of Control Equipment
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 14.1:

The owner and /or operator of any emission source or unit that is listed as eligible to be exempt in 6 NYCRR Part 201-3.3(c), on the basis of the use of appropriate emission control device shall operate and maintain such device in a manner consistent with good engineering practices.

Condition 15: Applicable Criteria, Limits, Terms, Conditions and Standards
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Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 15.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 16: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

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.

**Condition 17: Compliance Requirements
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

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

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;



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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 the responsible official, consistent with Section 201-6.3 of Part 201.

Item 17.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 17.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. 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: Federally-Enforceable Requirements
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

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

**Condition 19: Fees
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

The permittee shall pay the required fees associated with this permit.

Condition 20: Monitoring, Related Recordkeeping and Reporting Requirements



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Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, 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 21: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

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 relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 22: Permit Shield

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, 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:



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- 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.

Condition 23: Property Rights

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

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

Condition 24: Reopening for Cause

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

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.



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Item 24.2:

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.

Item 24.3:

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.

Condition 25: Right to Inspect

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 25.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility 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 facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 26: Severability

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 26.1:

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.

Condition 27: Emission Unit Definition

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 27.1:

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

Emission Unit: 1-LEACH



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Emission Unit Description:

THIS UNIT CONSISTS OF ONE 297,000 GALLON ABOVEGROUND VERTICAL DOMED ROOF LEACHATE STORAGE TANK.

Item 27.2:

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

Emission Unit: 1-LFGAS

Emission Unit Description:

THIS UNIT CONSISTS OF FOUR LANDFILL AREAS (THE EXISTING LANDFILL, THE A/B EXPANSION, SOUTHEAST LANDFILL, AND TANTALO) CONTRIBUTING TO THE GENERATION OF LANDFILL GAS (LFG) AND THE APPARATUS NECESSARY TO COLLECT AND COMBUST THE LFG WHICH INCLUDES THE EMISSIONS FROM GAS CLEANUP EQUIPMENT FOR GAS TO ENERGY PLANTS AND LEACHATE RECIRCULATION ACTIVITIES.

Item 27.3:

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

Emission Unit: 1-SOILS

Emission Unit Description:

THIS UNIT CONSISTS OF OUTDOOR TEMPORARY STORAGE PILES OF CONTAMINATED BENEFICIAL USE MATERIALS (BUD) SOILS.

Condition 28: Compliance Certification

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 28.1:

The Compliance Certification activity will be performed for the Facility.

Item 28.2:

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

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requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 29: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certifications shall contain the following information:

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- 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.

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.

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

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

The address for the RAPCE is as follows:

6274 East Avon-Lima Road
Avon, NY 14414-9519

The address for the BCME is as follows:

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Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after previous reporting period

Condition 30: Permit Exclusion Provisions
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 30.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 31: Non Applicable requirements
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 31.1:

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



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this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

Condition 32: Required emissions tests
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 32.1:

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Condition 33: Notification
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 33.1:

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

Condition 34: Acceptable procedures
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 34.1:

Emission testing, sampling and analytical determinations to ascertain compliance with this Subchapter shall be conducted in accordance with test methods acceptable to the commissioner. The Reference Methods contained in part 60, appendix A and part 61, appendix B of title 40 of the Code of Federal Regulations and all future technical revisions, additions or corrections made thereto shall be considered as acceptable test methods for those sources and contaminants for which they are expressly applicable, except where the commissioner has issued a specific method to be used instead of a Reference Method contained in these Federal regulations or where the commissioner determines that one or more alternate methods are also acceptable. The person who owns or operates an air contamination source shall submit the emission test report in triplicate, to the commissioner within 60 days after the completion of tests. In the event such source owner/operator can demonstrate to the commissioner such time is not sufficient, he may request in writing and be granted an extension. Where an opacity emission standard is applicable to the source tested, the emission test report shall include the opacity observation.

Condition 35: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006



Applicable Federal Requirement: 6NYCRR 202-2.1

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 36: Required contents of an emission statement.
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 202-2.3

Item 36.1:

(a) Emission statements shall include the following:

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

(2) Facility level information, consisting of:

(i) verification of full name of facility;

(ii) verification of parent company name;

(iii) verification of street address (physical location) of the facility;

(iv) verification of four digit SIC code(s) for the facility;

(v) calendar year reportable emissions.

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

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- (vii) fugitive emissions.
- (3) Emission point level information, consisting of:
 - (i) average hours of operation per day (peak ozone and carbon monoxide seasons);
 - (ii) average days of operation per week (peak ozone and carbon monoxide seasons);
 - (iii) weeks of operation per year (seasonal and annual);
 - (iv) hours of operation per year; and
 - (v) percentage annual throughput (percentage of annual activity by season).
 - (vi) verification of latitude and longitude.
- (4) Process level information, consisting of:
 - (i) maximum heat input (for combustion installations);
 - (ii) quantity of fuels consumed (for combustion installations);
 - (iii) estimated actual annual reportable emissions, for each air regulated air pollutant emitted, (in units of pounds per year);
 - (iv) estimated emissions method (see 6 NYCRR Part 202-2.4(b));
 - (v) emission factor(s) (if used to determine actual emissions);
 - (vi) primary and secondary control equipment identification code(s);
 - (vii) control efficiencies achieved by the control equipment. The control efficiency should reflect the total control efficiency from all control equipment for a specific criteria group (e.g., VOCs and NOx). If the actual control efficiency is unavailable, the design efficiency or the control efficiency limit imposed by a permit shall be used;
 - (viii) annual process rate;
 - (ix) peak ozone season daily process rate.
- (b) Petroleum, volatile organic liquid, and fuel storage and distribution facilities must provide the following additional information:
 - (1) tank capacity (including maximum and average liquid height, and working volume); and
 - (2) throughput associated with tanks and loading racks (including turnovers per year).



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

Condition 37: Recordkeeping requirements
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 37.1:

(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 38: Visible emissions limited.
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 211.3

Item 38.1:

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 39: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 215.

Item 39.1:

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

Condition 40: EPA Region 2 address.
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 40.1:

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

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

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

NYSDEC
Bureau of Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3254

Condition 41: Excess emissions report.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 41.1:

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

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

Condition 42: Excess emissions report.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 42.1:

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

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Condition 43: Facility files for subject sources.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 43.1:

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

Condition 44: Performance test methods.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 44.1:

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

Condition 45: Required performance test information.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 45.1:

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

Condition 46: Prior notice.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 46.1:

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

Condition 47: Performance testing facilities.
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 47.1:

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



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

Condition 48: Number of required tests.

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 48.1:

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

Condition 49: Availability of information.

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 49.1:

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

Condition 50: Circumvention.

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 50.1:

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

d

Condition 51: Standards for air emissions from MSW landfills

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 51.1:



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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



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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 52: Operational standards for collection and control systems
Effective between the dates of 06/26/2001 and 06/26/2006**

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

Item 52.1:

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

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

1) 5 years or more if active; or

2) 2 years or more if closed or at final grade.

**Condition 53: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006**

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

Item 53.1:

The Compliance Certification activity will be performed for the Facility.

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Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: PRESSURE

Upper Limit of Monitoring: 0 pounds per square inch gauge

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 54: Compliance Certification

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 54.1:

The Compliance Certification activity will be performed for the Facility.

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operate each interior wellhead in the collection system



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

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: OXYGEN CONTENT
Upper Limit of Monitoring: 4.9 percent
Reference Test Method: EPA RM 3A
Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 55: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 55.1:
The Compliance Certification activity will be performed for the Facility.

Item 55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade. The owner or operator may establish a higher operating temperature at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: TEMPERATURE
Upper Limit of Monitoring: 54.9 degrees Centigrade (or Celsius)
Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 56: Compliance Certification



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Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 56.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 000074-82-8

Name: METHANE

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

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

Parameter Monitored: METHANE

Upper Limit of Monitoring: 499 parts per million (by volume)

Monitoring Frequency: QUARTERLY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 57: Compliance Certification

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 57.1:

The Compliance Certification activity will be performed for the Facility.



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Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: LANDFILL GAS

Upper Limit of Monitoring: 1 hours

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 58: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 58.1:

The Compliance Certification activity will be performed for the Facility.

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 59: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 59.1:

The Compliance Certification activity will be performed for the Facility.

Item 59.2:



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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 60: NMOC Calculation After Collection and Control System Installation
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 60.1:

After the installation of a collection and control system in compliance with 40 CFR Part 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in 40 CFR Part 60.752(b)(2)(v), using the following equation:

$$M_{\text{NMOC}} = 1.89 \times 10^{-3} Q_{\text{LFG}} C_{\text{NMOC}}$$

where,

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

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

(1) The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of section 4 of Method 2E of 40 CFR Part 60 Appendix A.

(2) The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of 40 CFR Part 60 Appendix A. If using Method 18 of 40 CFR Part 60 Appendix A, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of 40 CFR Part



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60 Appendix A by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

(3) The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Administrator.

Condition 61: Performance Test

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 61.1:

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

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

where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

Condition 62: Compliance Provisions - collection system

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 62.1:

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

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

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

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

where,

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

k = methane generation rate constant, year⁻¹

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

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

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

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

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

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

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

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

Condition 63: Compliance Provisions - wells
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 63.1:

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

- 1) 5 years or more if active; or
- 2) 2 years or more if closed or at final grade.

**Condition 64: Compliance Provisions - surface methane
Effective between the dates of 06/26/2001 and 06/26/2006**

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

Item 64.1:

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

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

2) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

3) Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of 40 CFR Part 60 Appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

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

- i) The location of each monitored exceedance shall be marked and the location recorded.
- ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.
- iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in paragraph (4)(v) below shall be taken, and no further monitoring of that location is required until the action specified in paragraph (4)(v) has been taken.



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

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

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

Condition 65: Compliance Provisions - instrumentation specifications
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 65.1:

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

- 1) The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of 40 CFR Part 60 Appendix A, except that "methane" shall replace all references to VOC.
- 2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.
- 3) To meet the performance evaluation requirements in section 3.1.3 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 4.4 of Method 21 shall be used.
- 4) The calibration procedures provided in section 4.2 of Method 21 of 40 CFR Part 60 Appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

Condition 66: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 66.1:

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

Condition 67: Compliance Certification



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Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 67.1:

The Compliance Certification activity will be performed for the Facility.

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 68: Monitoring of Operations - Enclosed Combustor

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 68.1:

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

(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 °C, whichever is greater. A temperature monitoring device is not required for boilers or process



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heaters with design heat input capacity greater than 44 megawatts.

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

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

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

Condition 69: Exclusion for Monitoring Surface Methane
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 69.1:

If the landfill, or if any sections of the landfill, are covered with snow or ice, so as to make monitoring of the concentration of methane on the surface impossible, then surface methane monitoring will not be required. The applicant will note the days that surface methane monitoring was attempted and the reasons why it was impossible to conduct this monitoring in their reports to the Department. The applicant will be excused from conducting surface methane monitoring for that quarter if the landfill is covered with snow for the entire quarter.

Condition 70: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 70.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 000074-82-8

Name: METHANE

Item 70.2:

Compliance Certification shall include the following monitoring:

0

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

Each owner or operator seeking to demonstrate compliance with 40 CFR Part 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR Part 60.755(d). Any closed landfill that has no monitored

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exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

Parameter Monitored: METHANE

Upper Limit of Monitoring: 499 parts per million (by volume)

Reference Test Method: EPA RM 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/24/2002 for the period 06/26/2001 through 12/25/2001

Condition 71: Reporting Requirements - Closure Report
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 71.1:

Each owner or operator of a controlled landfill shall submit a closure report to the Administrator within 30 days of waste acceptance cessation. The Administrator may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR Part 258.60 of this title. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR Part 60.7(a)(4).

Condition 72: Reporting Requirements - Control Equipment Removal
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 72.1:

Each owner or operator of a controlled landfill shall submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) The equipment removal report shall contain all of the following items:

(i) A copy of the closure report submitted in accordance with 40 CFR Part 60.757(d) of this section;

(ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

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(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR Part 60.752(b)(2)(v) have been met.

Condition 73: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 73.1:

The Compliance Certification activity will be performed for the Facility.

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

(5) The location of each exceedance of the 500 parts per million methane concentration as



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provided in 40 CFR Part 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after previous reporting period

**Condition 74: Reporting requirements - Collection and control system
Effective between the dates of 06/26/2001 and 06/26/2006**

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

Item 74.1:

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

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

**Condition 75: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006**

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

Item 75.1:



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The Compliance Certification activity will be performed for the Facility.

Item 75.2:

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 76: Compliance Certification

Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 76.1:

The Compliance Certification activity will be performed for the Facility.

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 77: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 77.1:

The Compliance Certification activity will be performed for the Facility.

Item 77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

2) Each owner or operator shall keep

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 78: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 78.1:

The Compliance Certification activity will be performed for the Facility.

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 79: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 79.1:

The Compliance Certification activity will be performed for the Facility.

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 80: Specifications for active collection systems
Effective between the dates of 06/26/2001 and 06/26/2006

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



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Item 80.1:

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

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

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

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

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

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

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

where,

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

k = methane generation rate constant, year^{-1}

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

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

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

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

3.6×10^{-9} = conversion factor

iii) The values for k and C_{NMOC} determined in field testing shall be used, if field testing has



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been performed in determining the NMOC emission rate or the radii of influence (the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k , L_0 and C_{NMOC} provided in 40 CFR Part 60.754(a)(1) or the alternative values from 40 CFR Part 60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in paragraph (3)(i) above.

Condition 81: Specifications for active collection systems
Effective between the dates of 06/26/2001 and 06/26/2006

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

Item 81.1:

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

- 1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (2) below shall be used.
- 2) For new collection systems, the maximum flow rate shall be in accordance with 40 CFR Part 60.755(a)(1).

Condition 82: Recycling and Emissions Reduction
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 82.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)



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e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.

f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 83: Emission Point Definition By Emission Unit
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 83.1:

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

Emission Unit: 1-LEACH

Emission Point: AST01

Height (ft.): 22

Diameter (in.): 600

Item 83.2:

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

Emission Unit: 1-LFGAS

Emission Point: 00LF1

Height (ft.): 38

Diameter (in.): 108

Emission Point: 00LF2

Height (ft.): 50

Diameter (in.): 138

Emission Point: 00LF3

Height (ft.): 38

Diameter (in.): 108

Emission Point: 00LF4

Height (ft.): 18

Diameter (in.): 43

Emission Point: 00LF5

Height (ft.): 18

Diameter (in.): 43

Item 83.3:

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

Emission Unit: 1-SOILS

Emission Point: 00SP1

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Height (ft.): 0

Diameter (in.): 600

Condition 84: Process Definition By Emission Unit
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 84.1:

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

Emission Unit: 1-LEACH

Process: EVP

Source Classification Code: 4-03-010-99

Process Description:

A 297000 GALLON ABOVEGROUND VERTICAL DOME
ROOFED STORAGE TANK IS USED TO STORE
LEACHATE AT THE FACILITY. THE TANK IS
VENTED TO PREVENT PRESSURIZATION. EMISSIONS
CONSIST OF EVAPORATIVE LOSS OF LEACHATE.

Emission Source/Control: TANK1 - Process

Design Capacity: 297,000 gallons

Item 84.2:

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

Emission Unit: 1-LFGAS

Process: FUG

Source Classification Code: 5-02-006-02

Process Description:

FUGITIVE LFG EMISSIONS (BEYOND THE
COLLECTION EFFICIENCY OF THE GAS COLLECTION
SYSTEMS) FROM THE FOUR LANDFILL AREAS.

Emission Source/Control: EXSLF - Process

Design Capacity: 3,763.13 million cubic feet per year

Emission Source/Control: PABLF - Process

Design Capacity: 1,590.27 million cubic feet per year

Emission Source/Control: PSELF - Process

Design Capacity: 3,289.92 million cubic feet per year

Emission Source/Control: TANLF - Process

Design Capacity: 57.26 million cubic feet per year

Item 84.3:

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

Emission Unit: 1-LFGAS

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Process: GAS

Source Classification Code: 5-02-006-01

Process Description:

THE FOUR LANDFILL AREAS WILL GENERATE LANDFILL GAS (LFG). THE LFG WILL BE COLLECTED AND COMBUSTED BY ONE 2000-CFM ENCLOSED FLARE (FLO2K) AND ONE 4000-CFM ENCLOSED FLARE (FLO4K); (BOTH FLARES ARE CURRENTLY PERMITTED) AND AN ADDITIONAL 2,000-CFM ENCLOSED FLARE (PFL2K) TO BE ADDED IN THE FUTURE. A PORTION OF THE COLLECTED LFG WILL BE PROVIDED TO SENECA ENERGY, INC. A SEPARATELY OWNED, OPERATED PERMITTED FACILITY. LFG PROVIDED TO SENECA ENERGY WILL BE RUN THROUGH TWO SCRUBBERS TO REDUCE MOISTURE AND NMOCs BEFORE COMBUSTION BY SENECA ENERGY. THE EXHAUST FROM EACH SCRUBBER IS RUN THROUGH A GLYCOL RECONCENTRATOR. THE EXHAUSTS FROM THE TWO RECONCENTRATOR UNITS ARE FED INTO TWO ENCLOSED COMBUSTORS (RCT01 AND RCT02) THAT ARE EACH FIRED BY 100 CFM OF LFG. RCT01 AND RCT02 WILL BE INSTALLED AND OPERABLE IN THE FIRST QUARTER OF 2001. EXHAUST FROM THE RECONCENTRATORS SHALL BE DIRECTED TO A CONTROL DEVICE AT ALL TIMES EXCEPT DURING PHYSICAL TRANSFER OF PIPING FROM THE EXISTING FLARES TO THE OXIDIZERS. SMI WILL NOT COMBUST MORE THAN 10,093 CFM OF LFG. ANY ADDITIONAL LFG WILL BE SOLD FOR OFF-SITE COMBUSTION. CONTROL CAPACITY (FLARES) ABOVE WHAT CURRENTLY EXISTS WILL BE ADDED AS REQUIRED BY MONITORING THE EXISTING LFG COLLECTION SYSTEM. INITIAL STACK TEST RESULTS (PER NSPS) WILL BE USED TO UPDATE PERMIT EMISSION ESTIMATES AS NECESSARY.

Emission Source/Control: FLO2K - Control
Control Type: FLARING

Emission Source/Control: FLO4K - Control
Control Type: FLARING

Emission Source/Control: PFL2K - Control
Control Type: FLARING

Emission Source/Control: RCT01 - Control
Control Type: FLARING

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Emission Source/Control: RCT02 - Control
Control Type: FLARING

Emission Source/Control: EXSLF - Process
Design Capacity: 3,763.13 million cubic feet per year

Emission Source/Control: PABLF - Process
Design Capacity: 1,590.27 million cubic feet per year

Emission Source/Control: PSELF - Process
Design Capacity: 3,289.92 million cubic feet per year

Emission Source/Control: RCNC1 - Process
Design Capacity: 1,000 cubic feet per minute

Emission Source/Control: RCNC2 - Process
Design Capacity: 1,000 cubic feet per minute

Emission Source/Control: TANLF - Process
Design Capacity: 57.26 million cubic feet per year

Item 84.4:

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

Emission Unit: 1-SOILS

Process: FG1

Source Classification Code: 5-03-008-20

Process Description:

CONTAMINATED SOILS ARE TEMPORARILY
STOCKPILED ON SITE BEFORE BEING USED AS BUD
MATERIALS. EMISSIONS INCLUDE FUGITIVE
EMISSIONS OF VOC COMPONENTS.

Emission Source/Control: PILE1 - Process

**Condition 85: Asbestos-containing waste material standard for active
waste disposal sites
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Item 85.1:

This Condition applies to Emission Unit: 1-LFGAS

Item 85.2:

Owner or operator shall comply with the requirements of 40 CFR Part 61.154 when accepting



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asbestos-containing waste material from any source required to comply with 40 CFR Part 61.149, 61.150, or 61.155.

**Condition 86: Emissions from new emission sources and/or modifications
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 86.1:

This Condition applies to Emission Unit: 1-LFGAS Emission Point: 00LF1

Item 86.2:

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 87: Emissions from new emission sources and/or modifications
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 87.1:

This Condition applies to Emission Unit: 1-LFGAS Emission Point: 00LF2

Item 87.2:

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 88: Emissions from new emission sources and/or modifications
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 88.1:

This Condition applies to Emission Unit: 1-LFGAS Emission Point: 00LF3

Item 88.2:

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 89: Emissions from new emission sources and/or modifications
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 89.1:



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This Condition applies to Emission Unit: 1-LFGAS Emission Point: 00LF4

Item 89.2:

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 90: Emissions from new emission sources and/or modifications
Effective between the dates of 06/26/2001 and 06/26/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 90.1:

This Condition applies to Emission Unit: 1-LFGAS Emission Point: 00LF5

Item 90.2:

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.



STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 91: General Provisions

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 201-5.

Item 91.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 91.2:

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.

Item 91.3:

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.

Condition 92: Contaminant List

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 201-5.3(b)

Item 92.1:

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

CAS No: 000074-82-8

Name: METHANE

Condition 93: Air pollution prohibited

Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 211.2

Item 93.1:



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

Condition 94: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 211.2

Item 94.1:

The Compliance Certification activity will be performed for the Facility.

Item 94.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Seneca Meadows Inc. will abide by the Seneca Meadows Landfill Odor Complaint Management Plan, as established in Seneca Meadows' 1998 Town of Seneca Falls Operating Permit. As established in Item 4 of this Plan, the report of odor and action taken by SMI will be maintained on site and made available to Department representatives upon their request.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 95: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 211.2

Item 95.1:

The Compliance Certification activity will be performed for the Facility.

Item 95.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Seneca Meadows Inc. shall perform an analysis of the landfill gas to be burned prior to reapplying for a Title V permit at the end of this issued permit's term. The

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sample shall be taken at the main landfill gas header prior to distribution to individual combustion equipment. The sample shall be analyzed for the chemical constituents listed in Section 4, Table 4-2 of the December 3, 1998 Title V permit application for the Seneca Meadows Landfill. The NYSDEC Region 8 Regional Air Pollution Control Engineer (RAPCE) or designated representative shall be notified five working days in advance of sampling. A copy of the original lab analysis for the sample taken must be submitted to the RAPCE within 60 days of sampling.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 96: Compliance Certification
Effective between the dates of 06/26/2001 and 06/26/2006

Applicable State Requirement: 6NYCRR 211.2

Item 96.1:

The Compliance Certification activity will be performed for the Facility.

Item 96.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Landfill Gas Control System (Internal Combustion Engines, Flares) must maintain continuous destruction of the landfill gas at all times. If at any time the flares will not be able to process the extent of landfill gas supplied due to equipment malfunctions, the procedures established in the "Procedure to Assure Destruction of Landfill Gas," which was jointly submitted by Seneca Meadows, Inc. and Seneca Energy, Inc. on January 4, 1996, will be followed. In this plan, SMI and SEI will operate an auto-dialer system that will contact pre-selected personnel when a malfunction occurs. If any of the Landfill Gas Flares become inoperable, or are projected to be out-of-service, the NYSDEC will be immediately notified by telephone. Downtime occurring during off-hours will result in notification by telephone the next business day. SMI will establish procedures to provide a three phase generator, in the event that a flare outage is caused by loss of off-site power for greater than two days in duration. In the event that the Engines and Flares are

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both inoperable, the gas collection system will be closed by controlling valves. The system will be checked daily to prevent atmospheric venting, thus limiting landfill odors until the system can be repaired. If the projected downtime is more than ten days, arrangements will be made to provide temporary "Candlestick" flares.

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY