

**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
Mod 0 Effective Date: 06/04/2002 Expiration Date: 06/04/2007
Mod 1 Effective Date: 09/02/2003 Expiration Date: No expiration date.
Mod 2 Effective Date: Expiration Date:

Permit Issued To: WASTE MANAGEMENT OF NEW YORK LLC
123 VARICK AVE
BROOKLYN, NY 11237

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

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

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

Description:

This permit contains all of the applicable air pollution control requirements and appropriate monitoring and reporting conditions for the operations at the Chaffee Landfill. The Chaffee Landfill is an operating municipal solid waste landfill with an active landfill gas collection system and an enclosed flare used to combust the collected landfill gas. In addition, a maintenance shop is located at the facility to repair landfill equipment, refuse trucks and dumpsters.

The purpose for this Title V Permit modification is to modify the existing Title V Permit to include changes per the United States Environmental Protection Agency (USEPA or Agency) Order which was received by the New York State Department of Environmental Conservation (NYSDEC or Department) on July 7, 2003.

During the permit modification process, the Department has also made several modifications to the permit in response to questions and comments received from USEPA, Waste Management and the public subsequent to the issuance of the initial Title V permit. These modifications don't add or change any



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applicable requirement but are intended to provide additional clarification to the requirements of the permit and to better describe the operations at the Chaffee Landfill.

The following changes are included in this modification in response to the EPA order:

1. The permit now includes all requirements of the National Emissions Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (MSW Landfills NESHAP), also known as the Maximum Achievable Control Technology standard (MACT).
2. The permit has been revised to treat the facility as a major source of Volatile Organic Compound (VOC) emissions that must comply with VOC RACT requirements for surface coating operations in the maintenance shop at the facility.
3. The permit has been revised to include a facility wide limit for Carbon Monoxide (CO) emissions and to include requirements for additional testing and monitoring of the landfill gas flare. A specific condition was written to limit the CO emissions from the Chaffee Landfill enclosed flare to less than 240 tons per year. This will be accomplished by monitoring the carbon monoxide emissions on a 12-month rolling total basis and by the enclosed flare continuously operating at the emission rates established by the most recent emission test report.

The Department expired Condition 39 from the Permit due to the fact that Chaffee Landfill does not choose to operate each interior wellhead in the collection system with a nitrogen level in the landfill gas less than 20%. Rather, Chaffee Landfill has chosen to operate each interior wellhead in the collection system with an oxygen level in the landfill gas less than 5%, as required in Condition 40.

The Department expired Condition 77 from the Permit due to the fact that it was properly replaced by Condition 2-19.

Chaffee Landfill has one remote-reservoir degreasing unit that is considered a trivial activity under 6 NYCRR Part 201-3.3(49). Remote reservoir parts cleaners whose use of solvent is contained to the immediate cleaning of the part, after which time the solvent is drained through a drain opening, not to exceed 16 square inches, and is returned to a remote reservoir containing the solvent. The issued Title V Permit, Mod 0, states "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 6 NYCRR 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." Due to the fact that the Department cannot change the Process Description in the Original Title V Permit, Mod 0, the permit has been changed to show that this Process Description has expired and that the degreasing unit is exempt.

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
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE

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BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

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 2-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 2-1.1:

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 2-1.2:

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

Item 2-1.3:



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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

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 2-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 2-2.1:

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

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

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

Item 4.1:

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

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



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

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

Item 5.1:

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



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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123 VARICK AVE
BROOKLYN, NY 11237

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

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



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3 6NYCRR 201-6: Applicable Criteria, Limits, Terms, Conditions and Standards
- 4 6NYCRR 201-6: Cessation or Reduction of Permitted Activity Not a Defense
- 5 6NYCRR 201-6: Compliance Requirements
- 6 6NYCRR 201-6: Federally-Enforceable Requirements
- 7 6NYCRR 201-6: Fees
- 8 6NYCRR 201-6: Monitoring, Related Recordkeeping and Reporting Requirements
- 9 6NYCRR 201-6: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
- 10 6NYCRR 201-6: Permit Shield
- 11 6NYCRR 201-6: Property Rights
- 12 6NYCRR 201-6: Reopening for Cause
- 13 6NYCRR 201-6: Right to Inspect
- 14 6NYCRR 201-6: Severability
- 15 6NYCRR 201-6: Emission Unit Definition
- 2-1 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 2-2 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 2-3 6NYCRR 201-6.5(e): Compliance Certification
- 17 6NYCRR 201-6.5(e): Compliance Certification
- 2-4 6NYCRR 201-7.1: Facility Permissible Emissions
- 2-5 6NYCRR 201-7.1: Compliance Certification
- *2-6 6NYCRR 201-7.1: Compliance Certification
- 21 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 22 6NYCRR 225-1.2(a)(2): Compliance Certification
- 23 6NYCRR 228: Facility Permissible Emissions
- *24 6NYCRR 228: Compliance Certification
- 2-7 6NYCRR 228.5(a): Compliance Certification
- 2-8 6NYCRR 228.7: Compliance Certification
- 2-9 6NYCRR 228.7: Compliance Certification
- 2-10 6NYCRR 228.7: Compliance Certification
- 2-11 6NYCRR 228.7: Compliance Certification
- 2-12 6NYCRR 228.10: Compliance Certification
- 35 40CFR 60.752, NSPS Subpart WWW: Compliance Milestones-Increments of Progress
- 37 40CFR 60.753(a), NSPS Subpart WWW: Operational standards for collection and control systems
- 39 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 2-13 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 45 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 46 40CFR 60.754, NSPS Subpart WWW: Test Methods and Procedures
- 50 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells
- 2-14 40CFR 63.1955(b), Subpart AAAA: Compliance Certification



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2-15 40CFR 63.1980(a), NESHAP Subpart AAAA: Compliance Certification

2-16 40CFR 68: Accidental release provisions.

Emission Unit Level

69 6NYCRR 201-6: Emission Point Definition By Emission Unit

70 6NYCRR 201-6: Process Definition By Emission Unit

EU=L-00001

2-17 40CFR 60.752(b)(2)(iii)(B), NSPS Subpart WWW: Compliance Certification

71 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites

EU=L-00001,Proc=LGF

72 40CFR 60.18(c), NSPS Subpart A: Flares

73 40CFR 60.18(d), NSPS Subpart A: Flare monitoring requirements.

74 40CFR 60.18(e), NSPS Subpart A: General Control Device Requirements - Flares

75 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

EU=M-00001

2-18 6NYCRR 212.6(a): Compliance Certification

77 6NYCRR 212.6(a): Compliance Certification

2-19 6NYCRR 228.7: Compliance Certification

EU=M-00001,Proc=DGT,ES=0DGT1

78 6NYCRR 226.2: General requirements

79 6NYCRR 226.3(a): Compliance Certification

80 6NYCRR 226.4(a): Operational Requirements - Cold Cleaning Degreasing

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

2-20 ECL 19-0301: Contaminant List

85 6NYCRR 201-5.3(b): Contaminant List

NOTE: * preceding the condition number indicates capping.NEC

4953 - REFUSE SYSTEMS

Permit Effective Date:

Permit Expiration Date:



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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

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

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

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

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the



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Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

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

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

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

Item H: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject



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to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

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

Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

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

Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

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

Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

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

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renewal application.

Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

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

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

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.

Item P: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)

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

Item Q: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as



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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.

Item T: Severability - 6 NYCRR Part 201-6.5(a)(9)

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

Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

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.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

Item W: Permit Shield - 6 NYCRR Part 201-6.5(g)

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or



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contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

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

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

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

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

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

Proceedings to reopen and issue Title V facility permits



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shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

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

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

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

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item AA: Open Fires - 6 NYCRR Part 215

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.

Item BB: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to

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the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

FEDERAL APPLICABLE REQUIREMENTS

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

Condition 3: Applicable Criteria, Limits, Terms, Conditions and Standards

Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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.



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Item 5.3:

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

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

Condition 6: Federally-Enforceable Requirements
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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



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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 Requirements
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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;



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ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Condition 11: Property Rights

Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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.



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 15.1(From Mod 2):

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

Emission Unit: L-00001

Emission Unit Description:

The Chaffee landfill began operation 1958 as an unlined



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municipal landfill. Chaffee Landfill, Inc., acquired the 36 acre landfill and associated properties in October 1977. USA Waste, which later merged with Waste Management Inc., purchased all the properties held by CID Landfill, Inc. north and south of Hand Road in 1998. Chaffee Landfill, Inc. was issued a NYSDEC 6 NYCRR Part 360 Operation Permit (No. 2629) for a solid waste management facility, in November 1981. The permit included provisions for construction of a leachate collection system in and around the 36 acres "original fill area". The area within the leachate collection system, known as the "original fill area," covered approximately 36 acres, or 70 percent of the permitted area. Subsequent renewals and modifications to this permit increased the area permitted for landfill development from the original 36 acres to 50.93 acres. The additional 15 acres of landfill area was built with a clay liner and a leachate collection system.

A permit modification was issued in 1999 (No. 9-1462-00001/00006) that included a modification to increase the height of the clay berm and support structure on the north, east, south and southwest portions of the landfill. The modification increased the disposal capacity of the landfill by approximately 2 million cubic yards. The modification also increased the waste placement rate of the facility from 100,100 tons per quarter to 150,000 tons per quarter. The capacity of the landfill is 10,041,000 cubic yards of municipal solid waste.

Prior to the completion of the updated landfill gas collection system in December 2002, landfill gas from the existing Chaffee Landfill was being collected from fewer than 15 active collection wells. Approximately 50 vertical gas wells and several hundred feet of horizontal active landfill gas collectors have been installed across the existing 50.93 acre landfill in order to comply with the Federal New Source Performance Standards (NSPS) that became effective at the facility when the expansion was approved by the Department in 1999.

The original 36 acres of developed landfill are unlined (waste was placed directly on native ground). The remaining 15 acres of landfill was constructed with a 2 foot clay liner and a leachate collection system. Currently, approximately 8 acres of the landfill have



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received a final cap. The remaining 43 acres will be capped as it reaches final grade.

Collected landfill gas is combusted in an enclosed John Zink Co. flare which has been tested on site and has shown compliance with the requirements of the NSPS standard. Air emissions from the landfill include primarily combustion components from the operation of the flare and emissions from the uncollected landfill gas.

Item 15.2(From Mod 2):

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

Emission Unit: M-00001

Emission Unit Description:

Miscellaneous maintenance activities are performed at the facility for the equipment and vehicles owned by WMNY. These activities include a paint booth and two parts cleaning tanks.

Building(s): MB

Condition 2-1: Recordkeeping and reporting of compliance monitoring Effective for entire length of Permit

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

Item 2-1.1:

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

Condition 2-2: Monitoring, Related Recordkeeping, and Reporting



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Requirements.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)

Item 2-2.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, 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 2-3: Compliance Certification

Effective for entire length of Permit

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

Item 2-3.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-3.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
- and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

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

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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The initial report is due 1/30/2003.
Subsequent reports are due on the same day each year

Condition 17: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 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

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

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

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

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due on the same day each year

Condition 2-4: Facility Permissible Emissions
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 2-4.1:

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: 000630-08-0 (From Mod 2) PTE: 480,000 pounds per year
Name: CARBON MONOXIDE

Condition 2-5: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-7.1

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Item 2-5.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Permittee's receipt of waste must not exceed 150,000 tons per quarter for each quarter ending March 31, June 30, September 30 and December 31.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: WASTE MATERIAL

Upper Permit Limit: 150000 tons

Monitoring Frequency: QUARTERLY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-6: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 2-6.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-6.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

WMNY operates an enclosed combustion device (flare) at the Chaffee Landfill. The flare must reduce NMOC by 98% (by weight) or reduce the outlet NMOC concentration to less than 20 parts per million (by volume, dry basis as hexane at 3 percent oxygen).

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Also, WMNY must prove the emissions of Carbon Monoxide (CO) will meet a 12-month rolling total of less than 240 tons/year. To prove this, the facility will perform the following: keep monthly operating reports of the carbon monoxide (CO) concentration, continuously meter the landfill gas flow rate, continuously record the gas temperature for the flare exit gas, submit semiannual monitoring reports, and maintain a 12-month rolling total emissions calculation based on emission factors from the most recent stack test and the metered landfill gas flow rate.

The following formula shall be used to calculate the CO emissions from the flare each month at Chaffee Landfill (this formula assumes that the flare operates at its typical temperature of 1600 degrees Fahrenheit, the most recent stack test emission for CO in lbs/million Btu is used, the Heat Value for Landfill Gas is 500 Btu/cubic ft and the metered landfill gas flow rate for the month is used):

$$\begin{aligned} \text{Conversion} &= .009 \text{ lb/million Btu} \times 500 \text{ Btu/cubic ft} \\ &= 4.5 \text{ lbs/million cubic ft} \end{aligned}$$

$$\begin{aligned} \text{Actual Emissions} &= 4.5 \text{ lbs/million cubic ft} \times \text{_____} \\ \text{million cubic ft of landfill gas burned} &= \text{_____ lbs.} \end{aligned}$$

Then divide the amount of lbs by 2000 to report the emissions of CO in tons/month. WMNY will meet a 12-month rolling total of less than 240 tons/year emissions of carbon monoxide. All numbers used (except the Heat Value for Landfill Gas is 500 Btu/cubic ft) are likely to change upon receipt of future emission test results.

At a minimum, compliance testing of the enclosed flare must be conducted once per permit term within the first year of the permit. This was completed and an Initial NSPS Compliance Report was received by the Department on July 2, 2003. Additionally, if the gas feed rate to the flare exceeds 2400 cfm over a one-hour average, the regulatory agencies are to be notified within 14 days of the occurrence and an emission test must be performed within 60 days of the occurrence. Then, if the gas feed rate to the flare exceeds 110% of the gas feed rate of the



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most recent emission test, the regulatory agencies are to be notified within 14 days of the occurrence and a new test is to be performed within 60 days of the occurrence.

The emission limitation contained in this condition is included in order to limit facility emissions below the Federal Prevention of Significant Deterioration (40CFR Part 52.21) applicability thresholds.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 240 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 21: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 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.



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228

Expired by Mod 2
Applicaton Specific Data

Condition 24: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228

Expired by Mod 2

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



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Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.5(a)

Item 2-7.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any emission source subject to 6NYCRR Part 228 must maintain and, upon request, provide the Department with a certification from the coating supplier/manufacture which verifies the parameters used to determine the actual VOC content of each as applied coating, (VOC)a, used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the Department and, upon request, these records must be submitted to the Department. Any additional information required to determine compliance must be provided to the Department in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-8: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-8.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

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Item 2-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines, excluding all nonmetallic parts, utilizing air dried or forced warm air dried at a temperature up to 90 degrees centigrade coatings may contain a maximum of 3.5 pounds of volatile organic compounds per gallon of coating (minus water and excluded VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.5 pounds per gallon

Reference Test Method: Method 311 or 24

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-9: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-9.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-9.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines, excluding all nonmetallic parts, utilizing coatings may contain a maximum of 3.0 pounds of volatile organic compounds per gallon of coating (minus water and excluded

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VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: COATING LINES
Parameter Monitored: VOC CONTENT
Upper Permit Limit: 3.0 pounds per gallon
Reference Test Method: Method 311 or 24
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 2-10: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-10.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-10.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines,
excluding all nonmetallic parts, utilizing clear coatings
may contain a maximum of 4.3 pounds of volatile organic
compounds per gallon of coating (minus water and excluded
VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: COATING LINES
Parameter Monitored: VOC CONTENT
Upper Permit Limit: 4.3 pounds per gallon
Reference Test Method: Method 311 or 24
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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

Condition 2-11: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-11.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-11.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines,
excluding all nonmetallic parts, utilizing extreme
performance coatings may contain a maximum of 3.5 pounds
of volatile organic compounds per gallon of coating (minus
water and excluded VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.5 pounds per gallon

Reference Test Method: Method 311 or 24

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 2-12: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.10

Item 2-12.1:

The Compliance Certification activity will be performed for the Facility.

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

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Item 2-12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of this facility subject to 6NYCRR Part 228 must:

- (a) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;
- (b) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;
- (c) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;
- (d) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;
- (e) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents.
- (f) minimize spills during the handling and transfer of coatings and VOC solvents; and
- (g) beginning on January 1, 2005, clean spray guns used to apply mobile equipment repair and refinishing or color-matched coatings by one of the following:
 - (1) an enclosed spray gun cleaning system that is kept closed when not in use;
 - (2) non-atomized discharge of VOC solvent into a paint



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waste container that is kept closed when not in use;

(3) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or

(4) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

All associated coating line work area(s) within the facility shall be inspected daily to determine if there are any open containers present, and that only acceptable spray gun cleaning methods were utilized. A log book shall be maintained to record these inspections and their results. The log book shall include the following information:

- date and time of inspection
- items or areas observed
- corrective measures taken, if necessary

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

Applicable Federal Requirement: 40CFR 60.752, NSPS Subpart WWW

Expired by Mod 2

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.**
- 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.**



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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 37: Operational standards for collection and control systems
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 39: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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



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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 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 2-13: Compliance Certification
Effective for entire length of Permit

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

Item 2-13.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-13.2:

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.

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.754, NSPS Subpart WWW

Expired by Mod 2

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:

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

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.



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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 50: Compliance Provisions - wells
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 2-14: Compliance Certification
Effective for entire length of Permit

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

Item 2-14.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If you are required by 40CFR60.752(b)(2) of subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan to install a collection and control system, you must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of part 63 as specified in table 1 of Subpart AAAAA.

The facility shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that

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describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

This plan must be developed by the facility by the compliance date of 40CFR63, subpart AAAA (the landfill NESHAP) and must comply with all of the provisions as listed in §63.6(e)(3)(ii)-(ix) which includes the following provisions:

- During periods of startup, shutdown, and malfunction, the facility must operate and maintain the affected source in accordance with the procedures specified in the SSM plan.
- When actions taken by the owner/operator during a startup, shutdown, or malfunction are consistent with the procedures specified in the affected source's SSM plan, the owner/operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. In addition, the owner/operator must keep records of these events as specified in §63.10(b), including records of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner/operator shall confirm that actions taken during the startup, shutdown, and malfunction were consistent with the SSM plan in the semiannual report as required in §63.10(d)(5).
- If an action taken by the facility is not consistent with the SSM plan, and the affected source exceeds the relevant emission standard, then the owner/operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the SSM plan, followed by a letter within 7 working days after the end of the event.
- EPA or NYSDEC may at any time request in writing that the facility submit a copy of the SSM plan (or a portion thereof) which is maintained at the affected source. Upon receipt of such a request, the facility must promptly submit a copy of the requested plan to EPA or NYSDEC. EPA or NYSDEC must request that the facility submit a SSM plan

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whenever a member of the public submits a specific and reasonable request to examine or to receive a copy of that plan or portion of a plan. If the facility claims that any portion of such a SSM plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40CFR2.301, the material which is claimed as confidential must be clearly designated in the submission.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 2-15: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1980(a), NESHAP Subpart AAAAA

Item 2-15.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-15.2:

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 semiannual reports of the recorded information in paragraphs (1) through (6) below. The initial semiannual 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



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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).

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-16: Accidental release provisions.
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 68

Item 2-16.1:

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

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

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USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866
ATTN: Accidental Release Program contact

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

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

Applicable Federal Requirement: 6NYCRR 201-6

Item 69.1(From Mod 2):

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(From Mod 2):

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

Emission Unit: M-00001

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 70.1(From Mod 2):

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

Emission Unit: L-00001

Process: FUG

Source Classification Code: 5-02-006-02



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Process Description:

Landfill operations include those emissions that are not collected and combusted in the flare.

Emission Source/Control: LNDFL - Process

Design Capacity: 10,041,000 cubic yards

Item 70.2(From Mod 2):

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: 10,041,000 cubic yards

Item 70.3(From Mod 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:

Chaffee Landfill 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.

Emission Source/Control: 0LGF1 - Control

Control Type: FLARING

Emission Source/Control: LNDFL - Process

Design Capacity: 10,041,000 cubic yards

Item 70.4(From Mod 2):

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:

WMNY's Chaffee Landfill operates a paint spray booth to coat miscellaneous equipment, primarily facility vehicles. The booth is approximately 25 feet wide and 60 feet long.



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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: OPSB2 - Control
Control Type: FABRIC FILTER

Emission Source/Control: OPSB1 - Process
Design Capacity: 0.117 gallons per minute

Item 70.5(From Mod 0):

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 End Date: 4/15/2003

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

Condition 2-17: Compliance Certification
Effective for entire length of Permit

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

WWW

Item 2-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: L-00001

Item 2-17.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The enclosed flare shall be operated within the temperature ranges established during the most recent

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performance test. The most recent test conducted in 2003 established compliance with the 98% destruction efficiency at a temperature of 1580 degrees F. Exceedances of this permit limit are established under the condition for 40CFR 60.758(c).

Parameter Monitored: TEMPERATURE
Lower Permit Limit: 1530 degrees Fahrenheit
Monitoring Frequency: FOUR TIMES PER HOUR
Averaging Method: 3-HOUR BLOCK AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

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

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Expired by Mod 2

Item 71.1:

This Condition applies to Emission Unit: L-00001

Item 71.2:

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 Permit Expiration Date

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

Expired by Mod 2

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



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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 Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 2

Item 75.1:

This Condition applies to Emission Unit: L-00001

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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 2-18: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 2-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

Item 2-18.2:

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



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the facility owner/operator conducting a daily survey, whenever the paint booth is in operation, of visible emissions from emission unit M-00001, which consists of the Maintenance Building. If any visible emissions are identified, corrective action shall be taken as needed. Daily observations shall be recorded in a bound notebook. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 77: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Expired by Mod 2

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 a bound notebook. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation



New York State Department of Environmental Conservation

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Facility DEC ID: 9146200001

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 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 2-19: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

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

Item 2-19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

WMNY's Chaffee Landfill operates a paint spray booth to coat miscellaneous equipment, primarily container maintenance activities. 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. WMNY must use at all times compliant coatings for Miscellaneous Metal Parts per Table 1 of 6NYCRR Part 228.7. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for Clear Coating is 4.3 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for a Coating application system which air is dried or forced warm air dried at temperature up to 90 degrees Centigrade is 3.5 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and

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excluded VOC) of coating at application for Coatings designed for harsh exposure or extreme environmental conditions is 3.5 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for All other Miscellaneous Metal Parts and Products is 3.0 pounds per gallon.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 78: General requirements

Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 226.2

Expired by Mod 2

Item 78.1:

This Condition applies to Emission Unit: M-00001

Process: DGT

Emission Source: 0DGT1

Item 78.2:

No person shall conduct solvent metal cleaning unless:

- (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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 226.3(a)

Expired by Mod 2

Item 79.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 9-1462-00001/00013

Facility DEC ID: 9146200001



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 DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2002.

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 Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 226.4(a)

Expired by Mod 2

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable and are not subject to annual compliance certification requirements for Title V permits.

**Condition 2-20: Contaminant List
Effective for entire length of Permit**

Applicable State Requirement: ECL 19-0301

Item 2-20.1:

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

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

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

CAS No: 000074-82-8
Name: METHANE

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

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

Condition 85: Contaminant List
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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: 000630-08-0
Name: CARBON MONOXIDE

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

CAS No: 000074-82-8
Name: METHANE

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

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

**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
Mod 0 Effective Date: 06/04/2002 Expiration Date: 06/04/2007
Mod 1 Effective Date: 09/02/2003 Expiration Date: No expiration date.
Mod 2 Effective Date: Expiration Date:

Permit Issued To: WASTE MANAGEMENT OF NEW YORK LLC
123 VARICK AVE
BROOKLYN, NY 11237

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

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

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

Description:

This permit contains all of the applicable air pollution control requirements and appropriate monitoring and reporting conditions for the operations at the Chaffee Landfill. The Chaffee Landfill is an operating municipal solid waste landfill with an active landfill gas collection system and an enclosed flare used to combust the collected landfill gas. In addition, a maintenance shop is located at the facility to repair landfill equipment, refuse trucks and dumpsters.

The purpose for this Title V Permit modification is to modify the existing Title V Permit to include changes per the United States Environmental Protection Agency (USEPA or Agency) Order which was received by the New York State Department of Environmental Conservation (NYSDEC or Department) on July 7, 2003.

During the permit modification process, the Department has also made several modifications to the permit in response to questions and comments received from USEPA, Waste Management and the public subsequent to the issuance of the initial Title V permit. These modifications don't add or change any



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applicable requirement but are intended to provide additional clarification to the requirements of the permit and to better describe the operations at the Chaffee Landfill.

The following changes are included in this modification in response to the EPA order:

1. The permit now includes all requirements of the National Emissions Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (MSW Landfills NESHAP), also known as the Maximum Achievable Control Technology standard (MACT).
2. The permit has been revised to treat the facility as a major source of Volatile Organic Compound (VOC) emissions that must comply with VOC RACT requirements for surface coating operations in the maintenance shop at the facility.
3. The permit has been revised to include a facility wide limit for Carbon Monoxide (CO) emissions and to include requirements for additional testing and monitoring of the landfill gas flare. A specific condition was written to limit the CO emissions from the Chaffee Landfill enclosed flare to less than 240 tons per year. This will be accomplished by monitoring the carbon monoxide emissions on a 12-month rolling total basis and by the enclosed flare continuously operating at the emission rates established by the most recent emission test report.

The Department expired Condition 39 from the Permit due to the fact that Chaffee Landfill does not choose to operate each interior wellhead in the collection system with a nitrogen level in the landfill gas less than 20%. Rather, Chaffee Landfill has chosen to operate each interior wellhead in the collection system with an oxygen level in the landfill gas less than 5%, as required in Condition 40.

The Department expired Condition 77 from the Permit due to the fact that it was properly replaced by Condition 2-19.

Chaffee Landfill has one remote-reservoir degreasing unit that is considered a trivial activity under 6 NYCRR Part 201-3.3(49). Remote reservoir parts cleaners whose use of solvent is contained to the immediate cleaning of the part, after which time the solvent is drained through a drain opening, not to exceed 16 square inches, and is returned to a remote reservoir containing the solvent. The issued Title V Permit, Mod 0, states "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 6 NYCRR 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." Due to the fact that the Department cannot change the Process Description in the Original Title V Permit, Mod 0, the permit has been changed to show that this Process Description has expired and that the degreasing unit is exempt.

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
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE

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



BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

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 2-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 2-1.1:

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 2-1.2:

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

Item 2-1.3:



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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

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 2-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 2-2.1:

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

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

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

Item 4.1:

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

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: WASTE MANAGEMENT OF NEW YORK LLC
123 VARICK AVE
BROOKLYN, NY 11237

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

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



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3 6NYCRR 201-6: Applicable Criteria, Limits, Terms, Conditions and Standards
- 4 6NYCRR 201-6: Cessation or Reduction of Permitted Activity Not a Defense
- 5 6NYCRR 201-6: Compliance Requirements
- 6 6NYCRR 201-6: Federally-Enforceable Requirements
- 7 6NYCRR 201-6: Fees
- 8 6NYCRR 201-6: Monitoring, Related Recordkeeping and Reporting Requirements
- 9 6NYCRR 201-6: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
- 10 6NYCRR 201-6: Permit Shield
- 11 6NYCRR 201-6: Property Rights
- 12 6NYCRR 201-6: Reopening for Cause
- 13 6NYCRR 201-6: Right to Inspect
- 14 6NYCRR 201-6: Severability
- 15 6NYCRR 201-6: Emission Unit Definition
- 2-1 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 2-2 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 2-3 6NYCRR 201-6.5(e): Compliance Certification
- 17 6NYCRR 201-6.5(e): Compliance Certification
- 2-4 6NYCRR 201-7.1: Facility Permissible Emissions
- 2-5 6NYCRR 201-7.1: Compliance Certification
- *2-6 6NYCRR 201-7.1: Compliance Certification
- 21 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 22 6NYCRR 225-1.2(a)(2): Compliance Certification
- 23 6NYCRR 228: Facility Permissible Emissions
- *24 6NYCRR 228: Compliance Certification
- 2-7 6NYCRR 228.5(a): Compliance Certification
- 2-8 6NYCRR 228.7: Compliance Certification
- 2-9 6NYCRR 228.7: Compliance Certification
- 2-10 6NYCRR 228.7: Compliance Certification
- 2-11 6NYCRR 228.7: Compliance Certification
- 2-12 6NYCRR 228.10: Compliance Certification
- 35 40CFR 60.752, NSPS Subpart WWW: Compliance Milestones-Increments of Progress
- 37 40CFR 60.753(a), NSPS Subpart WWW: Operational standards for collection and control systems
- 39 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 2-13 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 45 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 46 40CFR 60.754, NSPS Subpart WWW: Test Methods and Procedures
- 50 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells
- 2-14 40CFR 63.1955(b), Subpart AAAA: Compliance Certification



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2-15 40CFR 63.1980(a), NESHAP Subpart AAAA: Compliance Certification

2-16 40CFR 68: Accidental release provisions.

Emission Unit Level

69 6NYCRR 201-6: Emission Point Definition By Emission Unit

70 6NYCRR 201-6: Process Definition By Emission Unit

EU=L-00001

2-17 40CFR 60.752(b)(2)(iii)(B), NSPS Subpart WWW: Compliance Certification

71 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites

EU=L-00001,Proc=LGF

72 40CFR 60.18(c), NSPS Subpart A: Flares

73 40CFR 60.18(d), NSPS Subpart A: Flare monitoring requirements.

74 40CFR 60.18(e), NSPS Subpart A: General Control Device Requirements - Flares

75 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

EU=M-00001

2-18 6NYCRR 212.6(a): Compliance Certification

77 6NYCRR 212.6(a): Compliance Certification

2-19 6NYCRR 228.7: Compliance Certification

EU=M-00001,Proc=DGT,ES=0DGT1

78 6NYCRR 226.2: General requirements

79 6NYCRR 226.3(a): Compliance Certification

80 6NYCRR 226.4(a): Operational Requirements - Cold Cleaning Degreasing

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

2-20 ECL 19-0301: Contaminant List

85 6NYCRR 201-5.3(b): Contaminant List

NOTE: * preceding the condition number indicates capping.NEC

4953 - REFUSE SYSTEMS

Permit Effective Date:

Permit Expiration Date:



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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

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

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

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

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the



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Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

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

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

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

Item H: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject



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to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

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

Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

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

Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

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

Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

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

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renewal application.

Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

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

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

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.

Item P: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)

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

Item Q: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as



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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.

Item T: Severability - 6 NYCRR Part 201-6.5(a)(9)

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

Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

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

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or corrective measures adopted.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

Item W: Permit Shield - 6 NYCRR Part 201-6.5(g)

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or



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contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

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

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

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

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

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

Proceedings to reopen and issue Title V facility permits



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shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

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

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

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

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item AA: Open Fires - 6 NYCRR Part 215

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.

Item BB: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to

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the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

FEDERAL APPLICABLE REQUIREMENTS

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

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

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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.



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Item 5.3:

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

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

Condition 6: Federally-Enforceable Requirements
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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



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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 Requirements
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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;



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ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Condition 11: Property Rights

Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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.



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 15.1(From Mod 2):

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

Emission Unit: L-00001

Emission Unit Description:

The Chaffee landfill began operation 1958 as an unlined



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municipal landfill. Chaffee Landfill, Inc., acquired the 36 acre landfill and associated properties in October 1977. USA Waste, which later merged with Waste Management Inc., purchased all the properties held by CID Landfill, Inc. north and south of Hand Road in 1998. Chaffee Landfill, Inc. was issued a NYSDEC 6 NYCRR Part 360 Operation Permit (No. 2629) for a solid waste management facility, in November 1981. The permit included provisions for construction of a leachate collection system in and around the 36 acres "original fill area". The area within the leachate collection system, known as the "original fill area," covered approximately 36 acres, or 70 percent of the permitted area. Subsequent renewals and modifications to this permit increased the area permitted for landfill development from the original 36 acres to 50.93 acres. The additional 15 acres of landfill area was built with a clay liner and a leachate collection system.

A permit modification was issued in 1999 (No. 9-1462-00001/00006) that included a modification to increase the height of the clay berm and support structure on the north, east, south and southwest portions of the landfill. The modification increased the disposal capacity of the landfill by approximately 2 million cubic yards. The modification also increased the waste placement rate of the facility from 100,100 tons per quarter to 150,000 tons per quarter. The capacity of the landfill is 10,041,000 cubic yards of municipal solid waste.

Prior to the completion of the updated landfill gas collection system in December 2002, landfill gas from the existing Chaffee Landfill was being collected from fewer than 15 active collection wells. Approximately 50 vertical gas wells and several hundred feet of horizontal active landfill gas collectors have been installed across the existing 50.93 acre landfill in order to comply with the Federal New Source Performance Standards (NSPS) that became effective at the facility when the expansion was approved by the Department in 1999.

The original 36 acres of developed landfill are unlined (waste was placed directly on native ground). The remaining 15 acres of landfill was constructed with a 2 foot clay liner and a leachate collection system. Currently, approximately 8 acres of the landfill have



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received a final cap. The remaining 43 acres will be capped as it reaches final grade.

Collected landfill gas is combusted in an enclosed John Zink Co. flare which has been tested on site and has shown compliance with the requirements of the NSPS standard. Air emissions from the landfill include primarily combustion components from the operation of the flare and emissions from the uncollected landfill gas.

Item 15.2(From Mod 2):

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

Emission Unit: M-00001

Emission Unit Description:

Miscellaneous maintenance activities are performed at the facility for the equipment and vehicles owned by WMNY. These activities include a paint booth and two parts cleaning tanks.

Building(s): MB

Condition 2-1: Recordkeeping and reporting of compliance monitoring Effective for entire length of Permit

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

Item 2-1.1:

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

Condition 2-2: Monitoring, Related Recordkeeping, and Reporting



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Requirements.

Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)

Item 2-2.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, 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 2-3: Compliance Certification

Effective for entire length of Permit

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

Item 2-3.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-3.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
- and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

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

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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The initial report is due 1/30/2003.

Subsequent reports are due on the same day each year

Condition 17: Compliance Certification

Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 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

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

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

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

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due on the same day each year

Condition 2-4: Facility Permissible Emissions
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 2-4.1:

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: 000630-08-0 (From Mod 2) PTE: 480,000 pounds per year
Name: CARBON MONOXIDE

Condition 2-5: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 201-7.1

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Item 2-5.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The Permittee's receipt of waste must not exceed 150,000 tons per quarter for each quarter ending March 31, June 30, September 30 and December 31.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: WASTE MATERIAL

Upper Permit Limit: 150000 tons

Monitoring Frequency: QUARTERLY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-6: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 2-6.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2-6.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

WMNY operates an enclosed combustion device (flare) at the Chaffee Landfill. The flare must reduce NMOC by 98% (by weight) or reduce the outlet NMOC concentration to less than 20 parts per million (by volume, dry basis as hexane at 3 percent oxygen).

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Also, WMNY must prove the emissions of Carbon Monoxide (CO) will meet a 12-month rolling total of less than 240 tons/year. To prove this, the facility will perform the following: keep monthly operating reports of the carbon monoxide (CO) concentration, continuously meter the landfill gas flow rate, continuously record the gas temperature for the flare exit gas, submit semiannual monitoring reports, and maintain a 12-month rolling total emissions calculation based on emission factors from the most recent stack test and the metered landfill gas flow rate.

The following formula shall be used to calculate the CO emissions from the flare each month at Chaffee Landfill (this formula assumes that the flare operates at its typical temperature of 1600 degrees Fahrenheit, the most recent stack test emission for CO in lbs/million Btu is used, the Heat Value for Landfill Gas is 500 Btu/cubic ft and the metered landfill gas flow rate for the month is used):

$$\text{Conversion} = .009 \text{ lb/million Btu} \times 500 \text{ Btu/cubic ft} \\ = 4.5 \text{ lbs/million cubic ft}$$

$$\text{Actual Emissions} = 4.5 \text{ lbs/million cubic ft} \times \underline{\hspace{2cm}} \\ \text{million cubic ft of landfill gas burned} = \underline{\hspace{2cm}} \text{ lbs.}$$

Then divide the amount of lbs by 2000 to report the emissions of CO in tons/month. WMNY will meet a 12-month rolling total of less than 240 tons/year emissions of carbon monoxide. All numbers used (except the Heat Value for Landfill Gas is 500 Btu/cubic ft) are likely to change upon receipt of future emission test results.

At a minimum, compliance testing of the enclosed flare must be conducted once per permit term within the first year of the permit. This was completed and an Initial NSPS Compliance Report was received by the Department on July 2, 2003. Additionally, if the gas feed rate to the flare exceeds 2400 cfm over a one-hour average, the regulatory agencies are to be notified within 14 days of the occurrence and an emission test must be performed within 60 days of the occurrence. Then, if the gas feed rate to the flare exceeds 110% of the gas feed rate of the



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most recent emission test, the regulatory agencies are to be notified within 14 days of the occurrence and a new test is to be performed within 60 days of the occurrence.

The emission limitation contained in this condition is included in order to limit facility emissions below the Federal Prevention of Significant Deterioration (40CFR Part 52.21) applicability thresholds.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 240 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 21: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 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.



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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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228

Expired by Mod 2
Applicaton Specific Data

Condition 24: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 228

Expired by Mod 2

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



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Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.5(a)

Item 2-7.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any emission source subject to 6NYCRR Part 228 must maintain and, upon request, provide the Department with a certification from the coating supplier/manufacture which verifies the parameters used to determine the actual VOC content of each as applied coating, (VOC)a, used at the facility. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained in a format acceptable to the Department and, upon request, these records must be submitted to the Department. Any additional information required to determine compliance must be provided to the Department in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-8: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-8.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

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Item 2-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines, excluding all nonmetallic parts, utilizing air dried or forced warm air dried at a temperature up to 90 degrees centigrade coatings may contain a maximum of 3.5 pounds of volatile organic compounds per gallon of coating (minus water and excluded VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.5 pounds per gallon

Reference Test Method: Method 311 or 24

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-9: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-9.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-9.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines, excluding all nonmetallic parts, utilizing coatings may contain a maximum of 3.0 pounds of volatile organic compounds per gallon of coating (minus water and excluded

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VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: COATING LINES
Parameter Monitored: VOC CONTENT
Upper Permit Limit: 3.0 pounds per gallon
Reference Test Method: Method 311 or 24
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 2-10: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-10.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-10.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines,
excluding all nonmetallic parts, utilizing clear coatings
may contain a maximum of 4.3 pounds of volatile organic
compounds per gallon of coating (minus water and excluded
VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: COATING LINES
Parameter Monitored: VOC CONTENT
Upper Permit Limit: 4.3 pounds per gallon
Reference Test Method: Method 311 or 24
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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

Condition 2-11: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-11.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-11.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Miscellaneous metal parts and product coating lines,
excluding all nonmetallic parts, utilizing extreme
performance coatings may contain a maximum of 3.5 pounds
of volatile organic compounds per gallon of coating (minus
water and excluded VOC) as applied.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COATING LINES

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.5 pounds per gallon

Reference Test Method: Method 311 or 24

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 2-12: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.10

Item 2-12.1:

The Compliance Certification activity will be performed for the Facility.

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

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Item 2-12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within the work area(s) associated with a coating line, the owner or operator of this facility subject to 6NYCRR Part 228 must:

(a) use closed, non-leaking containers to store or dispose of cloth or other absorbent applicators impregnated with VOC solvents that are used for surface preparation, cleanup or coating removal;

(b) store in closed, non-leaking containers spent or fresh VOC solvents to be used for surface preparation, cleanup or coating removal;

(c) not use VOC solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize VOC evaporation;

(d) not use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate. These devices may include, but are not limited to spray guns, flow coaters, dip tanks, rollers, knife coaters, and extrusion coaters;

(e) not use open containers to store or dispose of spent surface coatings, or spent VOC solvents.

(f) minimize spills during the handling and transfer of coatings and VOC solvents; and

(g) beginning on January 1, 2005, clean spray guns used to apply mobile equipment repair and refinishing or color-matched coatings by one of the following:

(1) an enclosed spray gun cleaning system that is kept closed when not in use;

(2) non-atomized discharge of VOC solvent into a paint



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waste container that is kept closed when not in use;

(3) disassembling and cleaning of the spray gun in a vat that is kept closed when not in use; or

(4) atomized spray into a paint waste container that is fitted with a device designed to capture atomized VOC solvent emissions.

All associated coating line work area(s) within the facility shall be inspected daily to determine if there are any open containers present, and that only acceptable spray gun cleaning methods were utilized. A log book shall be maintained to record these inspections and their results. The log book shall include the following information:

- date and time of inspection
- items or areas observed
- corrective measures taken, if necessary

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

Applicable Federal Requirement: 40CFR 60.752, NSPS Subpart WWW

Expired by Mod 2

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.

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.



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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 37: Operational standards for collection and control systems
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 39: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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



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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 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 2-13: Compliance Certification
Effective for entire length of Permit

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

Item 2-13.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-13.2:

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.

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 45: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.754, NSPS Subpart WWW

Expired by Mod 2

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:

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

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.



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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 50: Compliance Provisions - wells
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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 2-14: Compliance Certification
Effective for entire length of Permit

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

Item 2-14.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 2-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If you are required by 40CFR60.752(b)(2) of subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan to install a collection and control system, you must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of part 63 as specified in table 1 of Subpart AAAAA.

The facility shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that

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describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

This plan must be developed by the facility by the compliance date of 40CFR63, subpart AAAA (the landfill NESHAP) and must comply with all of the provisions as listed in §63.6(e)(3)(ii)-(ix) which includes the following provisions:

- During periods of startup, shutdown, and malfunction, the facility must operate and maintain the affected source in accordance with the procedures specified in the SSM plan.
- When actions taken by the owner/operator during a startup, shutdown, or malfunction are consistent with the procedures specified in the affected source's SSM plan, the owner/operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. In addition, the owner/operator must keep records of these events as specified in §63.10(b), including records of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner/operator shall confirm that actions taken during the startup, shutdown, and malfunction were consistent with the SSM plan in the semiannual report as required in §63.10(d)(5).
- If an action taken by the facility is not consistent with the SSM plan, and the affected source exceeds the relevant emission standard, then the owner/operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the SSM plan, followed by a letter within 7 working days after the end of the event.
- EPA or NYSDEC may at any time request in writing that the facility submit a copy of the SSM plan (or a portion thereof) which is maintained at the affected source. Upon receipt of such a request, the facility must promptly submit a copy of the requested plan to EPA or NYSDEC. EPA or NYSDEC must request that the facility submit a SSM plan



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whenever a member of the public submits a specific and reasonable request to examine or to receive a copy of that plan or portion of a plan. If the facility claims that any portion of such a SSM plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40CFR2.301, the material which is claimed as confidential must be clearly designated in the submission.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 2-15: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1980(a), NESHAP Subpart AAAAA

Item 2-15.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-15.2:

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 semiannual reports of the recorded information in paragraphs (1) through (6) below. The initial semiannual 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



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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).

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 2-16: Accidental release provisions.
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 68

Item 2-16.1:

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

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

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USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866
ATTN: Accidental Release Program contact

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

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

Applicable Federal Requirement: 6NYCRR 201-6

Item 69.1(From Mod 2):

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(From Mod 2):

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

Emission Unit: M-00001

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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6

Item 70.1(From Mod 2):

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

Emission Unit: L-00001

Process: FUG

Source Classification Code: 5-02-006-02



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Process Description:

Landfill operations include those emissions that are not collected and combusted in the flare.

Emission Source/Control: LNDFL - Process

Design Capacity: 10,041,000 cubic yards

Item 70.2(From Mod 2):

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: 10,041,000 cubic yards

Item 70.3(From Mod 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:

Chaffee Landfill 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.

Emission Source/Control: 0LGF1 - Control

Control Type: FLARING

Emission Source/Control: LNDFL - Process

Design Capacity: 10,041,000 cubic yards

Item 70.4(From Mod 2):

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:

WMNY's Chaffee Landfill operates a paint spray booth to coat miscellaneous equipment, primarily facility vehicles. The booth is approximately 25 feet wide and 60 feet long.



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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: OPSB2 - Control
Control Type: FABRIC FILTER

Emission Source/Control: OPSB1 - Process
Design Capacity: 0.117 gallons per minute

Item 70.5(From Mod 0):

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 End Date: 4/15/2003

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

Condition 2-17: Compliance Certification
Effective for entire length of Permit

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

WWW

Item 2-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: L-00001

Item 2-17.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The enclosed flare shall be operated within the temperature ranges established during the most recent

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performance test. The most recent test conducted in 2003 established compliance with the 98% destruction efficiency at a temperature of 1580 degrees F. Exceedances of this permit limit are established under the condition for 40CFR 60.758(c).

Parameter Monitored: TEMPERATURE
Lower Permit Limit: 1530 degrees Fahrenheit
Monitoring Frequency: FOUR TIMES PER HOUR
Averaging Method: 3-HOUR BLOCK AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

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

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Expired by Mod 2

Item 71.1:

This Condition applies to Emission Unit: L-00001

Item 71.2:

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 Permit Expiration Date

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

Expired by Mod 2

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



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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 Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 2

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 Permit Expiration Date

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

Expired by Mod 2

Item 75.1:

This Condition applies to Emission Unit: L-00001

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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 2-18: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 2-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

Item 2-18.2:

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



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the facility owner/operator conducting a daily survey, whenever the paint booth is in operation, of visible emissions from emission unit M-00001, which consists of the Maintenance Building. If any visible emissions are identified, corrective action shall be taken as needed. Daily observations shall be recorded in a bound notebook. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 77: Compliance Certification
Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Expired by Mod 2

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 a bound notebook. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation



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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 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 2-19: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 228.7

Item 2-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: M-00001

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

Item 2-19.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

WMNY's Chaffee Landfill operates a paint spray booth to coat miscellaneous equipment, primarily container maintenance activities. 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. WMNY must use at all times compliant coatings for Miscellaneous Metal Parts per Table 1 of 6NYCRR Part 228.7. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for Clear Coating is 4.3 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for a Coating application system which air is dried or forced warm air dried at temperature up to 90 degrees Centigrade is 3.5 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and

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excluded VOC) of coating at application for Coatings designed for harsh exposure or extreme environmental conditions is 3.5 pounds per gallon. The maximum permitted pounds of volatile organic compounds per gallon (minus water and excluded VOC) of coating at application for All other Miscellaneous Metal Parts and Products is 3.0 pounds per gallon.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 78: General requirements

Effective between the dates of 06/04/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 226.2

Expired by Mod 2

Item 78.1:

This Condition applies to Emission Unit: M-00001

Process: DGT

Emission Source: 0DGT1

Item 78.2:

No person shall conduct solvent metal cleaning unless:

- (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 Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 226.3(a)

Expired by Mod 2

Item 79.1:

The Compliance Certification activity will be performed for:

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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 DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2002.

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 Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 226.4(a)

Expired by Mod 2

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable and are not subject to annual compliance certification requirements for Title V permits.

**Condition 2-20: Contaminant List
Effective for entire length of Permit**

Applicable State Requirement: ECL 19-0301

Item 2-20.1:

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

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

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

CAS No: 000074-82-8
Name: METHANE

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

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

Condition 85: Contaminant List
Effective between the dates of 06/04/2002 and Permit Expiration Date

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

Expired by Mod 2

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: 000630-08-0
Name: CARBON MONOXIDE

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

CAS No: 000074-82-8
Name: METHANE

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

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