



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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 9-0232-00003/00012  
Mod 0 Effective Date: 02/25/2009 Expiration Date: 02/24/2014  
  
SAPA Extended Begin Date: 02/25/2014  
  
Mod 1 Effective Date: 01/27/2016 Expiration Date: No expiration date.  
  
SAPA Extended Begin Date: 02/25/2014

Permit Issued To:HYLAND FACILITY ASSOCIATES  
25 GREENS HILL LN  
RUTLAND, VT 05702

Facility: HYLAND LANDFILL  
6653 HERDMAN RD  
ANGELICA, NY 14709

Contact: SAMUEL NICOLAI  
CASELLA WASTE SYSTEMS INC DIRECTOR OF LANDFILL  
ENGINEERING  
25 GREEN HILL LN  
RUTLAND, VT 05701  
(802) 772-2254

Description:

- (1) Hyland Facility Associates (Hyland) is proposing an increase in the annual waste disposal limit from 312,000 tons per year (tpy) to 465,000 tpy at the Hyland Landfill located in Angelica, New York. The proposed rate increase will result in the landfill being filled approximately seven (7) years sooner in the year 2025.
- (2) The proposed increased waste placement rate results in a maximum increase of the landfill gas generation rate of about 574 cubic feet per minute. This additional volume of gas will be controlled by the existing open flare.
- (3) The proposed project was evaluated to determine applicability with 6NYCRR Part 231-8. It was determined the proposed project is a major modification for greenhouse gas (GHG) emissions.
- (4) The Department has determined the Best Available Control Technology (BACT) for GHG emissions from the Hyland Landfill includes:



- (a) Implementation of the New Source Performance Standards (NSPS) 40 CFR 60 Subpart WWW collection and control requirements of landfill gas emissions 5 to 15 years sooner than previously required;
- (b) Early implementation of the National Emission Standard for Hazardous Air Pollutants (NESHAP) Part 63 Subpart AAAA including the startup shutdown and malfunction (SSM) plan; and
- (c) Extended operation of the landfill gas collection and control system beyond the NSPS closure requirement of less than the 50 Mg per year NMOC generation rate. This may result in operation of the collection and control system many years beyond the NSPS requirements.

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: CHARLES D CRANSTON  
NYSDEC - ALLEGANY SUBOFFICE  
182 E UNION ST STE 3  
ALLEGANY, NY 14706

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



**Notification of Other State Permittee Obligations**

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

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

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

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

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

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

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

**Facility Level**

- Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS



**DEC GENERAL CONDITIONS**

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

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

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

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

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

**Item 2.1:**

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

**Condition 1-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 1-1.1:**

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

**Item 1-1.3:**

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

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

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**



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

**Item 3.2:**

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

**Item 3.3:**

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

**Condition 1-2: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-2.1:**

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.

**Condition 4: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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



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

**Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 9 Headquarters  
Division of Environmental Permits  
270 Michigan Avenue  
Buffalo, NY 14203-2915  
(716) 851-7165

**New York State Department of Environmental Conservation**

Permit ID: 9-0232-00003/00012

Facility DEC ID: 9023200003



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To:HYLAND FACILITY ASSOCIATES  
25 GREENS HILL LN  
RUTLAND, VT 05702

Facility: HYLAND LANDFILL  
6653 HERDMAN RD  
ANGELICA, NY 14709

Authorized Activity By Standard Industrial Classification Code:  
4911 - ELECTRIC SERVICES  
4953 - REFUSE SYSTEMS

Mod 0 Permit Effective Date: 02/25/2009

Permit Expiration Date: 02/24/2014

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date.

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date.



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 1-1 6 NYCRR 201-6.4 (a) (7): Fees
- 1-2 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance  
Monitoring
- 1-3 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and  
Measurement
- 1-4 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 1-5 6 NYCRR 201-6.4 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 1-6 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 1-7 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected  
Contaminants to the air
- 1-8 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 1-9 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 1-10 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 1-11 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 1-12 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 1-13 6 NYCRR 202-1.1: Required Emissions Tests
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 1-14 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 1-15 6 NYCRR 201-6.4 (g): Non Applicable requirements
- 1-16 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*1-17 6 NYCRR 201-7.1: Capping Monitoring Condition
- 1-18 6 NYCRR 211.1: Air pollution prohibited
- 1-19 6 NYCRR 211.1: Compliance Certification
- 1-20 6 NYCRR Subpart 231-8: Compliance Certification
- 1-21 40CFR 60.752(b)(2), NSPS Subpart WWW: Compliance Certification
- 1-22 40CFR 60.752(b)(2)(iii)(C), NSPS Subpart WWW: Compliance Certification
- 1-23 40CFR 60.752(b)(2)(iii)(C), NSPS Subpart WWW: Compliance Certification
- 1-24 40CFR 60.753(a), NSPS Subpart WWW: Compliance Certification
- 1-25 40CFR 60.753(b), NSPS Subpart WWW: Compliance Certification
- 1-26 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 1-27 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 1-28 40CFR 60.753(d), NSPS Subpart WWW: Compliance Certification
- 1-29 40CFR 60.753(e), NSPS Subpart WWW: Compliance Certification
- 1-30 40CFR 60.753(f), NSPS Subpart WWW: Compliance Certification
- 1-31 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 1-32 40CFR 60.754, NSPS Subpart WWW: Compliance Certification
- 1-33 40CFR 60.754(b), NSPS Subpart WWW: Compliance Certification
- 1-34 40CFR 60.754(d), NSPS Subpart WWW: Compliance Certification
- 1-35 40CFR 60.755(a), NSPS Subpart WWW: Compliance Certification



- 1-36 40CFR 60.755(b), NSPS Subpart WWW: Compliance Certification
  - 1-37 40CFR 60.755(c), NSPS Subpart WWW: Compliance Certification
  - 1-38 40CFR 60.755(d), NSPS Subpart WWW: Compliance Certification
  - 1-39 40CFR 60.755(e), NSPS Subpart WWW: Compliance Provisions -  
Start-up, shutdown, or malfunction
  - 1-40 40CFR 60.756(a), NSPS Subpart WWW: Compliance Certification
  - 1-41 40CFR 60.756(c), NSPS Subpart WWW: Compliance Certification
  - 1-42 40CFR 60.756(f), NSPS Subpart WWW: Compliance Certification
  - 1-43 40CFR 60.757(d), NSPS Subpart WWW: Compliance Certification
  - 1-44 40CFR 60.757(e), NSPS Subpart WWW: Compliance Certification
  - 1-45 40CFR 60.757(f), NSPS Subpart WWW: Compliance Certification
  - 1-46 40CFR 60.757(g), NSPS Subpart WWW: Compliance Certification
  - 1-47 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
  - 1-48 40CFR 60.758(b), NSPS Subpart WWW: Compliance Certification
  - 1-49 40CFR 60.758(c), NSPS Subpart WWW: Compliance Certification
  - 1-50 40CFR 60.758(d), NSPS Subpart WWW: Compliance Certification
  - 1-51 40CFR 60.758(e), NSPS Subpart WWW: Compliance Certification
  - 1-52 40CFR 60.759(a), NSPS Subpart WWW: Compliance Certification
  - 1-53 40CFR 60.759(b), NSPS Subpart WWW: Compliance Certification
  - 1-54 40CFR 60.759(c), NSPS Subpart WWW: Compliance Certification
  - 26 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material  
standard for active waste disposal sites
  - 1-55 40CFR 63.1955(b), Subpart AAAA: Compliance Certification
- Emission Unit Level**
- 28 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
  - 29 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=1-LFGTE**

- \*1-56 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*1-57 6 NYCRR 201-7.1: Capping Monitoring Condition
- 1-58 6 NYCRR 227-1.3 (a): Compliance Certification
- 1-59 6 NYCRR Subpart 231-5: Compliance Certification

**EU=1-LFGTE,Proc=ENG**

- 1-60 40CFR 63, Subpart ZZZZ: Compliance Certification
- 1-61 40CFR 63.6605(a), Subpart ZZZZ: Compliance Certification
- 1-62 40CFR 63.6625, Subpart ZZZZ: Compliance Certification
- 1-63 40CFR 63.6640, Subpart ZZZZ: Compliance Certification
- 1-64 40CFR 63.6655, Subpart ZZZZ: Compliance Certification

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

- 1-65 40CFR 60.756(c), NSPS Subpart WWW: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 36 ECL 19-0301: Contaminant List
- 1-66 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 1-67 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 1-68 6 NYCRR 211.2: Visible Emissions Limited

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**  
**The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.**

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, 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 Title V Facilities - 6 NYCRR 201-1.10 (b)**

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



**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**

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

**Item D: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**

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

**Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**

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

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**

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

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

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

**Item H: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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



**Item I: Severability - 6 NYCRR 201-6.4 (a) (9)**

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

**Item J: Permit Shield - 6 NYCRR 201-6.4 (g)**

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

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

**Item K: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

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

**Condition 1-1: Fees**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 1-1.1:**

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

**Condition 1-2: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**





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

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

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

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



Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2016.  
Subsequent reports are due every 6 calendar month(s).



**Condition 1-5: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (e)**

**Item 1-5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

The address for the RAPCE is as follows:

NYSDEC Region 9 Headquarters  
270 Michigan Avenue  
Buffalo, NY 14203-2915

The address for the BQA is as follows:

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

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

**Condition 7: Compliance Certification**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway,

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 8.1:**

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

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

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

**Condition 1-6: Open Fires - Prohibitions**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 1-6.1:**

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

**Item 1-6.2**

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

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



- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

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

**Condition 10: Maintenance of Equipment  
Effective between the dates of 02/25/2009 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 1-7: Recycling and Salvage  
Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Replaces Condition(s) 11**

**Item 1-7.1:**



Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

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

**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 12.1:**

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

**Condition 1-8: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-8.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 1-9: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-9.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 1-10: Requirement to Provide Information**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 1-10.1:**

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



**Condition 1-11: Right to Inspect**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 1-11.1:**

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

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

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

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

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

**Condition 1-12: Off Permit Changes**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)**

**Item 1-12.1:**

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

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

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 1-13: Required Emissions Tests**



**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Replaces Condition(s) 19**

**Item 1-13.1:**

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

**Condition 21: Accidental release provisions.**

**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 21.1:**

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

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

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

**Condition 22: Recycling and Emissions Reduction**

**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 22.1:**

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

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



**Condition 23: Emission Unit Definition**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 23.1(From Mod 1):**

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

Emission Unit: 1-LFGTE

Emission Unit Description:

Emission Unit 1-LFGTE includes the exhaust from three (3) caterpillar G3520 engines at Hyland's Landfill Gas To Energy (LFGTE) Plant.

Building(s): ENGBLDG

**Item 23.2(From Mod 1):**

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

Emission Unit: 1-LNDFL

Emission Unit Description:

Emission Unit 1-LNDFL includes the landfill gas generated by Cells 1, 2, 3, 4 and 5 of the Hyland Facility Associates' municipal solid waste landfill. It is estimated that approximately 75% of the gas generated by the landfill will be collected and controlled by an active gas management system, and the remainder will be considered fugitive emissions.

**Condition 1-14: Progress Reports Due Semiannually**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 1-14.1:**

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

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

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

**Condition 1-15: Non Applicable requirements**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (g)**

**Item 1-15.1:**



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

(From Mod 1) 6 NYCRR Subpart 227-2

Reason: Facility wide NOx PTE emissions are approximately 47 tons/yr which is less than the NOx RACT threshold of 100 tons/yr. Therefore, the combustion sources at the landfill are not subject to the NOx RACT requirements of 6NYCRR Part 227-2.

40 CFR Part 64

Reason: As stated in 40CFR64.2(b)(1)(i), the requirements of CAM shall not apply to emission limits or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act. The EPA published a proposal for regulation of new MSW landfills under section 111(b) and for existing MSW landfills under section 111(d) of the CAA in the Federal Register on May 30, 1991 (56 FR 24468). The resulting emission limits for municipal solid waste landfills became effective on March 12, 1996 under 40CFR60 Subpart WWW. The Hyland Landfill is subject to the requirements of Subpart WWW and is therefore, exempt from the CAM requirements of 40 CFR Part 64.

**Condition 1-16: Facility Permissible Emissions**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-16.1:**

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

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

CAS No: 0NY750-00-0 (From Mod 1) PTE: 402,084,000  
pounds per year  
Name: CARBON DIOXIDE EQUIVALENTS

**Condition 1-17: Capping Monitoring Condition**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-17.1:**

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



otherwise be subject to:

6 NYCRR Subpart 231-8

**Item 1-17.2:**

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

**Item 1-17.3:**

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

**Item 1-17.4:**

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

**Item 1-17.5:**

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

**Item 1-17.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-17.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

(1) The proposed project was evaluated to determine applicability with 6NYCRR Part 231-8, New Source Review (NSR). It was determined the proposed project is a major modification for greenhouse gas (GHG) emissions based on a 75 percent capture rate of landfill gas.

(2) As required by 6 NYCRR Part 231-8.6, a major NSR modification must establish permit limits. As such, Hyland is limited to the projected actual emissions of 402,084,000 pounds per year or 201,042 tons per year carbon dioxide equivalents (CO<sub>2</sub>e) for the proposed NSR



major modification.

(3) Hyland shall track incoming waste loads on a daily basis.

(4) On a semi-annually basis (i.e., January 1 - June 30 and July 1 -December 31), Hyland shall estimate and report the actual GHG emission rate in units of CO<sub>2</sub>e using the latest version of LandGEM. The report shall be due 30 days following the reporting period.

Parameter Monitored: CARBON DIOXIDE EQUIVALENTS

Upper Permit Limit: 402084000 pounds per year

Reference Test Method: LandGEM or other approved method

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-18: Air pollution prohibited**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-18.1:**

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

**Condition 1-19: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 1-19.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

**Item 1-19.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

- (1) To address potential concerns related to fine particulate matter, Hyland Landfill shall implement a dust control plan as specified in the Facility Operation and Maintenance Manual, dated March 1, 2006, submitted as part of the Solid Waste permit application.
- (2) Dust control procedures include proper maintenance of vegetated areas and gravel service roads. This maintenance includes routine inspections of vegetated areas and the reseeded of areas where vegetative growth is not well established. Paved surfaces are to be cleaned as required to control accumulated dust. Dust is to be controlled on the facility access roads by the application of gravel as needed and by routine watering.
- (3) A cattle guard and rumble strip have been provided on the access road to aid in removal of soil from the tires of vehicles leaving the facility. These are to be cleaned regularly. In addition, the access road is to be swept on an as-needed basis.
- (4) The landfill operator shall assess the appropriate dust control measures needed on a daily basis, if any. A daily log book shall be maintained to document the dust control measures implemented.
- (5) The log book shall be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-20: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-8**

**Item 1-20.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-20.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

The Department has determined the Best Available Control Technology (BACT) for green house gas (GHG) emissions from the Hyland Landfill is compliance with the New Source Performance Standards (NSPS – Part 60 Subpart WWW) and the National Emission Standard for Hazardous Air Pollutants (NESHAP – Part 63 Subpart AAAA). GHG BACT and permit terms include:

- (1) Early implementation of the NSPS landfill gas collection and control system with engines combusting the landfill gas to generate electricity and a backup open flare. Early implementation means complying with the NSPS requirements before the landfill emissions reach 50 megagrams per year (Mg/yr) of non-methane organic compounds (NMOC);
- (2) Early implementation of the NESHAP including the startup shutdown and malfunction (SSM) plan;
- (3) Extended operation of the landfill gas collection and control system beyond the NSPS closure requirements that allow shutdown of the system when emissions are less than 50 Mg/yr NMOC;
- (4) Permit conditions 1-21 through 1-55 reference the NSPS and NESHAP requirements to address items (1), (2) and (3) above. These conditions were written for implementation of GHG BACT and are either equivalent or more restrictive than the NSPS control requirements for NMOC emissions;
- (5) Hyland has an existing landfill gas collection and control system and, thus, some of the NSPS requirements are partially satisfied. Hyland shall submit a proposed schedule of completion for the specific requirements of the NSPS and NESHAP earlier than the regulation requirements. In addition, Hyland shall propose a closure requirement beyond the NSPS. The proposed schedule is due within 60 days of permit issuance.
- (6) Permit conditions 1-56, 1-57, and 1-59 contain operational requirements for the engines to assure proper and efficient operation as follows: (1) a limit of nitrogen oxide (NO<sub>x</sub>) and carbon monoxide (CO) emissions from the engines, (2) performance testing of a selected engine every 5 years, and (3) routine monitoring of NO<sub>x</sub> and CO emissions based on portable analyzers;
- (7) Permit condition 1-65 contains operational requirements for the open flare to assure this backup device is operating properly when needed. The permit

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requirements include: (1) a performance assessment of the flare every 5 years to demonstrate compliance with 40CFR60.18, (2) routine monitoring, and (3) routine maintenance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-21: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-21.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-21.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As per permit, Ren 0 Mod 0, Hyland is not required to implement the collection and control requirements of the NSPS-Subpart WWW for NMOC emissions. However, as required by this permit modification, Ren 0 Mod 1, Hyland must install and operate Best Available Control Technology (BACT) for greenhouse gas (GHG) emissions. As such, Hyland is required to implement the collection and control of landfill gas emissions earlier and longer than the NSPS-Subpart WWW requires. Early implementation and extended operation will be accomplished in accordance with the approved schedule submitted as specified in Condition 1-20.2(5) of this permit.

Hyland Landfill began placing waste in Cell 1 in 1998. In order to control odors Hyland began construction of a Department approved passive landfill gas collection system in 2001. In response to a special condition No. 56 of the Department issued Solid Waste Management Facility Permit #9-0232-00003/00002, dated January 2, 2001, Hyland was required to submit a landfill gas collection system design report for Department approval. Hyland submitted a design report entitled Cell 1-2 Passive Landfill Gas Collection System, dated December 2001, and prepared by Sanborn Head



Engineering, P.C.

In 2004, Hyland made application to the Department for a 48-acre landfill expansion. As part of the permit application a landfill gas collection design report, dated August 2005, prepared by Barton & Loguidice, P.C. was submitted to the Department and included as Appendix G in the 48-acre Hyland Landfill Expansion 6 NYCRR Part 360 Permit Application Engineering Report, dated March 2006, as prepared by Sanborn Head Engineering, P.C. The gas collection system design report was subsequently approved by the Department.

Hyland shall complete the following requirements to address compliance with GHG BACT and this permit condition for §60.752(b)(2):

(i) Submit a collection and control system design report to the Department in accordance with the time frames of the approved schedule referenced in Condition 1-20.2(5) of this permit. The design report shall document that the existing gas collection and control system and the collection system design prepared by Barton & Loguidice, P.C. satisfy the requirements as specified by paragraphs (A) through (I) below:

(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 Conditions 1-24 through 1-51 (§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 Conditions 1-52 and 1-53 (§60.759) or include a demonstration to the Department's satisfaction of the sufficiency of the alternative provisions to Conditions 1-52 and 1-53 (§60.759);

(D) The collection and control system design plan shall include 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;



(E) The collection and control system design plan shall include 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;

(F) 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;

(G) 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;

(H) The collection and control system design plan shall include the provisions for the control of off-site migration; and

(I) The Department shall review the information submitted under paragraphs (i)(A) through (H) 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 and operate a collection and control system that captures the gas generated within the landfill as required by paragraphs (ii)(A) and (iii) below in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

(A) An active landfill gas collection and control 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 accordance with Condition 1-24;

(3) collect gas at a sufficient extraction rate;  
and



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

(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 §60.18; or

(B) is a control system designed and operated to reduce NMOC by 98% (by weight), unless the gas has been treated in accordance with paragraph (C) below. Hyland treats the landfill gas prior to combustion in the engines. Therefore, the engines are not required to satisfy the testing specified in this paragraph. Refer to Condition 1-22 for the gas treatment system design and operation requirements;

(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.

(iv) Operate the landfill gas collection and control system, installed to comply with GHG-BACT, in accordance with the provisions of Conditions 1-24 through 1-31 (§60.753), Conditions 1-35 through 1-39 (§60.755) and Conditions 1-40 through 1-42, (§60.756).

(v) The landfill gas collection and control system may be capped or removed provided that all the conditions of paragraphs (A) and (B) of this section are met:

(A) The landfill shall be a closed landfill as defined in §60.751 of this subpart. A closure report shall be submitted to the Department as provided in Condition 1-43 (§60.757(d)); and

(B) The landfill gas collection and control system has been operated until it is not practicable to extract sufficient landfill gas to operate a control device as approved in the plan submitted as specified in Condition 1-20.2(5) of this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

**New York State Department of Environmental Conservation**

Permit ID: 9-0232-00003/00012

Facility DEC ID: 9023200003



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

**Condition 1-22: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-22.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-22.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The landfill gas pre-treatment system for the stationary internal combustion engines shall be designed and operated as follows:

- (1) Landfill gas that is collected and used for fuel in an engine or used for subsequent sale as a fuel shall be treated in a treatment system that has an absolute filtration rating of 10 microns or less, lowers the water dew point of the landfill gas by at least 20 degrees Fahrenheit with a dewatering process, and compresses the landfill gas.
- (2) Hyland Landfill shall operate the gas treatment system at all times when gas is routed to the engines for use or subsequent sale.
- (3) Hyland shall operate the gas treatment system in accordance with the approved operation and maintenance plan.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: TEMPERATURE CHANGE

Lower Permit Limit: 20 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**New York State Department of Environmental Conservation**

Permit ID: 9-0232-00003/00012

Facility DEC ID: 9023200003



**Condition 1-23: Compliance Certification**  
Effective between the dates of 01/27/2016 and Permit Expiration Date

**Applicable Federal Requirement:40CFR 60.752(b)(2)(iii)('C'), NSPS**  
**Subpart WWW**

**Item 1-23.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All collected landfill gas must be routed 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 Condition 1-21.2(iii)(A) or (B), §60.752(b)(2). For purposes of this rule, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of Condition 1-21.2(iii)(A) or (B), §60.752(b)(2). The owner/operator of the landfill gas treatment system must ensure compliance with these requirements. The owner/operator of a combustion device who uses or purchases treated landfill gas for fuel in a combustion device shall be exempt from further compliance with 40 CFR 60 Subpart WWW. Since the treatment option is only valid when treated landfill gas is sold or used as a fuel in a combustion device, the gas must be used as a fuel, and venting of treated landfill gas to the ambient air is not allowed under this option.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-24: Compliance Certification**  
Effective between the dates of 01/27/2016 and Permit Expiration Date

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

**Item 1-24.1:**



The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with the Best Available Control Technology (BACT) criteria specified in Condition 1-21.2(ii)(A)(2), §60.752(b)(2), Hyland shall operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill earlier than the 5 year active or 2 year closed requirement of the NSPS §60.753(a).

Early implementation and operation of the landfill gas collection and control system will be completed in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-25: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-25.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-25.2:**

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 Condition 1-45.2(1), §60.757(f);

(2) Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan; and

(3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in Condition 1-35.2(3), §60.755(a). If corrective actions are taken as required then the monitored exceedence is not a violation of the operational requirements in this section.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: LANDFILL GAS  
Parameter Monitored: PRESSURE  
Upper Permit Limit: 0 pounds per square inch gauge  
Monitoring Frequency: MONTHLY  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-26: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-26.1:**  
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-26.2:**  
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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in Condition 1-35.2(4), §60.755(a). If corrective actions are taken as required then the monitored exceedence is not a violation of the operational requirements in this section.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: LANDFILL GAS  
Parameter Monitored: TEMPERATURE  
Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)  
Monitoring Frequency: MONTHLY  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-27: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-27.1:**  
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-27.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

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



methanogens.

Unless an alternative test method is established as allowed by Condition 1-21.2(i), §60.752(b)(2), the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that:

(i) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;

(ii) A data recorder is not required;

(iii) Only two calibration gases are required, a zero and span, and ambient air may be used as the span;

(iv) A calibration error check is not required;

(v) The allowable sample bias, zero drift, and calibration drift are  $\pm 10$  percent.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in Condition 1-35.2(4), §60.755(a). If corrective actions are taken as required then the monitored exceedence is not a violation of the operational requirements in this section.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: LANDFILL GAS  
Parameter Monitored: OXYGEN CONTENT  
Upper Permit Limit: 4.9 percent  
Monitoring Frequency: MONTHLY  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-28: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-28.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 000074-82-8 METHANE

**Item 1-28.2:**



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 parts 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 coverage. 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.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in Condition 1-37.2(4), §60.755(c). If corrective actions are taken as required then the monitored exceedence is not a violation of the operational requirements in this section.

Parameter Monitored: METHANE

Upper Permit Limit: 499 parts per million (by volume)

Reference Test Method: Method 21

Monitoring Frequency: QUARTERLY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -  
SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-29: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-29.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**New York State Department of Environmental Conservation**

Permit ID: 9-0232-00003/00012

Facility DEC ID: 9023200003



**Item 1-29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operate the collection system such that all collected gases are vented to a control system designed and operated in compliance with Condition 1-21.2(iii), §60.752(b)(2). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-30: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 1-30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-31: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-31.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):



CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If monitoring demonstrates that the operational requirements of Conditions 1-25, 1-26, 1-27 or 1-28 are not met, corrective action shall be taken as specified in Condition 1-35.2(3) and (4), §60.755(a) or Condition 1-37, §60.755(c). If corrective actions are taken as specified in Conditions 1-35 through 1-39, §60.755, the monitored exceedance is not a violation of the operational requirements in this section.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-32: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.754, NSPS Subpart WWW**

**Item 1-32.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) Hyland Landfill is required to monitor the actual annual waste acceptance rate. If the actual annual waste acceptance rate exceeds 465,000 tons, then the facility shall input the actual rate into the Landfill Gas Emissions Model (LandGEM) or similar model and re-evaluate the emissions from the landfill, flare and LFGTE plant.

(2) For the purposes of determining waste acceptance rates, any material that has the potential to contribute to the landfill gas production rate shall be included in the total calculation. These materials shall include, but are not limited to: municipal solid waste, industrial





Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In accordance with the Best Available Control Technology (BACT) criteria, the collection and control system can be removed as provided in Condition 1-21.2(v), §60.752(b)(2), and in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-34: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-34.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGTE

Emission Unit: 1-LNDFL

Regulated Contaminant(s):  
CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland is not required to complete the performance testing specified in this subpart as required by §60.752(b)(2)(iii)(B).

Hyland is required to comply with Condition 1-21.2(iii)(A) for the open flare and Condition 1-10.2(iii)(C) and Condition 1-22 for the gas treatment system. If Hyland



changes the current control options, then applicability of this performance test requirement shall be evaluated.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-35: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-35.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in §60.752(b)(2)(i)(B), the specified methods in paragraphs (1) through (5) below shall be used to determine whether the gas collection system is in compliance with Condition 1-21.2(ii), §60.752(b)(2).

(1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with §60.752(b)(2)(ii)(A)(1) and for waste sites with known year-to-year solid waste acceptance rate, the most recent version of LandGEM or other approved method shall be used. The k and Lo 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 Department. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

(2) For the purposes of determining sufficient density of gas collectors for compliance with Condition 1-21.2(ii)(A)(2), Hyland shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Department, 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 Condition 1-21.2(ii)(A)(3), §60.752(b)(2), Hyland 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 Condition 1-25, §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) For the purpose of identifying whether excess air infiltration into the landfill is occurring, Hyland shall monitor each well monthly for temperature and oxygen as provided in Condition 1-26 and 1-27, §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.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-36: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

WWW

**New York State Department of Environmental Conservation**

Permit ID: 9-0232-00003/00012

Facility DEC ID: 9023200003



**Item 1-36.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland shall place each well or design component as specified in the approved design plan as provided in Condition 1-21.2(i), §60.752(b)(2).

Early implementation and operation of the gas collection system will be completed in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-37: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-37.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following procedures shall be used for compliance with the surface methane operational standard as provided in Condition 1-28, §60.753(d).

(1) Hyland 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 Condition 1-38, §60.755(d). The first surface monitoring quarter shall begin in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

(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 8.3.1 of Method 21 of 40 CFR Part 60 Appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

(4) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in paragraphs (4)(i) through (v) below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of Condition 1-28, §60.753(d).

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

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

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

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



of that location is required until the next quarterly monitoring period. If the 1-month 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) Hyland shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-38: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-38.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with the provisions in Condition 1-37, §60.755(c) of this section, Hyland shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-39: Compliance Provisions - Start-up, shutdown, or malfunction  
Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

WWW

**Item 1-39.1:**

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 1-40: Compliance Certification  
Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

WWW

**Item 1-40.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with Condition 1-21.2(ii)(A), §60.752(b)(2), for an active gas collection system, Hyland shall install



a sampling port and a thermometer, or 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 Condition 1-35.2(3), §60.755(a); and

(2) Monitor oxygen concentration in the landfill gas on a monthly basis as provided in Condition 1-35.2(4), §60.755(a); and

(3) Monitor temperature of the landfill gas on a monthly basis as provided in Condition 1-35.2(4), §60.755(a).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-41: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-41.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with Condition 1-21.2(iii), §60.752(b)(2), using an open flare, Hyland shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

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

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

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(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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-42: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-42.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000074-82-8 METHANE

**Item 1-42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

To demonstrate compliance with Condition 1-37, §60.755(c), Hyland shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in Condition 1-38, §60.755(d). Any closed landfill that has no monitored 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 Permit Limit: 499 parts per million (by volume)  
above background measurements

Reference Test Method: EPA Method 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-43: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

WWW

**Item 1-43.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland shall submit a closure report to the Department within 30 days of waste acceptance cessation. The Department may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 6NYCRR Part 360-2.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-44: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

WWW

**Item 1-44.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-44.2:**

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) Whether active or final closed, Hyland shall submit an equipment removal report to the Department 30 days prior to removal or cessation of operation of the control equipment.

(2) The equipment removal report shall demonstrate the need to remove equipment due to the reduction in landfill gas generation rate. In addition, the report must address the control of greenhouse gas emissions as related to the Best Available Control Technology criteria of extending operation of the collection and control system beyond the NSPS requirements.

(3) The Department may request such additional information as may be necessary to verify that all of the conditions for removal in Condition 1-21.2(v) have been met in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-45: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-45.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland is required to comply with Best Available Control Technology for greenhouse gas emissions using an active collection system designed in accordance with Condition 1-21.2(ii), 60.752(b)(2). The reporting requirements to document compliance with the operation of the active collection system, as specified in the NSPS (40CFR60.757(f)), requires an annual report of the



information in paragraphs (1) through (6) below. However, the NESHAP (40CFR63.1980(a)) requires a semi-annual report containing the same information. As such, for consistency, Hyland shall submit to the Department semi-annual reports of the recorded information in paragraphs (1) through (6) below. The initial semi-annual report shall be submitted in accordance with the timeframes of the approved schedule referenced in Condition 1-20.2(5) of this permit.

(1) Value and length of time for exceedance of applicable parameters monitored under Condition 1-40, §60.756(a) and Condition 1-41, §60.756(c).

(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 Condition 1-41.2(2)(ii), §60.756(c).

(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. In addition, during an engine plant shutdown, Hyland is required to activate the open flare following Hyland's notification and activation procedures approved by the Department on April 4, 2011. In accordance with these procedures, the open flare shall be operational within one hour of the engine plant shutting down.

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

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in Condition 1-28, §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 Condition 1-35.2(3), §60.755(a), Condition 1-36, §60.755(b), and Condition 1-37.2(4), §60.755(c).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-46: Compliance Certification**



**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-46.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland is required to operate the open landfill gas flare in compliance with §60.18. The Department requires a flare performance assessment be completed every five (5) years. The initial performance assessment required under §60.8 was completed on December 28, 2005. A second performance assessment of the flare was completed on August 24, 2010. The next assessment is scheduled for completion by December 31, 2015.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-47: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-47.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in Condition 1-21.2(i)(B), §60.752(b)(2), Hyland shall keep for at least 5 years up-to-date, readily accessible, on-site records of the



maximum design capacity report, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-48: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-48.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in Condition 1-21.2(i)(B), §60.752(b)(2), Hyland shall keep up-to-date, readily accessible records for the life of the control equipment, the data listed 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) To demonstrate compliance with Condition 1-21.2(ii), §60.752(b)(2):

(i) The maximum expected gas generation flow rate as calculated in Condition 1-35.2(1), §60.755(a). Another method to determine the maximum gas generation flow rate may be used, if the method has been approved by the Department.

(ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in Condition 1-52.2(1), §60.759(a).



(2) To demonstrate compliance with Condition 1-21.2(iii)(A), §60.752(b)(2) 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 assessment as specified in §60.18.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-49: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-49.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) Except as provided in Condition 1-21.2(i)(B), §60.752(b)(2), Hyland shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in Conditions 1-40, 1-41 and 1-42, §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.

(2) Hyland shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under Condition 1-41, §60.756(c).

(3) To comply by use of an open flare, Hyland shall keep up-to-date, readily accessible continuous records of the



flame or flare pilot flame monitoring specified under Condition 1-41, §60.756(c), whenever emissions are vented to the flare, except as provided in Item 1-65.2(3) Flare Maintenance Testing.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-50: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-50.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in Condition 1-21.2(i)(B), §60.752(b)(2), Hyland shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

(1) Hyland shall keep up-to-date, readily accessible records of the installation date and location of all collectors installed after the effective date of this permit, as specified under Condition 1-36, §60.755(b).

(2) Hyland 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 Condition 1-52.2(3)(i), §60.759(a), as well as any nonproductive areas excluded from collection as provided in Condition 1-52.2(3)(ii), §60.759(a).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-51: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-51.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in Condition 1-21.2(i)(B), §60.752(b)(2), Hyland 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 Conditions 1-25 through 1-31, §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 PERMIT MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-52: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-52.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-52.2:**

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As per permit, Ren 0 Mod 0, Hyland is not required to implement the collection and control requirements of the NSPS-Subpart WWW for NMOC emissions. However, as required by this permit modification, Ren 0 Mod 1, Hyland must install and operate Best Available Control Technology (BACT) for greenhouse gas (GHG) emissions. As such, Hyland is required to implement the collection and control of landfill gas emissions as required under Condition 1-21.2(i), §60.752(b)(2).

Hyland 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 Department as provided in Condition 1-21.2(i)(C) and (I), §60.752(b)(2):

(1) Hyland shall document that the design of the existing collection system and portions of the collection system, as described in Condition 1-21.2, installed after the effective date of this permit, have been designed to address the following issues: 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 Condition 1-50, §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 Department upon request.



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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-53: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-53.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To comply with Condition 1-21.2(i)(A), §60.752(b)(2), Hyland shall construct the gas collection devices using the following equipment or procedures:

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



performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-54: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-54.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY750-00-0 CARBON DIOXIDE EQUIVALENTS

**Item 1-54.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



To comply with Condition 1-21.2(i)(A), §60.752(b)(2), Hyland shall convey the landfill gas to a control system in compliance with Condition 1-21.2(iii), §60.752(b)(2), 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 26: Asbestos-containing waste material standard for active waste disposal sites**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 26.1:**

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

**Condition 1-55: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.1955(b), Subpart AAAA**

**Item 1-55.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 1-55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland is required to install a collection and control system and must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of Part 63 as specified in table 1 of Subpart AAAA.

The facility shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action

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for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

This plan must be developed by the facility in accordance with the approved schedule and must comply with all of the provisions as listed in §63.6(e)(3).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

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

Condition 28: Emission Point Definition By Emission Unit
Effective between the dates of 02/25/2009 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 28.1(From Mod 0):

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

Emission Unit: 1-LFGTE

Emission Point: ENG01

Height (ft.): 28 Diameter (in.): 20
NYTMN (km.): 4685.93 NYTME (km.): 151.309 Building: ENGBLDG

Emission Point: ENG02

Height (ft.): 28 Diameter (in.): 20
NYTMN (km.): 4685.9 NYTME (km.): 746.33 Building: ENGBLDG

Emission Point: ENG03

Height (ft.): 28 Diameter (in.): 20
NYTMN (km.): 4685.9 NYTME (km.): 746.33 Building: ENGBLDG

Item 28.2(From Mod 0):

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

Emission Unit: 1-LNDFL

Emission Point: STK-2

Height (ft.): 35 Diameter (in.): 12
NYTMN (km.): 4686.054 NYTME (km.): 252.123

Condition 29: Process Definition By Emission Unit
Effective between the dates of 02/25/2009 and Permit Expiration Date



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

**Item 29.1(From Mod 1):**

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

Emission Unit: 1-LFGTE  
Process: ENG Source Classification Code: 2-01-008-02  
Process Description:  
Process ENG consists of three (3) caterpillar Engines in the LFGTE Plant. Each engine will consume landfill gas at approximately 460 cubic feet per minute.

Emission Source/Control: 01ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 02ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 03ENG - Combustion  
Design Capacity: 1,600 kilowatts

**Item 29.2(From Mod 1):**

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

Emission Unit: 1-LNDFL  
Process: FLR Source Classification Code: 5-02-006-01  
Process Description:  
Emission Unit 1-LNDFL, Process FLR includes the installation, operation and monitoring of the John Zink Company flare or similar.

Emission Source/Control: FLR02 - Control  
Control Type: FLARING

Emission Source/Control: MSWLF - Process

**Item 29.3(From Mod 1):**

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

Emission Unit: 1-LNDFL  
Process: FUG Source Classification Code: 5-02-006-02  
Process Description:  
Emission Unit 1-LNDFL, Process FUG includes the management and monitoring of the uncontrolled, fugitive landfill gas emissions from the entire landfill.

Emission Source/Control: MSWLF - Process

**Condition 1-56: Capping Monitoring Condition**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**



**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-56.1:**

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

6 NYCRR Subpart 231-5

6 NYCRR Subpart 231-8

**Item 1-56.2:**

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

**Item 1-56.3:**

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

**Item 1-56.4:**

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

**Item 1-56.5:**

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

**Item 1-56.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

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

**Item 1-56.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- (1) A performance test to demonstrate compliance with the permitted emission rates of 0.6 grams per brake horsepower-hour (g/bhp-hr) nitrogen oxides (NO<sub>x</sub>) must be



completed as specified below.

(2) The performance test shall be conducted on one of each similar engine type at the facility. The specific engine to be tested will be selected by the Department. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(3) The methods used to measure NOx shall include EPA Methods 7 or 7E from 40CFR60, Appendix A or another reference method approved by the Department.

(4) A performance test protocol shall be submitted to the Department for approval at least 60 days prior to completion of the test. The Department must be notified 10 days prior to the scheduled test date so a Department representative may be present during the test.

(5) A performance test shall be completed, at a minimum, every five years on one engine from each similar engine type at the facility. More frequent performance testing may be required as determined necessary by the Department. The first performance test was completed on January 8, 2009. The next performance test is scheduled to be completed by December 31, 2013.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.6 grams per brake horsepower-hour

Reference Test Method: EPA Method 7 or 7E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-57: Capping Monitoring Condition**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 1-57.1:**

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

6 NYCRR Subpart 231-8

**Item 1-57.2:**



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

**Item 1-57.3:**

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

**Item 1-57.4:**

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

**Item 1-57.5:**

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

**Item 1-57.6:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 1-57.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- (1) A performance test to demonstrate compliance with the permitted emission rate of 3.0 grams per brake horsepower-hour (g/bhp-hr) carbon monoxide (CO) must be completed as specified below.
- (2) The performance test shall be conducted on one of each similar engine type at the facility. The specific engine to be tested will be selected by the Department. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.
- (3) The methods used to measure CO shall include EPA Method 10 from 40CFR60, Appendix A or another reference method approved by the Department.



(4) A performance test protocol shall be submitted to the Department for approval at least 60 days prior to completion of the test. The Department must be notified 10 days prior to the scheduled test date so a Department representative may be present during the test.

(5) A performance test shall be completed, at a minimum, every five years on one engine from each similar engine type at the facility. More frequent performance testing may be required as determined necessary by the Department. The first performance test was completed on January 8, 2009. The next performance test is scheduled to be completed by December 31, 2013.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 3.0 grams per brake horsepower-hour

Reference Test Method: EPA Method 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-58: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Replaces Condition(s) 33**

**Item 1-58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 1-58.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(1) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.



(2) At the discretion of the Department, an EPA Method 9 visible emission observation may be required to demonstrate compliance with the 20 percent opacity limit.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 1-59: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR Subpart 231-5**

**Item 1-59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 1-59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (1) Nitrogen oxides (NO<sub>x</sub>) and carbon monoxide (CO) stack emissions from each internal combustion engine shall be analyzed on a monthly basis using a portable combustion analyzer.
- (2) The analyzer shall be calibrated in accordance with the manufactures recommended procedures and schedule. A report for each calibration shall be made available for Department review upon request.
- (3) The permitted emission rates of 0.6 g/bhp-hr NO<sub>x</sub> and 3.0 g/bhp-hr CO shall be converted from g/bhp-hr to ppm following Equation 1 and 2 in 40CFR60.4244. The equations shall be based on the stack gas volumetric flow rate and brake work of the engine obtained during the most recent performance test or other acceptable method. The approximate concentration values are ~90 ppm NO<sub>x</sub> and ~740 ppm CO.



(4) Records shall be maintained to include: (1) date and time of the portable analyzer measurement, (2) a log of the NO<sub>x</sub> and CO measurements in ppm, (3) comparison of the NO<sub>x</sub> and CO portable analyzer measurements to the permitted emission rates that have been converted to ppm, and (4) description of adjustments made to the engine (if any). The records shall be kept on site and be made available to the Department upon request.

(5) If an exceedance of the permitted emission rates is documented during the periodic monitoring, the facility shall evaluate the engine performance and proper operation of the analyzer. The results shall be reported to the Department within 30 calendar days along with a proposed program for correction, and a schedule for compliance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-60: Compliance Certification**

**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 1-60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: ENG

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 1-60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland must be in compliance with the following Part 63 general provisions:

- a. §63.1 – General applicability of the General Provisions;
- b. §63.2 – Definitions;
- c. §63.3 – Units and abbreviations;
- d. §63.4 – Prohibited activities and circumvention;
- e. §63.5 – Construction and reconstruction;



- f. §63.6(a) – Applicability;
- g. §63.6(c)(1)-(2) – Compliance dates for existing sources;
- h. §63.10(a) – Administrative provisions for recordkeeping and reporting;
- i. §63.10(b)(1) – Record retention;
- j. §63.10(b)(3) – Records of applicability determination;
- k. §63.10(d)(1) – General reporting requirements;
- l. §63.10(f) – Waiver for recordkeeping and reporting;
- m. §63.12(c) – State authority and delegations;
- n. §63.13 – Addresses; and
- o. §63.15 – Availability of information.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-61: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.6605(a), Subpart ZZZZ**

**Item 1-61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE  
Process: ENG

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

**Item 1-61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) Hyland owns or operates three non-emergency, non-black start landfill or digester gas-fired stationary reciprocating internal combustion engine (RICE) each greater than or equal to 500 horsepower (HP). No later than October 19, 2013, Hyland must operate and maintain each RICE and associated equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require Hyland to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such



operation and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-62: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.6625, Subpart ZZZZ**

**Item 1-62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: ENG

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 1-62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) No later than October 19, 2013, Hyland must operate and maintain each of the stationary RICE according to the manufacturer's emission related written instructions for the maintenance and operation of the RICE in a manner consistent with good air pollution control practice for minimizing emissions, including:

(a) Minimizing the engine's time spent at idle during startup and minimize the engine's startup time period needed for appropriate and safe loading of the engine, not to exceed 30 minutes;

(b) Change oil and filter every 1,440 hours of operation or annually, whichever comes first;

(c) Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and

(d) Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.



(2) Hyland has the option of utilizing an oil analysis program in order to extend the specified oil change requirement. The oil analysis must be performed at the same frequency specified for changing the oil. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows:

(a) Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new;

(b) Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or

(c) Percent water content (by volume) is greater than 0.5.

(3) If all of the condemning limits are not exceeded, Hyland is not required to change the oil. If any of the limits are exceeded, Hyland must change the oil within 2 days of receiving the results of the analysis. If the engine is not in operation when the results of the analysis are received, Hyland must change the oil within 2 days or before commencing operation, whichever is later. Hyland must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-63: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 63.6640, Subpart ZZZZ**

**Item 1-63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: ENG

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 1-63.2:**

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Facility DEC ID: 9023200003



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Hyland must demonstrate continuous compliance with the criteria established in Condition 1-61 and 1-62; and

(b) Hyland must report each instance in which the criteria in Condition 1-61 and/or 1-62 were not satisfied. These instances are deviations that must be reported in the semi-annual and annual reports.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-64: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63.6655, Subpart ZZZZ**

**Item 1-64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: ENG

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 1-64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Hyland must keep the following records to demonstrate compliance with the requirements of 40 CFR 63 identified in this permit:

(a) Records of the occurrence and duration of each malfunction of RICE and related equipment operation;

(b) Records of performance tests and performance evaluations;

(c) Records of actions taken during periods of malfunction to minimize emissions including corrective actions to restore malfunctioning RICE or related



equipment to its normal or usual manner of operation;  
and

(d) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE in accordance with manufacturer's instructions and this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

**Condition 1-65: Compliance Certification**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**WWW**

**Item 1-65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LNDFL

Process: FLR

Regulated Contaminant(s):

CAS No: 000074-82-8      METHANE

**Item 1-65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The landfill gas flare system shall be operated in accordance with the federal New Source Performance Standards established for open flares (40CFR60.18) as summarized below:

(a) 40CFR60.18(c)(1) - The flare shall be operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(b) 40CFR60.18(e) - The flare shall be operated at all times when emissions may be vented to it.

(c) 40CFR60.18(c)(2) - The flare shall be operated with a flame present at all times. The presence of a flame shall be monitored using a thermocouple or similar device.

(d) 40CFR60.18(c)(3)(ii) - The flare shall be used



only with the net heating value of the gas being combusted is 200 British Thermal Units per standard cubic foot (Btu/scf) or greater.

(e) 40CFR60.18(c)(4)(i) - The flare shall be designed for and operated with an exit velocity less than 60 ft/sec.

(f) 40CFR60.18(c)(4)(iii) - The flare is allowed to be operated with an exit velocity less than the velocity,  $V_{max}$ , and less than 400 ft/sec as determined by the methods specified in 40CFR60.18(f)(4) and (f)(5).

(g) 40CFR60.18(d) - Monitor the flare to ensure it is operated and maintained in conformance with the design;

(h) 40CFR60.754(e) - For the performance test required in §60.752(b)(2)(iii)(A), the net heating value of the combusted landfill gas as determined in §60.18(f)(3) is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under §60.18(f)(4).

(2) Routine demonstrations of compliance with 40CFR60.18 for each new flare must be tested within 60 days after installation and each existing flare must be tested every five (5) years. The existing LFG Specialties flare was tested on August 24, 2010 and shall be retested no later than December 31, 2015. For each compliance demonstration, a test protocol must be submitted 30 days prior to testing and a final test report submitted within 45 days after the testing is complete. The Department must be notified 10 days prior to the scheduled test date so a Department representative may be present during the test.

(3) On going compliance monitoring and maintenance of the landfill gas flare system shall include the following:

Flare Monitoring:

(a) Documentation of the flare operation shall be completed by continuously monitoring the flare temperature and gas flow rate using the chart recorder.

(b) If the flare is operated for less than 24 hours, the chart recorder must be run for a minimum of 24 hours



so the entire scale is printed on the chart.

Flare Maintenance Testing:

(a) The flare shall be operated approximately every two (2) weeks to remove condensate in the line and ensure the flare is operational.

(b) During this testing, the flare shall be operated for approximately 15 to 30 minutes until an optimal operating temperature of greater than 1,200 degrees Fahrenheit is reached.

(c) Manually record the gas flow rate and flare temperature at the end of the testing period in the flare operating log.

Regular Scheduled Flare Maintenance:

(a) Hyland shall complete regular scheduled maintenance activities on the flare as per the manufacturer specifications.

(b) If the flare or associated equipment (including but not limited to the flame arrester, automatic igniter system, gas blower, starters, controllers, filters, meters, valves, and recorder) are not operational during an engine plant shut down due to lack of maintenance or neglect, this event shall not be excused and shall be considered a violation of the permit.

(4) Records of each certification, flare temperature and gas flow rate data, and maintenance activities shall be kept on site for a period of 5 years and be made available to the Department upon request.

Reference Test Method: EPA 40CFR60.18

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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



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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 36: Contaminant List**  
**Effective between the dates of 02/25/2009 and Permit Expiration Date**

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

**Item 36.1:**

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



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

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

CAS No: 0NY075-00-5  
Name: PM-10

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

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

CAS No: 0NY750-00-0  
Name: CARBON DIOXIDE EQUIVALENTS

**Condition 1-66: Malfunctions and start-up/shutdown activities  
Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Item 1-66.1:**

- (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 1-67: Unavoidable noncompliance and violations**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

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

**Replaces Condition(s) 37**

**Item 1-67.1:**

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

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

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

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



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

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

**Condition 1-68: Visible Emissions Limited**  
**Effective between the dates of 01/27/2016 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 1-68.1:**

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.

