

Facility DEC ID: 8463000010

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-4630-00010/00011
Effective Date: 04/02/2015 Expiration Date: 04/01/2025

Permit Issued To: HAKES C & D DISPOSAL INC
4376 MANNING RIDGE RD
PAINTED POST, NY 14870

Contact: JERRY LEONE
CASELLA WASTE MANAGEMENT
1879 RTE 5 AND 20
STANLEY, NY 14561
(585) 526-4420

Facility: HAKES C&D LANDFILL
4376 MANNING RIDGE RD
PAINTED POST, NY 14870

Contact: LANCE STEVENS
HAKES C&D LANDFILL FACILITY
4376 MANNING RIDGE RD
PAINTED POST, NY 14870
(814) 335-5183

Description:

Hakes C&D Disposal, Inc. (Hakes) operates an existing C&D landfill called the Hakes C&D landfill, located at 4376 Manning Ridge Road, Campbell, NY. The landfill, which takes in C&D waste and other authorized waste for final disposal, was expanded by 34.7 acres with an overfill (vertical expansion) of the existing permitted landfill (23.2 acres) to a final elevation of 1818 feet NAVD88 (1829 site datum), or an increase of 89 feet. The landfill's currently approved design capacity is 1,000 tons per day. The facility was formerly registered, however, an Air State Facility Permit was required due to the emissions of hydrogen sulfide. The facility does not require capping for hydrogen sulfide emissions. Landfill gases at the leachate cleanouts were previously treated by a biocube gas treatment system.

The permit is renewed and modified to replace the biocube with a 793 scfm open flare. A 400 scfm open flare will remain onsite as a backup to the 793 scfm open flare.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict

Facility DEC ID: 8463000010

compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: KIMBERLY A MERCHANT
6274 E AVON LIMA RD
AVON, NY 14414-9519

Authorized Signature: _____ Date: ____ / ____ / ____

Facility DEC ID: 8463000010

Notification of Other State Permittee Obligations**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

Facility DEC ID: 8463000010

PAGE LOCATION OF CONDITIONS

PAGE

DEC GENERAL CONDITIONS

General Provisions

- 4 1 Facility Inspection by the Department
- 4 2 Relationship of this Permit to Other Department Orders and Determinations
- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Permit modifications, suspensions or revocations by the Department

Facility Level

- 5 5 No regulated activity without Dept approval
- 5 6 Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

DEC SPECIAL CONDITIONS

- 6 7 Resolve Site Closure
- 6 8 Resolve Site Closure

Facility DEC ID: 8463000010

DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Facility DEC ID: 8463000010

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

Item 4.1:

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

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

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

Condition 5: No regulated activity without Dept approval
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 5.1:

No regulated activity, including any construction activities or other physical alteration of the site as authorized by this permit, can commence prior to the permittee's receipt of written notice from the Department stating that the outstanding violations of the Environmental Conservation Law (ECL) at this site have been resolved to the Department's satisfaction.

Condition 6: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 6.1:

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
 (585) 226-2466

Facility DEC ID: 8463000010

DEC SPECIAL CONDITIONS

Condition 7: Resolve Site Closure

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

Item 7.1:

No regulated activity, including any construction activities or other physical alteration of the site as authorized by this permit, can commence prior to the resolution of each term, provision, and condition of the Order on Consent NO. R2-20001222-250 executed on March 12, 2004 and, the permittee's receipt of a closure approval letter from the Department stating that the site has been properly closed pursuant to Part 360 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) to the Department's satisfaction.

Condition 8: Resolve Site Closure

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

Item 8.1:

No regulated activity, including any construction activities or other physical alteration of the site as authorized by this permit, can commence prior to the permittee's receipt of a closure approval letter from the Department stating that the site has been properly closed pursuant to Part 360 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) to the Department's satisfaction.

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: HAKES C & D DISPOSAL INC
4376 MANNING RIDGE RD
PAINTED POST, NY 14870

Facility: HAKES C&D LANDFILL
4376 MANNING RIDGE RD
PAINTED POST, NY 14870

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

Permit Effective Date: 04/02/2015

Permit Expiration Date: 04/01/2025

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

PAGE LOCATION OF CONDITIONS

PAGE

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 6 13 6 NYCRR 211.2: Visible Emissions Limited
- 6 2 6 NYCRR Subpart 257-10: Compliance Demonstration

Emission Unit Level

EU=U-LFGAS,Proc=001

- 8 3 6 NYCRR 212.6 (a): Compliance Demonstration
- 9 4 6 NYCRR Subpart 257-10: Compliance Demonstration

EU=U-LFGAS,Proc=001,ES=FLA01

- 10 5 40CFR 60.18(c), NSPS Subpart A: Compliance Demonstration

EU=U-LFGAS,Proc=001,ES=FLA02

- 11 6 40CFR 60.18(c), NSPS Subpart A: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 13 7 ECL 19-0301: Contaminant List
- 13 8 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 14 9 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 15 10 6 NYCRR Subpart 201-5: Emission Unit Definition
- 16 11 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 16 12 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 16 1 6 NYCRR 211.1: Air pollution prohibited

Emission Unit Level

- 17 14 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 17 15 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

FEDERALLY ENFORCEABLE CONDITIONS

Renewal 1/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6 NYCRR 200.5

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 labeling 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.

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.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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.

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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,

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR 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.

Item E: Recycling and Salvage - 6 NYCRR 201-1.7

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.

Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

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.

Item G: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

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.

Item H: Proof of Eligibility for Sources Defined as Trivial

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Activities - 6 NYCRR 201-3.3 (a)

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.

Item I: Required Emission Tests - 6 NYCRR 202-1.1

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 6 NYCRR Subpart 202-1.

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item K: Permit Exclusion - ECL 19-0305

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

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

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

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.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 13: Visible Emissions Limited
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable Federal Requirement: 6 NYCRR 211.2

Item 13.1:

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 2: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable Federal Requirement: 6 NYCRR Subpart 257-10

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 007783-06-4 HYDROGEN SULFIDE

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To demonstrate the effectiveness of the landfill gas collection and control system at limiting hydrogen sulfide emissions from the surface of the landfill to less than 10 ppmv, the owner/operator shall monitor surface concentrations of hydrogen sulfide along the entire perimeter of the landfill area and along a pattern that traverses the landfill at 30 meter intervals on a quarterly basis using a portable hydrogen sulfide monitor

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

capable of measuring 10 ppmv hydrogen sulfide with a resolution of 1 ppmv. Prior to surface scans, manufacturer's documentation on the selected hydrogen sulfide detection instrument shall be submitted to the Department for approval to use the selected instrument.

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.

Surface emissions monitoring shall be performed so that the probe inlet is placed within 5 to 10 centimeters off the ground. Monitoring shall be performed during typical meteorological conditions.

Any reading of 10 ppmv or more at any location shall be recorded as a monitored exceedance and the actions specified below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of the gas collection system.

- The location of any exceedance shall be marked and the location recorded.
- 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.
- 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, a new well must 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 Department for approval.

If two consecutive quarterly monitoring events show no significant emissions, the facility may reduce the surface emissions monitoring to once a calendar year. In the case that there is a rise in emissions, this will return the facility to quarterly monitoring of surface emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2016.
 Subsequent reports are due every 12 calendar month(s).

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

Condition 3: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable Federal Requirement: 6 NYCRR 212.6 (a)

Item 3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-LFGAS
 Process: 001

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

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

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

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

Monitoring Frequency: DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2016.
Subsequent reports are due every 12 calendar month(s).

Condition 4: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable Federal Requirement: 6 NYCRR Subpart 257-10

Item 4.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-LFGAS
Process: 001

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to ensure proper operation of the open flare in the destruction of hydrogen sulfide and to remain in compliance with the ambient air quality standard for hydrogen sulfide established in 6NYCRR Part 257-10, the facility shall operate the flare in accordance with the following:

1. For the 750 cfm open flare, temperature shall be recorded at least once each business day, during flare operation, on a circle chart recorder that is installed, calibrated, maintained and operated according to manufacturer's specifications. The circle charts shall be kept on file at the facility. The flow rate shall be measured and recorded manually; and
2. For the backup 400 cfm flare, temperature shall be manually recorded at least once each business day, during flare operation, in a log which shall be kept on file at the facility. The temperature sensor, temperature indicator shall be installed, calibrated, maintained and

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

operated according to manufacturer's specifications.

If the flare is not operating properly the facility shall notify the Department and corrective action shall be taken. In the event that the flare needs maintenance, the facility shall replace the current flare with the backup flare until the flare is operational again.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Condition 5: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

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

Item 5.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-LFGAS

Process: 001

Emission Source: FLA01

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) be designed and operated with no visible emissions as determined by Method 22, except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) be operated with a flame present at all times that landfill gas is being sent to the flares, as determined by Method 22;
- 3) be used only with a net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam or air assisted, or 200 Btu/scf or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined using Method 22; and
- 4) be designed to operate under the exit velocity parameters specified by the Administrator.

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Condition 6: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

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

Item 6.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-LFGAS

Process: 001

Emission Source: FLA02

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) be designed and operated with no visible emissions as determined by Method 22, except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) be operated with a flame present at all times that landfill gas is being sent to the flares, as determined by Method 22;
- 3) be used only with a net heating value of the gas being combusted at 300 Btu/scf or greater if the flare is steam or air assisted, or 200 Btu/scf or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined using Method 22; and
- 4) be designed to operate under the exit velocity parameters specified by the Administrator.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

STATE ONLY ENFORCEABLE CONDITIONS****** Facility Level ********NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner 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 or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

Item B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 7: Contaminant List
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable State Requirement: ECL 19-0301

Item 7.1:

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

CAS No: 007783-06-4
Name: HYDROGEN SULFIDE

Condition 8: Malfunctions and start-up/shutdown activities
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable State Requirement: 6 NYCRR 201-1.4

Item 8.1:

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 9: Unavoidable noncompliance and violations
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable State Requirement: 6 NYCRR 201-1.4

Item 9.1:

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

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

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

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

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

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

Condition 10: Emission Unit Definition**Effective between the dates of 04/02/2015 and 04/01/2025****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 10.1:**

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

Emission Unit: U-LFGAS

Emission Unit Description:

This emission unit comprises the landfilling activities associated with the Hakes Landfill consisting of approximately 23 acres of existing closed or active cells and a proposed expansion of approximately 35 acres to the north of the existing cells. Within this emission unit

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

there are two emission points, FLA01, described as the 750 cfm open flare exhaust and FLA02 described as the 400 cfm backup open flare.

Condition 11: Renewal deadlines for state facility permits
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 11.1:

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Condition 12: Compliance Demonstration
Effective between the dates of 04/02/2015 and 04/01/2025

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

Item 12.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 8
6274 East Avon-Lima Rd.
Avon, NY 14414

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Condition 1: Air pollution prohibited
Effective between the dates of 04/02/2015 and 04/01/2025

Applicable State Requirement:6 NYCRR 211.1

Item 1.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

****** Emission Unit Level ********Condition 14: Emission Point Definition By Emission Unit**
Effective between the dates of 04/02/2015 and 04/01/2025**Applicable State Requirement:6 NYCRR Subpart 201-5****Item 14.1:**

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

Emission Unit: U-LFGAS

Emission Point: FLA01

Height (ft.): 16 Diameter (in.): 6
NYTMN (km.): 4675.446 NYTME (km.): 325.942

Emission Point: FLA02 Removal Date: 08/27/2019

Height (ft.): 13 Diameter (in.): 4
NYTMN (km.): 4675.446 NYTME (km.): 325.942

Condition 15: Process Definition By Emission Unit
Effective between the dates of 04/02/2015 and 04/01/2025**Applicable State Requirement:6 NYCRR Subpart 201-5****Item 15.1:**

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

Emission Unit: U-LFGAS

Process: 001 Source Classification Code: 5-02-006-01

Process Description:

This process will consist of a LFG Specialties Model CF62016 skid mounted 750 cfm open flare that will be supplied by the gas collection system and blower connected to a 25 HP electric motor. The existing 400 cfm open flare will remain as a backup to the LFG Specialties flare.

Emission Source/Control: FLA01 - Control
Control Type: FLARING

Emission Source/Control: FLA02 - Control
Control Type: FLARING

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010

Emission Source/Control: LNDFL - Process

Permit ID: 8-4630-00010/00011

Facility DEC ID: 8463000010