

New York State Department of Environmental Conservation
Facility DEC ID: 9063600006



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-0636-00006/00017
Effective Date: 05/20/2002 Expiration Date: 05/20/2007

Permit Issued To: CHAUTAUQUA COUNTY
CO OFFICE BLDG
MAYVILLE, NY 14757

Contact: KENNETH W. BOCHMANN
CHAUTAUQUA COUNTY DSW
3889 TOWERVILLE ROAD
JAMESTOWN, NY 14701-9653
(716) 985-4785

Facility: CHAUTAUQUA COUNTY LANDFILL
3889 TOWERVILLE RD, JAMESTOWN
ELLERY CENTER, NY 14701

Contact: KEITH STOCK
CHAUTAUQUA COUNTY DPF
3889 TOWERVILLE ROAD
JAMESTOWN, NY 14701-9653
(716) 985-4785

Description:

Chautauqua County, New York owns and operates the Chautauqua County Landfill, an existing solid waste landfill located on a 790 acre parcel in the Town of Ellery, New York. The facility was opened in 1981 and has total design capacity of 5.9 million megagrams (MG). The total landfill footprint is 83.5 acres, of which 33 acres are active, 43.5 acres are closed and have received final cover, and an additional 7-acre landfill cell will begin construction at a later date. The facility is an existing facility for the purpose of applicability of 6 NYCRR Part 208, "Landfill Gas Collection and Control Systems for Certain Municipal Solid Waste Landfills".

The landfill currently emits less than 50 megagrams per year of nonmethane organic compounds (NMOC); therefore, Part 208 does not require a landfill gas capture and control system. Part 208 and this permit do, however, require the facility to monitor the quantity of solid waste disposed at the landfill annually and to estimate annual NMOC emissions based on the current amount of solid waste-in-place and the annual solid waste acceptance rate. If emissions of NMOC reach 50 megagrams per year, the facility will be required to design, install, operate and maintain a gas collection and control system according to the requirements of Part 208.

BACKGROUND



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INITIAL DESIGN CAPACITY REPORT AND NMOC EMISSIONS CALCULATIONS

6NYCRR 208.3(b) requires that each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall submit an initial design capacity report to the Department as provided in 208.8(a) and shall also calculate an NMOC emission rate for the landfill using the procedures specified in 208.5. On June 20, 1996, the County submitted an Initial Design Capacity Report and Tier 1 Emission Rate Calculation to USEPA and NYSDEC. The report provides a detailed description of the site history, design capacity, and waste receipts, and includes a preliminary estimate of NMOC emissions using the USEPA Tier 1 method.

The initial Tier 1 NMOC emission rate calculations using the 208.5(a)(1) default values for NMOC concentration (4,000 ppmv as hexane) and methane generation rate resulted in an NMOC emission rate greater than 50 megagrams per year. As allowed in 208.5(a)(2)(ii), the owner/operator subsequently worked with a consultant to determine a Tier 2 site-specific NMOC concentration and recalculate the NMOC emission rate.

The Tier 2 method defined in 208.5(a)(3) specifies a sampling procedure consisting of installing and taking samples from at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years (maximum number of probes required limited to 50). Because the landfill owner had already installed a landfill gas collection system, their consultant recommended an alternative method which involved collecting and analyzing two samples from the gas collection system main header upstream from the blower and averaging the results to obtain the site-specific NMOC concentration. Field methodology was reported to be in accord with EPA Method 25C. The results of the analysis and calculations are provided in a June 18, 1998, Tier 2 Test and Emission Rate Estimate Report prepared for the owner by SCS Engineers, PC.

The site-specific NMOC concentration obtained by this method, 286 ppmv as hexane, was used in the recalculation of the NMOC emission rate, which was reported to be less than 50 megagrams per year for each year from 1998 through 2002. Because the NMOC emission rate remained below 50 megagram/year for the five year period, 208.8(b)(1)(ii) allowed the facility to submit the single report for the 5 year period. However, because the actual waste acceptance rate for the year 1999 exceeded the projected rate, the facility was required to submit a revised NMOC emission rate report for the 1998-2002 period (submitted by letter to EPA dated February 27, 2001, and referenced as part of the Supporting Documentation for the Title V permit application). As of December 2000, there was approximately 2.76 million megagrams of putrescible waste in the Chautauqua County Landfill. Based on Landgem, the USEPA's Landfill Gas Emission Model, and SCS Engineers Tier 2 NMOC concentration, the landfill generated 31.2 MG of NMOC in 2000. Emissions are projected to peak at 44.6 MG of NMOC in 2021. The NMOC generation rate for the Chautauqua County Landfill is, and is projected to remain, below the 50 MG megagrams per year threshold for landfill gas emission control under the federal emission guideline and Part 208. The site-specific NMOC concentration is required to be retested in 2003.

LANDFILL GAS COLLECTION SYSTEM

On April 10, 1995, the County submitted a permit application and design report for an active landfill gas collection and control system to the NYSDEC under the then applicable solid waste regulations (6 NYCRR Part 360). The active landfill gas collection system design covered approximately 52.5 acres, using 28 new vertical wells, 7 existing gas collection trenches, and 14 existing leachate collection system cleanouts, and several existing vertical vents. Based on the approved design, a gas collection header system of 6", 8", 10", and 12" HDPE pipe was installed in the cover system during 1995 and 1996.



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Existing gas vents, trenches, and cleanouts were plumbed into the header system. The 28 new vertical wells were installed in January and February 1997. A final installation report and as-built drawings were submitted to the NYSDEC on October 9, 1997. The gas collection system has been modified since the October, 1997 installation report, including the installation of: several replacement wells; additional header piping to create a second loop in the system; a pair of horizontal trench collectors to recover gas from the active area; and a new gas main connecting the header system to the ground flare. At the time of Title V permit application, the landfill gas collection system covered 61.5 acres and consisted of several landfill gas extraction sources, including 40 vertical wells, 9 horizontal trenches, and 14 leachate collection system cleanouts.

LANDFILL GAS EMISSION CONTROLS

On May 21, 1997, the County received an interim Air Facility Registration for a temporary odor control flare. The open flare was in operation until September 11, 1998, when it was replaced with an enclosed ground flare/leachate evaporation processor. The enclosed ground flare/leachate evaporator was owned and operated by an independent, private developer. The developer leased the rights to use the landfill gas from the County and planned to use the energy in the gas to evaporate leachate and obtain federal income tax credits. Under the terms of the lease, the developer was responsible for the air permit requirements for the entire facility. The developer was issued an Air State Facility Permit number 109-0636-00123/00001 and Solid Waste Management Permit 109-0636-00123/00002 covering the ground flare/process unit, leachate transfer system, and gas collection system. The ground flare/leachate evaporator unit failed to pass an emission stack test on two separate occasions. The County's lease with the developer has recently been terminated (documented in a letter dated February 6, 2001, that was provided as an attachment to the Title V permit application).

The enclosed flare was fed by a 100 H.P. Gardner-Denver, Duroflow rotary positive displacement blower, rated for 7" Hg inlet pressure at 2,080 scfm. The Duroflow blower was oversized for the 700 to 900 scfm of landfill gas that is actually produced from the collection system, resulting in excessive wellhead vacuums and air intrusion. The larger blower could not be turned down enough to properly tune the gas collection system or prevent dangerous air intrusion into the landfill. The County recently replaced the Duroflow blower with a smaller blower manufactured by Republic. Republic's 20 H.P. model RB1200 centrifugal blower is rated for up to 1,200 scfm at a differential pressure of up to 3" Hg. The new blower has been tested and adequate vacuum is maintained at all landfill gas collection points.

The County has matched the new blower with an 8" diameter, open "candlestick" flare manufactured in 1998 by Perennial Energy, Inc to both control odors and to meet the emission control requirements of Part 212. Landfill gas is known to contain hazardous constituents. The candlestick flare will deliver at least 98% NMOC destruction efficiency. The flare, model FL-8-C, is designed to be fired by landfill gas and is rated for a maximum landfill gas flow of up to 1,200 scfm. The flare is equipped with a Varec 8", model 3E-15 flame arrester. The County has installed a flow meter, sensors, and an automatic shutdown to the new control system. In addition, a spark-ignited pilot assembly with an electrically-operated solenoid pilot fuel valve provides safe flare burner ignition through a UV-sensor monitored pilot and a type K thermocouple temperature sensor. The flare is intended to meet or exceed the requirements of 40 CFR 60.18. The enclosed flare will be decommissioned.

EMISSION UNITS

This application designates two emission units within the Chautauqua County Landfill facility:

Emission Unit 1-LFGAS consists of the emission of landfill gas, generated within the buried waste mass,

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and emissions resulting from the control of the landfill gas odors.

Emission Unit 1-MISC consists of minor, exempt, and trivial emissions of other air pollutants resulting from the operation of the landfill and various ancillary support activities.

The facility's transfer station receives various recyclables, including appliances that contain restricted refrigerants. The County contracts a certified refrigerant reclamation technician to recover and recycle all ozone-depleting substances from the units in accordance with federal law.

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: RICHARD P. SWEENEY
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

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 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 compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 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 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

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

Item 3.2:

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

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

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Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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CO OFFICE BLDG
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Authorized Activity By Standard Industrial Classification Code:
1499 - NONMETALLIC MINERALS, NEC
4953 - REFUSE SYSTEMS

Permit Effective Date: 05/20/2002

Permit Expiration Date: 05/20/2007



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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Definitions Applicable To This Permit
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 200.1

Item 1.1:

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

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

Condition 2: Sealing
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 200.5

Item 2.1:

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

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

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

Condition 3: Acceptable ambient air quality
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 200.6

Item 3.1:



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

Condition 4: Maintenance of equipment
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 200.7

Item 4.1:

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

Condition 5: Unpermitted Emission Sources
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 5.1:

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

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

Condition 6: Emergency Defense
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

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(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Condition 7: Recycling and Salvage
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 7.1:

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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 9: Public Access to Recordkeeping for Title V facilities
Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 9.1:

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

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Condition 10: Proof of Eligibility

Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 10.1:

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 11: Proof of Eligibility

Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 11.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 12: Applicable Criteria, Limits, Terms, Conditions and Standards

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 12.1:

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

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

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



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reissuance, or modification, or for denial of a permit renewal application.

Item 12.2:

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

**Condition 13: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 05/20/2002 and 05/20/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

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

**Condition 14: Compliance Requirements
Effective between the dates of 05/20/2002 and 05/20/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 14.1:

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

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

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

Item 14.2:

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

Item 14.3:



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Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 15: Federally-Enforceable Requirements
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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

Condition 16: Fees
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

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

Condition 17: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

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

Condition 18: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission



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Facility DEC ID: 9063600006

Requirements

20Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 19: Permit Shield

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

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

- 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.



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Condition 20: Property Rights

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

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

Condition 21: Reopening for Cause

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Item 21.2:

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

Item 21.3:

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

Condition 22: Right to Inspect

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.



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Item 22.1:

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

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 23: Severability

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

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

Condition 24: Emission Unit Definition

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

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

Emission Unit: 0-1MISC

Emission Unit Description:

0-1MISC includes emissions from various miscellaneous exempt and trivial activities that are carried out at the site in support of landfill operations. These activities include building furnaces, domestic hot water tanks, backup generators, gasoline and diesel storage tanks and dispensing equipment, leachate storage and transfer facilities, a small parts cleaner, and passive vents for paint and flammable storage lockers. Dust emissions from landfill operations are included in this Emission Unit.

Item 24.2:

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

Emission Unit: 1-LFGAS

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Emission Unit Description:

1-LFGAS consists of the landfill area that generates landfill gas (LFG), an active gas collection system, and an open flare to combust the LFG. The gas collection system covers 61.5 acres and consists of several landfill gas extraction sources, including 40 vertical wells, 9 horizontal trenches, and 14 leachate collection system cleanouts. The active gas collection system covers all landfill cells where waste has reached an age of two or more years.

1-LFGAS has a single emission point, the open flare designated as FL001.

Three emission sources/controls generate emissions:

LFGCS - the landfill gas collection system

F1200 – the 1,200 scfm open flare

LNDFL – the existing landfill

The following two processes are also used to define 1-LFGAS: GAS, which is the collection and combustion of LFG; and FUG, which includes fugitive emissions of LFG, beyond the collection efficiency of the landfill gas collection system.

Condition 25: Compliance Certification

Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to

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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 or a toxic 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 any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of the occurrence. All deviations reported under

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paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. 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.

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification

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Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

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, 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 Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
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 4/30/03.

Subsequent reports are due on the same day each year

Condition 27: Permit Exclusion Provisions
Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 27.1:

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the



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Codes, Rules and Regulations of the State of New York (NYCRR), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

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

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 28: Required emissions tests
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 28.1:

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

Condition 29: Compliance Certification
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Condition 30: Recordkeeping requirements
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 30.1:

(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 31: NMOC Emission Rate Annual Report
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.3(b)(1)

Item 31.1:

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

- (i) submit an annual emission report to the Department, except as provided for in clause 208.8(b)(1)(ii); and
- (ii) recalculate the NMOC emission rate annually using the procedures specified in subparagraph 208.5(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed pursuant to this Subpart.

Condition 32: NMOC Calculation - Waste Deposition KNOWN
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.5(a)(1)(i)

Item 32.1:

The following equation will be used to determine the NMOC emission rate, if the year-to-year solid waste acceptance rate is known:

$$M_{\text{NMOC}} = \sum_{i=1}^n \{2 k L_0 M_i e^{-kt_i} C_{\text{NMOC}} (3.6 \times 10^{-9})\};$$

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where the NMOC emission rate is calculated for each cell (i) and n = the number of cells that are applicable to this rule and the other factors for this equation are used as defined in 6 NYCRR Part 208.5(a)(1)(i)

Condition 33: Compliance Certification
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.5(a)(1)(i)

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The equation to be used to determine the landfill NMOC emission rate is given in the other condition listed in this permit under 6NYCRR 208.5(a)(1)(i), "NMOC Calculation - Waste Deposition KNOWN."

For Tier 1 calculations, the following default values are to be used in the equation: 0.05 per year for k (methane generation rate constant), 170 cubic meters per megagram for Lo (methane generation potential), and 4,000 parts per million by volume as hexane for the CNMOC (concentration of NMOC).

For Tier 2 calculations, the landfill owner or operator may recalculate the NMOC mass emission rate using the site-specific average NMOC concentration from the sampling procedure specified in 208.5(a)(3) or, as allowed in 208.5(a)(5), from an alternative to that method if the method has been approved by the USEPA and the Department.

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For Tier 3 calculations, the landfill owner or operator may recalculate the NMOC mass emission rate using a site-specific methane generation rate constant k from the procedure specified in 208.5(a)(4) or, as allowed in 208.5(a)(5), from an alternative to that method if the method has been approved by the USEPA and the Department, and the site-specific NMOC concentration as determined in

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208.5(a)(3) or 208.5(a)(5), instead of using the default values for these parameters.

The NMOC emission rate calculations shall be performed and reported with the frequencies required in 208.8(b). To show compliance with this condition, semi-annually the permittee shall report if the calculations have been updated in the previous six-month reporting period and shall state which Tier level was used to perform the calculation.

Reference Test Method: PER 6NYCRR PART 208

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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

Condition 34: Compliance Certification
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.5(a)(3)

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

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

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

(1) No later than October 31, 2003, the landfill owner or operator is required to retest the site-specific NMOC concentration using the methods specified in 6NYCRR 208.5(a)(3). The Tier 2 method defined in 208.5(a)(3) specifies a sampling procedure consisting of installing and taking samples from at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years (maximum number of probes required limited to 50). Alternative methods can be allowed under 208.5(a)(5) if the method has been approved by the USEPA



and the Department. An EPA-approved alternative is defined in revisions to test methods for the 40 CFR 60 Subpart WWW landfill rule which were published in the October 17, 2000, Federal Register listing of Rules and Regulations. On page 61770 under the citation for 40 CFR 60.754, which addresses Tier 2 test methods and procedures, the following statement is made: "If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe." The permittee has the option of testing according to the original sample probe method, or taking samples from the landfill gas collection system header as outlined in the modifications to Subpart WWW, or proposing another option subject to advance approval by the USEPA and the Department.

(2) A detailed test protocol for retesting the site-specific NMOC concentration shall be submitted by the permittee and approved by the Department prior to testing.

Testing procedures shall conform with the methods outlined in Method 25C or Method 18 if the sample probe method is used, and with Method 25 or 25C if samples are taken from the collection system header. The protocol shall be submitted to the Department at least 45 days prior to the scheduled test date. The test sampling shall occur during the June-August 2003 time interval.

(3) If the permittee opts to take the samples from the gas removal collection system header, prior to testing it will be necessary to demonstrate that the removal system header can provide sampling as representative as the two sampling probe per hectare requirement. As part of the test protocol required under item (2) of this condition, the permittee shall state how this representativeness will be demonstrated. Any operational parameters to be used as part of the demonstration shall be measured according to the methods specified in 6NYCRR Part 208. Records of any measurements taken to support the demonstration of representativeness for the site-specific NMOC concentration test shall be included in the test report.

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(4) The permittee shall notify the Department at least 30 days prior to scheduling the testing. The test shall be completed under Department oversight.

(5) A test report shall be submitted for Department review and approval within 60 days after test completion.

Lower Permit Limit: 0 parts per million (by volume)

Reference Test Method: Method 25 or 25C

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 35: Compliance Certification
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.8(b)

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NMOC EMISSION RATE REPORTS

6NYCRR 208.3(b) requires that each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall either comply with the landfill gas collection and control system requirements of 6NYCRR 208.3 (b)(2) or calculate an initial NMOC emission rate for the landfill using the procedures specified in 208.5. The NMOC emission rate shall be recalculated annually thereafter, except as provided for in 208.8(b)(1)(ii) or 208.8(b)(3). The Department may request such additional information as may be necessary to verify the reported NMOC emission rate.

(1) The NMOC emission rate report shall contain an annual

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or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in paragraph 208.5(a) or (b), as applicable.

(i) The regulation requires that the initial NMOC emission rate report may be combined with the initial design capacity report required in paragraph 208.8(a) and shall be submitted no later than 90 days after the effective date of this section or 90 days after construction or reconstruction commences, whichever is later. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 208.8(b)(1)(ii) and 208.8(b)(3). An initial Tier 1 NMOC Emission Rate Calculation report dated June 20, 1996, was submitted as part of the Initial Design Capacity Report which is referenced in the list of Supporting Documentation as part of the Title V permit application.

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

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

(3) Each owner or operator subject to the requirements of this section is exempted from the requirements of 208.8(b)(1) and (2), after the installation of a collection and control system in compliance with subparagraph 208.3(b)(2), during such time as the collection and control system is in operation and in compliance with subdivisions 208.4 and 208.6.



(4) Semiannually the permittee shall indicate if an NMOC emission rate report was filed during the reporting period.

(5) TIER 2 NMOC EMISSION RATE CALCULATION SPECIFICS

(a) TIER 2 NMOC EMISSION RATE CALCULATIONS THROUGH 2002

The Tier 1 calculation resulted in an NMOC emission estimate greater than 50 megagrams per year. In April 1998 the owner/operator carried out a sampling program which determined a site-specific NMOC concentration using a methodology differing from the Tier 2 sample probe method (two samples taken from the landfill gas collection system main header) and recalculated a new NMOC emission rate less than 50 megagrams per year for 1997 and for the period 1998-2002. The site-specific NMOC concentration obtained in April 1998, 286 ppmv as hexane, was used in the recalculation of the NMOC emission rate for the years 1998 through 2002. Because the NMOC emission rate remained below 50 megagram/year for the five year period, 208.8(b)(1)(ii) allowed the facility to submit a single report for the 5 year period. However, because the actual waste acceptance rate for the year 1999 exceeded the projected rate, the facility was required to submit a revised NMOC emission rate report for the 1998-2002 period (submitted by letter to EPA dated February 27, 2001, and referenced as part of the Supporting Documentation for the Title V permit application).

(1') If the actual waste acceptance rates for the years 2001 and 2002 do not exceed the estimated waste acceptance rate, the NMOC emission rate estimate submitted to EPA by letter dated February 27, 2001, is not required to be revised or re-submitted for those years.

(2') If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Department as required in 208.8(b).

(3') If the resulting NMOC mass emission rate calculated using the revised waste acceptance rate and the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with 6NYCRR 208.3(b)(2), or



determine the site-specific methane generation rate using the procedure specified in 6NYCRR 208.5(a)(4).

(4') If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in 6NYCRR 208.8(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in 208.5.

(b) TIER 2 NMOC EMISSION RATE CALCULATIONS FOR YEARS 2003 THROUGH END OF PERMIT TERM

(1') Under 208.5(a)(3)(iii), if the Tier 2-equivalent NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in 208.8(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in this subdivision. The site-specific NMOC concentration was most recently sampled on April 10, 1998, and must be retested no later than October 31, 2003.

(2') Options and specific requirements for the Tier 2 test are addressed in this Title V permit in an Intermittent Emission Testing permit condition cited under 208.5(a)(3).

(3') The landfill owner or operator shall recalculate the NMOC mass emission rate using the equation provided in 208.5(a)(1)(i) (because the actual year-to-year solid waste acceptance rates are known) and using the average NMOC concentration from the year 2003 test instead of the default value in the equation provided in 6NYCRR 208.5(a)(1).

(4') If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with 6NYCRR 208.3(b)(2), or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedures specified in 6NYCRR 208.5(a)(4).

(5') If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as



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provided in 6NYCRR 208.8(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in 208.5.

Reference Test Method: Method 25 or 25C

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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

Condition 36: Compliance Certification
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 208.9(a)

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(3)(i)(a), each owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) shall keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/03.

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

Condition 37: Visible emissions limited.
Effective between the dates of 05/20/2002 and 05/20/2007



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Applicable Federal Requirement: 6NYCRR 211.3

Item 37.1:

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

**Condition 38: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 05/20/2002 and 05/20/2007**

Applicable Federal Requirement: 6NYCRR 215.

Item 38.1:

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

**Condition 39: Recycling and Emissions Reduction
Effective between the dates of 05/20/2002 and 05/20/2007**

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 39.1:

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

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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



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Condition 40: Emission Point Definition By Emission Unit
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 40.1:

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

Emission Unit: 1-LFGAS

Emission Point: FL001

Height (ft.): 15

Diameter (in.): 8

NYTMN (km.): 4681.6

NYTME (km.): 143.3

Condition 41: Process Definition By Emission Unit
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 41.1:

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

Emission Unit: 1-LFGAS

Process: FUG

Source Classification Code: 5-01-004-02

Process Description:

FUGITIVE LANDFILL GAS EMISSIONS (BEYOND THE COLLECTION EFFICIENCY OF THE GAS COLLECTION SYSTEM). BASED ON THE ATTACHED CALCULATIONS, APPROXIMATELY 63% OF THE LANDFILL GAS IS NOT COLLECTED.

Emission Source/Control: LNDFL - Process

Item 41.2:

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

Emission Unit: 1-LFGAS

Process: GAS

Source Classification Code: 5-01-004-10

Process Description:

Landfill gas is collected from an active solid waste landfill and combusted in a 1,200 cfm open flare.

Emission Source/Control: F1200 - Control

Control Type: FLARING

Emission Source/Control: LFGCS - Process



STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 42: Unavoidable noncompliance and violations
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 42.1:

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



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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 43: General Provisions

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 201-5.

Item 43.1:

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

Item 43.2:

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

Item 43.3:

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

Condition 44: Permit Exclusion Provisions

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 201-5.

Item 44.1:

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

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



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contained in such order or modification thereof unless specifically intended by this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 45: Contaminant List

Effective between the dates of 05/20/2002 and 05/20/2007

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

Item 45.1:

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

CAS No: 0NY998-20-0

Name: NMOC - LANDFILL USE ONLY

Condition 46: Air pollution prohibited

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 211.2

Item 46.1:

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 47: Open fires at MSW Landfills prohibited

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 215.2(b)

Item 47.1:

Except as permitted by section 215.3, no person shall burn, cause, suffer, allow or permit the burning in an open fires of refuse at a refuse disposal area.

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

Condition 48: Compliance Demonstration

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 212.4

Item 48.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS Emission Point: FL001
Process: GAS Emission Source: F1200

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

Item 48.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

EXIT VELOCITY

1) The open flare shall be designed for and operated in accord with the requirements of 40 CFR 60.18. Per 40 CFR 60.18(c)(4)(i), nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec). Instead of determining the actual exit velocity of the flare by the methods specified in 40 CFR 60.18(f)(4) (which involve dividing the volumetric flowrate (in units of standard temperature and pressure) as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate, by the unobstructed (free) cross sectional area of the flare tip), the owner/operator has submitted design calculations indicating that the blower/flare combination is not anticipated to exceed the 60 ft/sec maximum tip velocity. Since the maximum rating of the blower is 1,200 cfm (20 cfs), and the area of the 8 inch diameter flare tip is fixed at 50.24 sq. in. (0.3489 sq. ft.), the maximum tip velocity is calculated to be $(20)/(0.3489)$, or 57.3 ft/sec.

2) If the landfill becomes subject to the control requirements of Part 208, the exit velocity of the flare will be required to be determined by the methods given in 40 CFR 60.18(f)(4). A detailed test protocol would be

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required to be submitted by the permittee and approved by the Department prior to testing.

Upper Permit Limit: 60 feet per second

Reference Test Method: Methods 2 through 2D

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 49: Compliance Demonstration
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 212.4

Item 49.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS Emission Point: FL001

Process: GAS Emission Source: F1200

Regulated Contaminant(s):

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

Item 49.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NET HEATING VALUE OF GAS COMBUSTED

1) The open flare shall be designed and operated in accord with the requirements of 40 CFR 60.18. Per 40 CFR 60.18(c)(3), flares shall be used only with the net heating value of the gas being combusted being 200 Btu/scf or greater if the flare is nonassisted. Instead of carrying out a complete net heating value evaluation as specified in 40 CFR 60.18(f)(3), as would be required if the landfill were subject to the control requirements of Part 208, the owner/operator has proposed the use of a methane monitor to ensure that the gas supplied to the flare meets this requirement. The owner/operator has determined that since the net heating value of methane is 913 Btu/scf, to comply with the heating value requirement, the landfill gas mixture must be a minimum of 22 percent methane. Gas samples collected for the 1998 alternative Tier 2 NMOC emission test showed an undiluted landfill gas

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methane concentration of 63 percent. The flare is designed to shut down for high oxygen levels well before the landfill gas could be diluted by enough air to drop below 22 percent methane.

2) The methane and oxygen monitors must be installed, calibrated, maintained, and operated in accord with manufacturers' recommendations. The date, time, staff name and results of calibration and maintenance activities shall be recorded in a log, and any problems with the monitors shall be recorded, noting the cause and what corrective action was taken. The log shall be made available for Department review upon request.

3) If the landfill becomes subject to the control requirements of Part 208, the net heating value of the gas being combusted shall be required to be determined by the methods and equation given in 40 CFR 60.18(f)(3), where the concentration of organics is measured by Reference Method 18 and the concentrations of hydrogen and carbon monoxide are measured by ASTM D1946-77, and the net heat of combustion of each sample component is determined using ASTM D2382-76 if published values are not available or cannot be calculated.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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

Condition 50: Compliance Demonstration

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 212.4

Item 50.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS Emission Point: FL001

Process: GAS Emission Source: F1200

Regulated Contaminant(s):

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

Item 50.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

VISIBLE EMISSIONS LIMITATION

1) The open flare shall be designed for and operated in accord with the requirements of 40 CFR 60.18. Per 40 CFR 60.18(c)(1), the open flare shall be designed for and operated with no visible emissions as determined by Reference Method 22, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. An initial performance test was carried out within 30 days of commencement of operation which showed compliance with this requirement. After the initial performance test, the flare shall be monitored monthly using EPA Method 22 and the results shall be recorded in a log to be maintained on site. Failure of the unit to meet the performance test limit shall cause the permittee to re-evaluate the design and take appropriate remedial measures according to a Department-approved schedule.

2) The results of monitoring shall be reported to the Department semiannually.

Lower Permit Limit: 0 percent

Reference Test Method: Method 22

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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

Condition 51: Compliance Demonstration
Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 212.4

Item 51.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS Emission Point: FL001

Process: GAS Emission Source: F1200

Regulated Contaminant(s):

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

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Item 51.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 1) The facility has installed a landfill gas collection system and an open flare to control NMOC emissions. The flare has been designed and will be operated to meet the requirements of 40 CFR 60.18, which is considered adequate to ensure an acceptable degree of destruction of NMOC emissions which are known to contain toxic and hazardous constituents, some of which are A rated under the toxics rating system of 6NYCRR Part 212.
- 2) Flaring of landfill gas through the open flare shall be required on a permanent basis unless an acceptable alternative is approved by the Department.
- 3) The system should be operated such that all collected gases are vented to the open flare. The flare should be operated at all times when collected gas is routed to the system. As described by the permittee, an automatic nitrogen gas operated gas shut-off valve is installed upstream from the blower. This valve shall close and the blower will shut down in case of the following: a) loss of power; b) loss of flame, as detected by the UV sensor and thermocouple; c) high oxygen levels, as detected by a gas analyzer; and d) high vacuum. In the event the 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. A log recording problems with the collection and control system, including a description of the problem and steps taken to resolve it, including date, time, and identification of the operator recording the incident, shall be maintained. A summary of incidents shall be reported to the Department semiannually.
- 4) The facility shall maintain on file at the site a plan for the flare which demonstrates the manner in which its design, construction, operation, and maintenance meet the requirements of 40 CFR 60.18.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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

Condition 52: Compliance Demonstration

Effective between the dates of 05/20/2002 and 05/20/2007

Applicable State Requirement: 6NYCRR 212.4

Item 52.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGAS Emission Point: FL001

Process: GAS Emission Source: F1200

Regulated Contaminant(s):

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

Item 52.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

CONFIRMATION OF FLAME PRESENCE

1) The open flare shall be designed for and operated in accord with the requirements of 40 CFR 60.18. Per 40 CFR 60.18(c)(2), the flare shall be operated with a flame present at all times, as determined by monitoring using a thermocouple or any other equivalent device to detect the presence of a flame.

2) If the monitoring device fails, the flare shall not be operated until the device has been repaired or replaced. Problems and resolutions shall be recorded in a log to be maintained on site.

3) Any monitoring device outages and the steps taken to resolve such shall be reported to the Department semiannually.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/02.

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