

New York State Department of Environmental Conservation
Facility DEC ID: 9146200001



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-1462-00001/00013
Effective Date: 06/04/2002 Expiration Date: 06/04/2007

Permit Issued To: WASTE MANAGEMENT OF NEW YORK LLC
1001 FANNIN SUITE 4000
HOUSTON, TX 77002

Contact: MIKE GLASNER
10860 OLEAN ROAD
CHAFFEE, NY 14030
(716) 496-5000

Facility: C I D LANDFILL
10860 OLEAN ROAD
CHAFFEE, NY 14030-9799

Contact: MIKE GLASNER
10860 OLEAN ROAD
CHAFFEE, NY 14030
(716) 496-5000

Description:

C.I.D. Landfill, Inc. and C.I.D. Refuse Service, Inc. (C.I.D.) is a multi-faceted solid waste management facility located in Sardinia, New York on approximately 700 acres and is owned by Waste Management of New York, L.L.C. The facility is a major source for carbon monoxide (CO) and therefore must obtain a Title V Permit. The landfill, which is approximately 51 acres, is located near the center of the property. The wastes accepted at the facility include municipal solid waste (MSW) generated by residential, commercial and light industrial sources. Approved (non-hazardous) industrial waste is also accepted. Construction and demolition debris and contaminated soils are accepted and used as an alternate daily cover. Refuse currently fills approximately 47 acres of the 50 acre landfill. The landfill is designed to hold approximately 7,750,000 cubic yards of refuse (6.2 million tons). Based on current fill rates, the expected closure date is 2012. The major activities associated with the landfill include leachate and condensate removal from seven locations and recovery of landfill gas using gas extraction wells. The leachate and condensate are loaded into tank trucks and hauled off-site to the Buffalo Sewer Authority or to the City of Niagara Falls Waste Water Treatment Plant. Landfill gas recovered from the landfill is conveyed to the flare located to the east of the landfill.

The current operations at the facility that are regulated by this Title V Permit are the following:

MSW Landfill,
Landfill Gas Flare,
Maintenance Shop with a solvent metal cold cleaning degreaser, and a Paint Booth.

FINAL



New York State Department of Environmental Conservation
Facility DEC ID: 9146200001

In addition, the following operations at the facility are exempt from air permitting requirements but are regulated under the general nuisance provisions of the air regulations and by other divisions of the New York State Department of Environmental Conservation or local authorities:

Clay and Gravel Mines,
Five Leachate Storage Tanks and Two Condensate Storage Tanks,
Recycling Operations,
Equipment Storage,
Main Office Building, and a Greenhouse.

Landfill gas is generated as a result of the decomposition of organic wastes in the landfill. The gas consists primarily of methane and carbon monoxide, but also includes ethane, nitrogen, oxygen, water and a variety of VOCs and HAPs that are present in low concentrations. Landfill gas emissions are controlled by collecting the gas in extraction wells and piping it to the gas recovery plant. The uncollected portion of the generated gas is assumed to exit the landfill as fugitive emissions, although in reality the landfill's cover acts as a partial barrier to landfill gas emissions. C.I.D. utilizes an active gas collection system, meaning the landfill gases are drawn into the collection piping by inducing a vacuum on the system. The collected landfill gas is pumped to an enclosed flare where it is then combusted. Emissions from the flare include constituents of landfill gas that are not destroyed by the combustion process, as well as secondary emissions consisting of NO_x, SO₂, CO and PM-10. The landfill gas is subject to the NSPS (New Source Performance Standards) 40 CFR 60 Subpart WWW. This regulation contains all of the requirements for the landfill gas collection system and flaring of the collected gas. This Title V permit contains all of the appropriate requirements of 40 CFR 60 Subpart WWW as they relate to the landfill, gas collection system, and flare.

This permit also contains requirements for the maintenance shop. Specifically, the appropriate requirements of 6 NYCRR Part 226 - Solvent Metal Cleaning Processes are included for the solvent metal cold cleaning degreaser. Also, there are operation and maintenance requirements for the paint spray booth particulate control filters that assure compliance with the particulate and opacity limits and a facility wide emission limit of 49 tons per year of volatile organic compounds (VOC). CID has agreed to maintain emissions below this VOC limit in order to remain below the applicability level of 6 NYCRR Part 228 - Surface Coating, which, if applicable, would limit the amount of solvent that could be contained in the coatings used in the spray paint booth.

This permit contains all of the record keeping and reporting requirements necessary to determine the compliance status of the CID facility. In addition, there is a requirement for submission of semi annual reports of all compliance monitoring and a requirement for the submission of an annual report in which the facility must certify the compliance status of each condition in this permit.

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

Permit Administrator: DAVID S. DENK
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

FINAL

New York State Department of Environmental Conservation
Facility DEC ID: 9146200001



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

New York State Department of Environmental Conservation
Facility DEC ID: 9146200001



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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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Authorized Activity By Standard Industrial Classification Code:
1459 - CLAY AND RELATED MINERALS



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 Definitions Applicable To This Permit
- 2 False statement
- 3 Applicable Criteria, Limits, Terms, Conditions and Standards
- 4 Cessation or Reduction of Permitted Activity Not a Defense
- 5 Compliance Requirements
- 6 Federally-Enforceable Requirements
- 7 Fees
- 8 Monitoring, Related Recordkeeping and Reporting Requirements
- 9 Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
- 10 Permit Shield
- 11 Property Rights
- 12 Reopening for Cause
- 13 Right to Inspect
- 14 Severability
- 15 Emission Unit Definition
- 16 Compliance Certification
- 17 Compliance Certification
- 18 Non Applicable requirements
- 19 Compliance Certification
- 20 Recordkeeping requirements
- 21 Open Fires Prohibited at Industrial and Commercial Sites
- 22 Compliance Certification
- 23 Facility Permissible Emissions
- 24 Compliance Certification
- 25 EPA Region 2 address.
- 26 Excess emissions report.
- 27 Excess emissions report.
- 28 Facility files for subject sources.
- 29 Performance test methods.
- 30 Prior notice.
- 31 Performance testing facilities.
- 32 Number of required tests.
- 33 Availability of information.
- 34 Circumvention.
- 35 Compliance Milestones-Increments of Progress
- 36 Standards for air emissions from MSW landfills
- 37 Operational standards for collection and control systems
- 38 Compliance Certification
- 39 Compliance Certification
- 40 Compliance Certification

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



- 41 Compliance Certification
- 42 Compliance Certification
- 43 Compliance Certification
- 44 Compliance Certification
- 45 Compliance Certification
- 46 Test Methods and Procedures
- 47 NMOC Calculation After Collection and Control System Installation
- 48 Performance Test
- 49 Compliance Provisions - collection system
- 50 Compliance Provisions - wells
- 51 Compliance Provisions - surface methane
- 52 Compliance Provisions - instrumentation specifications
- 53 Compliance Provisions - Start-up, shutdown, or malfunction
- 54 Compliance Certification
- 55 Monitoring of Operations - Enclosed Combustor
- 56 Compliance Certification
- 57 Reporting Requirements - Closure Report
- 58 Reporting Requirements - Control Equipment Removal
- 59 Compliance Certification
- 60 Reporting requirements - Collection and control system
- 61 Compliance Certification
- 62 Compliance Certification
- 63 Compliance Certification
- 64 Compliance Certification
- 65 Compliance Certification
- 66 Specifications for active collection systems
- 67 Asbestos-containing waste material standard for active waste disposal sites
- 68 Recycling and Emissions Reduction
- Emission Unit Level**
- 69 Emission Point Definition By Emission Unit
- 70 Process Definition By Emission Unit
- 71 Asbestos-containing waste material standard for active waste disposal sites
- 72 Flares
- 73 Flare monitoring requirements.
- 74 General Control Device Requirements - Flares
- 75 Flare compliance testing.
- 76 Compliance Certification (EU=M-00001)
- 77 Compliance Certification (EU=M-00001)
- 78 General requirements
- 79 Compliance Certification (EU=M-00001,Proc=DGT,ES=0DGT1)
- 80 Operational Requirements - Cold Cleaning Degreasing
- 81 Emissions from a single device through multiple emission points
- 82 Compliance Certification (EU=M-00001,EP=M0001)
- 83 Compliance Certification (EU=M-00001,EP=M0002)

STATE ONLY ENFORCEABLE CONDITIONS



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Facility Level

84 Unavoidable noncompliance and violations

85 Contaminant List

86 Air pollution prohibited

NEC

4953 - REFUSE SYSTEMS

Permit Effective Date: 06/04/2002

Permit Expiration Date: 06/04/2007



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Definitions Applicable To This Permit
Effective between the dates of 06/04/2002 and 06/04/2007

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: False statement
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 200.3

Item 2.1:

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

Condition 3: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 3.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Item 3.2:

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 4: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 4.1:

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 5: Compliance Requirements
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 5.1:

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 5.2:

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 5.3:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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 6: Federally-Enforceable Requirements
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 6.1:

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 7: Fees
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 7.1:

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

Condition 8: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 8.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Requirements

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 9.1:

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

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

Condition 10: Permit Shield

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 10.1:

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.



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Condition 11: Property Rights

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 11.1:

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

Condition 12: Reopening for Cause

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 12.1:

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 12.2:

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 12.3:

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 13: Right to Inspect

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Item 13.1:

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 14: Severability

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 14.1:

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 15: Emission Unit Definition

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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

Emission Unit: L-00001

Emission Unit Description:

C.I.D. operates a municipal solid waste (MSW) landfill designed to hold 7,750,000 cubic yards of refuse (6.2 million tons). Currently, the landfill is at approximately 4.2 million tons of refuse and produced an estimated 1,296 million cubic feet of landfill gas and 2,062,496 gallons of leachate in the year 1997. Air emissions are controlled by the use of an enclosed flare. Air emissions from the landfill include primarily combustion components from the operation of the flare and fugitive emissions from the uncontrolled landfill gas.

Item 15.2:

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

Emission Unit: M-00001



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Emission Unit Description:

Miscellaneous maintenance activities are performed at the facility for the equipment and vehicles owned by C.I.D. These activities include a paint booth and a parts cleaning tank.

Building(s): MB

Condition 16: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 16.1:

The Compliance Certification activity will be performed for the Facility.

Item 16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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.

0 If any of the above conditions are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) through (4) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under 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) though (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.

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 17: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 17.1:

The Compliance Certification activity will be performed for the Facility.

Item 17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certifications shall contain the following information:

- the identification of each term or condition of the

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



permit that is the basis of the certification;

- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;

and

- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

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

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

and Enforcement
625 Broadway
Albany, NY 12233-3258

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/03.
Subsequent reports are due on the same day each year

Condition 18: Non Applicable requirements
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 18.1:

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

Condition 19: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 19.1:

The Compliance Certification activity will be performed for the Facility.

Item 19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

Condition 20: Recordkeeping requirements
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 20.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

- (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 21: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 215.

Item 21.1:

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 22: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.50 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 23: Facility Permissible Emissions
Effective between the dates of 06/04/2002 and 06/04/2007**



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Applicable Federal Requirement: 6NYCRR 228.

Item 23.1:

The sum of emissions from the emission units specified in this permit shall not exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY998-00-0
Name: VOC

PTE: 98,000 pounds per year

Condition 24: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 228.

Item 24.1: The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 24.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

C.I.D. has accepted a facility-wide limit of 49 tons per year of volatile organic compounds (VOC) to avoid the control requirements for the surface coating process, identified as PSB. Usage records must be maintained and emissions calculated monthly for each VOC emission source at the facility. The monthly emissions must be totaled for each consecutive 12 month period.

Parameter Monitored: VOC

Upper Permit Limit: 49 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 25: EPA Region 2 address.

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 25.1:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

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

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

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

Condition 26: Excess emissions report.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 26.1:

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

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

Condition 27: Excess emissions report.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 27.1:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Condition 28: Facility files for subject sources.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 28.1:

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

Condition 29: Performance test methods.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 29.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

Condition 30: Prior notice.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 30.1:

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

Condition 31: Performance testing facilities.
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 31.1:

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



4) utilities for sampling and testing equipment.

Condition 32: Number of required tests.
Effective between the dates of 06/04/2002 and 06/04/2007

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

0

Item 32.1:

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

Condition 33: Availability of information.
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 33.1:

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

Condition 34: Circumvention.
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 34.1:

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

Condition 35: Compliance Milestones-Increments of Progress
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 60.752, NSPS Subpart WWW

Item 35.1:

The following compliance milestones for the completion of the design and construction of the collection and control system shall be met:

- 1. Submittal of the final control plan for the collection and control system: The final control plan must be submitted within 1 year from the commencement of construction on the modification. Since commencement of construction on the modification began on July 1, 2000, the final control plan must be submitted by July 1, 2001. A Landfill Gas Collection System Design Plan was submitted to the USEPA and the Department in February, 2001.**

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



2. **Awarding of contracts for construction of the collection and control system: The first contract for the construction of the collection and control system was awarded on January 22, 2001.**
3. **Initiation of on-site construction and/or installation of the collection and control system: Initiation of installation of the collection and control system began on January 28, 2001.**
4. **Completion of on-site construction of the collection and control system: Construction of the collection and control system must be completed by December 31, 2002.**
5. **Enclosed Combustion Device (Enclosed Flare) Emission Test: An emission test protocol must be submitted to the Department at least 60 days prior to emission testing the enclosed flare. Also, the Department must be notified at least 30 days prior to conducting the emission test.**
6. **Submittal of Final Compliance Report for the collection and control system: A Final Compliance Report for the collection and control system must be submitted to the USEPA and the Department by June 30, 2003.**

**Condition 36: Standards for air emissions from MSW landfills
Effective between the dates of 06/04/2002 and 06/04/2007**

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

Item 36.1:

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

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

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

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

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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

A) An active gas collection system shall:

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

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

3) collect gas at a sufficient extraction rate; and

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

(B) A passive collection system shall:

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

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

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

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

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

(1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



the requirements of paragraph (iii)(A) or (B) above.

**Condition 37: Operational standards for collection and control systems
Effective between the dates of 06/04/2002 and 06/04/2007**

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

Item 37.1:

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

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

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

**Condition 38: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007**

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

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



declining flows.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: PRESSURE

Upper Permit Limit: 0 pounds per square inch gauge

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 39: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operate each interior wellhead in the collection system with a nitrogen level in the landfill gas less than 20%.

The owner or operator may establish a higher operating nitrogen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: NITROGEN CONTENT

Upper Permit Limit: 19.9 percent

Reference Test Method: Method 3c

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 40: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: OXYGEN CONTENT

Upper Permit Limit: 4.9 percent

Reference Test Method: Method 3a

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 41: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade. The owner or operator may establish a higher operating temperature at a particular well. A higher



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: TEMPERATURE
Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)
Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 42: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING
Monitoring Description:

Operate the collection system so that the methane concentration is less than 500 part per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent overage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. This plan shall be submitted to the Department for review and approval within 60 days of issuance of this permit. The plan shall



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

be revised as needed for any landfill expansion. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

Parameter Monitored: METHANE
Upper Permit Limit: 499 parts per million (by volume)
Monitoring Frequency: QUARTERLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 43.1:
The Compliance Certification activity will be performed for the Facility.

Item 43.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

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

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: LANDFILL GAS
Upper Permit Limit: 1 hours
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 44: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Item 44.1:

The Compliance Certification activity will be performed for the Facility.

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 45: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 45.1:

The Compliance Certification activity will be performed for the Facility.

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/02/2003 for the period 06/04/2002 through 12/03/2002

Condition 46: Test Methods and Procedures

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 60.754, NSPS Subpart WWW

Item 46.1:

After installation of a collection and control system, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed. The NMOC emission rate is determined as follows:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

M_{NMOC} = mass emission rate of NMOC, (MG/year)

Q_{LFG} = flow rate of landfill gas (m^3/min)

C_{NMOC} = NMOC concentration (ppmv as hexane)

The flow rate of landfill gas shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device.

The average NMOC concentration shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal system, using the procedures in Method 25C or Method 18 of Appendix A of 40 CFR 60 Subpart WWW.

Method 25C or Method 18 of Appendix A of 40 CFR 60 Subpart WWW shall be used to determine compliance with the 98% weight removal efficiency or the 20 ppmv outlet concentration level.

Condition 47: NMOC Calculation After Collection and Control System Installation

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 47.1:

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

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

where,

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

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

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

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

(2) The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of 40 CFR Part 60 Appendix A.



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

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

Condition 48: Performance Test

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 48.1:

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

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

where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

Condition 49:n0 Compliance Provisions - collection system

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 49.1:

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

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

60.754(a)(4), the value of k determined from the test shall be used. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

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

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

where,

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

k = methane generation rate constant, year⁻¹

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

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

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

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

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

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

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

6) An owner or operator seeking to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR Part 60.759 shall provide information satisfactory to the Administrator as specified in



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

40 CFR Part 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

Condition 50: Compliance Provisions - wells
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 50.1:

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

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

Condition 51: Compliance Provisions - surface methane
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 51.1:

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

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

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

3) Surface emission monitoring shall be performed in accordance with section 8.3.1 of Method 21 of 40 CFR Part 60 Appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

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

- i) The location of each monitored exceedance shall be marked and the location recorded.
- ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.
- iii) If the re-monitoring of the location shows a second exceedance, additional corrective action



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

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

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

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

**Condition 52: Compliance Provisions - instrumentation specifications
Effective between the dates of 06/04/2002 and 06/04/2007**

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

Item 52.1:

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

- 1) The portable analyzer shall meet the instrument specifications provided in section 6 of Method 21 of 40 CFR Part 60 Appendix A, except that "methane" shall replace all references to VOC.
- 2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.
- 3) To meet the sample, collection, preservation, storage and transport requirements in Section 8.0 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 8.1 of Method 21 shall be used.
- 4) The calibration procedures provided in section 10 of Method 21 of 40 CFR Part 60 Appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

**Condition 53: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 06/04/2002 and 06/04/2007**

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

Item 53.1:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Condition 54: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 54.1:

The Compliance Certification activity will be performed for the Facility.

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 55: Monitoring of Operations - Enclosed Combustor
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 55.1:

Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) using an enclosed



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.

(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 °C, whichever is greater. A temperature monitoring device is not required for boilers or process heaters with design heat input capacity greater than 44 megawatts.

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

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

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

Condition 56: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 56.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000074-82-8 METHANE

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

Each owner or operator seeking to demonstrate compliance with 40 CFR Part 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR Part 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

Parameter Monitored: METHANE

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Reference Test Method: Method 21

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 57: Reporting Requirements - Closure Report
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 57.1:

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

Condition 58: Reporting Requirements - Control Equipment Removal
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 58.1:

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

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

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

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

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

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

Condition 59: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



Item 59.1:

The Compliance Certification activity will be performed for the Facility.

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR Part 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/03.

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

Condition 60: Reporting requirements - Collection and control system
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 60.1:

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

1) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;

2) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;

3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;

4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

5) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and

6) The provisions for the control of off-site migration.

Condition 61: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 61.1:

The Compliance Certification activity will be performed for the Facility.

Item 61.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of 40 CFR Part 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 40 CFR Part 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 62: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 62.1:

The Compliance Certification activity will be performed for the Facility.

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



by the Administrator.

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

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Condition 63: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 64: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 64.1:

The Compliance Certification activity will be performed for the Facility.

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 65: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 65.1:

The Compliance Certification activity will be performed for the Facility.

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 66: Specifications for active collection systems
Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 66.1:

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

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (2) below shall be used.

2) For new collection systems, the maximum flow rate shall be in accordance with 40 CFR Part 60.755(a)(1).

Condition 67: Asbestos-containing waste material standard for active waste disposal sites
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Item 67.1:

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

Condition 68: Recycling and Emissions Reduction
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 68.1:

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

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

Condition 69: Emission Point Definition By Emission Unit
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 69.1:

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

Emission Unit: L-00001

Emission Point: L0001

Height (ft.): 40

Diameter (in.): 132

NYTMN (km.): 4719.3

NYTME (km.): 214.3

Item 69.2:

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

Emission Unit: M-00001



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Emission Point: M0001
Height (ft.): 34 Diameter (in.): 42
NYTMN (km.): 4719.3 NYTME (km.): 214.3 Building: MB

Emission Point: M0002
Height (ft.): 34 Diameter (in.): 42
NYTMN (km.): 4719.3 NYTME (km.): 214.3 Building: MB

**Condition 70: Process Definition By Emission Unit
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 70.1:

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

Emission Unit: L-00001
Process: LEA Source Classification Code: 5-03-006-02
Process Description:
Landfill operations produce leachate which is collected in leachate tanks and condensate tanks. As the tanks near their capacity, the leachate is pumped into trucks and shipped off-site.

Emission Source/Control: LNDFL - Process
Design Capacity: 7,750,000 cubic yards

Item 70.2:

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

Emission Unit: L-00001
Process: LGF Source Classification Code: 5-02-006-01
Process Description:
C.I.D. operates a John Zink enclosed ground flare system for control of landfill gas emissions. The flare has dimensions of 11 feet 4 inches outer diameter by 40 feet 1 inch tall. It has permitted heat input rating of 43.2 million British Thermal Units per hour (MMBtu/hr) and is capable of combusting up to 144,000 cubic feet per hour of landfill gas.

Emission Source/Control: 0LGF1 - Control
Control Type: FLARING

Emission Source/Control: LNDFL - Process
Design Capacity: 7,750,000 cubic yards

Item 70.3:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Emission Unit: M-00001

Process: DGT

Source Classification Code: 4-01-002-95

Process Description:

C.I.D. has three degreasing tanks for cleaning miscellaneous vehicle parts and tools. Two tanks are remote reservoirs and are considered trivial activities under 6NYCRR Part 201-3.3. The other degreasing tank is a rectangular basin, 30.5"x60"x8.5", and holds approximately 51 gallons of Safety Kleen's 105 solvent.

Emission Source/Control: 0DGT1 - Process

Design Capacity: 140 gallons

Item 70.4:

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

Emission Unit: M-00001

Process: PSB

Source Classification Code: 4-02-001-10

Process Description:

C.I.D. operates a paint spray booth to coat miscellaneous equipment, primarily facility vehicles and waste receptacles. The booth is approximately 25 feet wide and 60 feet long. A high volume low pressure (HVLP) spray gun is used with a rated capacity of 0.117 gal/min. Emissions are vented through particulate filters, rated at 90% efficiency and then exhausted through two identical stacks.

Emission Source/Control: 0PSB2 - Control

Control Type: FABRIC FILTER

Emission Source/Control: 0PSB1 - Process

Design Capacity: 0.117 gallons per minute

**Condition 71: Asbestos-containing waste material standard for active waste disposal sites
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Item 71.1:

This Condition applies to Emission Unit: L-00001

Item 71.2:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Condition 72: Flares

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 72.1:

This Condition applies to Emission Unit: L-00001
Process: LGF

Item 72.2:

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

- 1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);
- 3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).
- 4) Steam assisted and nonassisted flares shall be designed for and operate 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), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).

Condition 73: Flare monitoring requirements.

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 73.1:

This Condition applies to Emission Unit: L-00001
Process: LGF

Item 73.2:

Owners or operators of flares used to comply with the provisions of 40 CFR 60.18 shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

Condition 74: General Control Device Requirements - Flares

Effective between the dates of 06/04/2002 and 06/04/2007



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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

Item 74.1:

This Condition applies to Emission Unit: L-00001
Process: LGF

Item 74.2:

Flares used to comply with the provisions of 40 CFR Part 60 Subpart A shall be operated whenever landfill gas is vented to them.

Condition 75: Flare compliance testing.

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 75.1:

This Condition applies to Emission Unit: L-00001
Process: LGF

Item 75.2: Required flares used to comply with the provisions in this subpart shall comply with the following:

1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

3) The net heating value of the gas being combusted in a flare shall be calculated using the equation found in 40CFR 60.18(f)(3).

4) The actual exit velocity of a flare shall be determined by 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.

5) The maximum permitted velocity, V_{max} , for flares complying with 40CFR 60.18(c)(4)(iii) shall be determined by the equation given in 40CFR 60.18(f)(5).

6) The maximum permitted velocity, V_{max} , for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

Condition 76: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 212.4(c)

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of all paint spray booths must periodically monitor the booths and the accompanying particulate control device(s) by completing the following tasks on a weekly basis:

- Inspect the spray booth emission point for evidence of paint fallout and for presence of visible emissions. Presence of visible emissions indicates that the emission sources may not be operating properly and may need servicing.
- Inspect the spray booth's particulate control device for evidence that maintenance or replacement is needed.
- Record in an inspection log, which shall be made available for Department review upon request, the following information: Date, time, name of staff person performing inspection, and inspection results for each inspection; and, whenever a problem is discovered, a description of the problem, cause and corrective action taken.

Regardless of when a problem is noted, i.e., at a time other than during the weekly inspection, it must be immediately remedied.

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 7/30/02.

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

Condition 77: Compliance Certification

Effective between the dates of 06/04/2002 and 06/04/2007



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 77.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

Item 77.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions from the entire facility. If any visible emissions are identified, corrective action shall be taken, as needed. Daily observations shall be recorded in

notebook. The Department reserves the right to

perform or require the performance of a Method 9 opacity evaluation

a bound

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 78: General requirements

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 226.2

Item 78.1:

This Condition applies to Emission Unit: M-00001

Process: DGT

Emission Source: ODGT1

Item 78.2:

No person shall conduct solvent metal cleaning unless:



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

- (1) Solvent is stored in covered containers and waste solvent is transferred or disposed of in such a manner that less than 20 percent of the waste solvent, by weight, can evaporate into the atmosphere;
- (2) Equipment used in solvent metal cleaning is maintained to minimize leaks and fugitive emissions;
- (3) Equipment used in solvent metal cleaning displays a conspicuous summary of proper operating procedures consistent with minimizing emissions of volatile organic compounds; and
- (4) Equipment covers are closed when the solvent metal cleaning unit is not in service.
- (5) A record of solvent consumption shall be maintained for each year and made available to the commissioner or his representative upon request.

Condition 79: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 226.3(a)

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

Process: DGT

Emission Source: ODGT1

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except where otherwise permitted by the commissioner, the following devices are required by a source owner conducting solvent metal cold cleaning degreasing:

- (1) A cover shall be provided which can be operated easily.
- (2) The drainage facility shall be internal (under cover), if practical.
- (3) A control system that limits VOC emissions to those achievable with equipment having a freeboard ratio greater than or equal to 0.7, or a water cover where the solvent is insoluble in and heavier than water, where the solvent being used has a vapor pressure greater than 33mm Hg at 38° C (100° F) or where the solvent is heated above 50° C (120° F).

Monitoring Frequency: AS REQUIRED - SEE MONITORING



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

**Condition 80: Operational Requirements - Cold Cleaning Degreasing
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 226.4(a)

Item 80.1:

This Condition applies to Emission Unit: M-00001

Process: DGT

Emission Source: ODGT1

Item 80.2:

Except where otherwise permitted by the commissioner, the following operating practices are required by a source owner conducting solvent metal cold cleaning degreasing:

- Clean parts shall be drained at least 15 seconds or until dripping ceases

**Condition 81: Emissions from a single device through multiple emission points
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 212.5(b)

Item 81.1:

This Condition applies to Emission Unit: M-00001

Process: PSB

Item 81.2:

Where air contaminants from a single device or contrivance are emitted to the outdoor atmosphere through more than one emission point, the sum of the emissions from all such emission points shall not exceed the quantity that would be permitted if said emissions were through a single emission point.

**Condition 82: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007**

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001 Emission Point: M0001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 83: Compliance Certification
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 83.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001 Emission Point: M0002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 83.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.05 grains per dscf

Reference Test Method: EPA Method 5

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

Condition 84: Unavoidable noncompliance and violations
Effective between the dates of 06/04/2002 and 06/04/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 84.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001

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 85: Contaminant List

Effective between the dates of 06/04/2002 and 06/04/2007

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

Item 85.1:

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

CAS No: 000074-82-8

Name: METHANE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY998-00-0

Name: VOC

Condition 86: Air pollution prohibited

Effective between the dates of 06/04/2002 and 06/04/2007

Applicable State Requirement: 6NYCRR 211.2

Item 86.1:

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.