



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-2924-00016/00053
Effective Date: 11/21/2008 Expiration Date: 11/20/2013

Permit Issued To: MODERN LANDFILL INC
PO BOX 209
MODEL CITY, NY 14107-0209

Contact: MARK G MARSACK
MODERN LANDFILL INC
PO BOX 209
MODEL CITY, NY 14107-0209

Facility: MODERN LANDFILL INC
PLETCHER RD
MODEL CITY, NY 14107

Description:

Modern Landfill Inc.
Title V Permit
Site Description

Modern operates a solid waste landfill facility located at Pletcher and Harold Roads in Model City, New York. The landfill is permitted by the New York State Department of Environmental Conservation (NYSDEC) under 6 NYCRR Part 360, Solid Waste Management Facilities Regulations. The facility accepts municipal solid waste (MSW) and certain permitted non-hazardous industrial or special wastes. The landfill operations at the facility cover 232 acres and include: waste handling, tipping, covering, compacting, hauling, recyclable material sorting, construction & demolition (C&D) debris processing, tire shredding, leachate storage as well as equipment maintenance operations. The landfill has a landfill gas (LFG) collection system which conveys collected LFG primarily to a separately owned and permitted landfill gas utilization facility. An enclosed flare is maintained on-site for contingencies. The Standard Industrial Classification (SIC) for Modern landfill facility is 4953.

Modern Landfill is permitted to burn a small quantity of clean landfill gas for comfort heat in heaters in the maintenance garage.

This permit is a renewal of the existing Title V permit which does not entail an increase in annual air emissions and will allow an annual placement rate of waste into the landfill of 815,000 tons per year. Also, facility volatile organic compounds (VOC) and oxides of nitrogen (NOx) emissions are capped below 50 tons per year and 100 tons per year, respectively, to avoid applicability of New Source Review (NSR) under 6NYCRR Part 231-2. In addition, facility carbon monoxide (CO) emissions are capped below 250 tons per year to avoid applicability of Prevention of Significant Deterioration (PSD) under 40CFR52.21, Subpart A.

There are four emission units at the facility as follows:



1-LFGAS - described as landfilling activities which includes an existing enclosed flare to combust landfill gas (LFG), when necessary.

2-LEACH - described as leachate storage and handling.

3-CDDEB - described as construction and demolition debris processing.

4-TIRES - described as tire processing, shredding and reclamation.

The facility operation is permitted primarily under the following regulations:

- 1.) 40 CFR 60 Subpart WWW New Source Performance Standards for Municipal Solid Waste Landfills.
- 2.) 6NYCRR Part 201-6 requires the facility to obtain a Title V permit .

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

Permit Administrator: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

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



DEC GENERAL CONDITIONS

**** General Provisions ****

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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



Item 3.3:

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

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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: MODERN LANDFILL INC
PO BOX 209
MODEL CITY, NY 14107-0209

Facility: MODERN LANDFILL INC
PLETCHER RD
MODEL CITY, NY 14107

Authorized Activity By Standard Industrial Classification Code:
4953 - REFUSE SYSTEMS
5093 - SCRAP AND WASTE MATERIALS

Permit Effective Date: 11/21/2008

Permit Expiration Date: 11/20/2013



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
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Facility Level

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

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 25 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 26 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 27 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 28 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 29 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 30 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 31 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 32 40CFR 60.9, NSPS Subpart A: Availability of information.
- 33 40CFR 60.12, NSPS Subpart A: Circumvention.
- 35 40CFR 60.752(b)(2), NSPS Subpart WWS: Standards for air emissions



from MSW landfills

- 36 40CFR 60.753(a), NSPS Subpart WWW: Operational standards for collection and control systems
- 37 40CFR 60.753(b), NSPS Subpart WWW: Compliance Certification
- 38 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 39 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
- 40 40CFR 60.753(d), NSPS Subpart WWW: Compliance Certification
- 41 40CFR 60.753(e), NSPS Subpart WWW: Compliance Certification
- 42 40CFR 60.753(f), NSPS Subpart WWW: Compliance Certification
- 43 40CFR 60.753(g), NSPS Subpart WWW: Compliance Certification
- 44 40CFR 60.754(b), NSPS Subpart WWW: NMOC Calculation After Collection and Control System Installation
- 45 40CFR 60.754(d), NSPS Subpart WWW: Performance Test
- 46 40CFR 60.755(a), NSPS Subpart WWW: Compliance Certification
- 47 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells
- 48 40CFR 60.755(e), NSPS Subpart WWW: Compliance Provisions - Start-up, shutdown, or malfunction
- 49 40CFR 60.756(a), NSPS Subpart WWW: Compliance Certification
- 50 40CFR 60.756(f), NSPS Subpart WWW: Compliance Certification
- 51 40CFR 60.757(d), NSPS Subpart WWW: Reporting Requirements - Closure Report
- 52 40CFR 60.757(e), NSPS Subpart WWW: Compliance Certification
- 53 40CFR 60.757(f), NSPS Subpart WWW: Compliance Certification
- 54 40CFR 60.757(g), NSPS Subpart WWW: Reporting requirements - Collection and control system
- 55 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
- 34 40CFR 60.758(b), NSPS Subpart WWW: Compliance Certification
- 56 40CFR 60.758(c), NSPS Subpart WWW: Compliance Certification
- 57 40CFR 60.758(d), NSPS Subpart WWW: Compliance Certification
- 58 40CFR 60.758(e), NSPS Subpart WWW: Compliance Certification
- 59 40CFR 60.759(c), NSPS Subpart WWW: Compliance Certification
- 60 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
- 61 40CFR 63, Subpart A: General Provisions
- 62 40CFR 63.1955(b), Subpart AAAA: Compliance Certification
- 63 40CFR 63.1980(a), Subpart AAAA: Compliance Certification

Emission Unit Level

- 64 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 65 6NYCRR 201-6: Process Definition By Emission Unit

EU=1-LFGAS

- 66 6NYCRR 231-2: Compliance Certification
- 67 6NYCRR 231-2: Compliance Certification
- 68 6NYCRR 231-2: Compliance Certification
- 69 40CFR 52.21, Subpart A: Compliance Certification
- 70 40CFR 60.18(c), NSPS Subpart A: Flare operation requirements.
- 71 40CFR 60.18(d), NSPS Subpart A: Compliance Certification
- 72 40CFR 60.18(e), NSPS Subpart A: Compliance Certification
- 73 40CFR 60.18(f), NSPS Subpart A: Flare compliance testing.

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 74 ECL 19-0301: Contaminant List



75 6NYCRR 201-1.4: Unavoidable noncompliance and violations

76 6NYCRR 211.2: Air pollution prohibited



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 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 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 B: 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 C: 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 D: 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 E: 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 renewal application.
- Item F: 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 G: 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 H: 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 I: 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 J: 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 contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item K: Reopening for Cause - 6 NYCRR 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 shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

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

Item L: Permit Exclusion - ECL 19-0305

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



- (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 4: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 4.1:

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 5: Compliance Certification

Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 60 days after the end of a reporting period. All instances of deviations from permit



requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

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

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

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



also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 6: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 6.1:



The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA



representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Condition 8: Recordkeeping requirements
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 202-2.5



Item 8.1:

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

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

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:6NYCRR 215

Item 9.1:

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

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

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

**Condition 10: Maintenance of Equipment
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:6NYCRR 200.7

Item 10.1:

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

**Condition 11: Recycling and Salvage
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:6NYCRR 201-1.7

Item 11.1:

Where practical, any person who owns or operates an air contamination source shall recycle or



salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

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

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility

Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 13.1:

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. 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 this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 14.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 15: Standard Requirement - Provide Information

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 201-6.5(a)(4)

Item 15.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for



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

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

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

Condition 19: Required Emissions Tests
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 202-1.1

Item 19.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 20: Visible Emissions Limited
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 211.3

Item 20.1:

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

Condition 21: Accidental release provisions.
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 68

Item 21.1:

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



requirements will apply:

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

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

Condition 22: Recycling and Emissions Reduction
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:

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

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

Condition 23: Emission Unit Definition
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 201-6

Item 23.1:

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

Emission Unit: 1-LFGAS

Emission Unit Description:

This unit consists of the landfill area that generates landfill gas (LFG), an active collection system, an enclosed flare to combust the LFG at a minimum operating temperature of 1650 Deg. F. and provisions for future installation/operation of an additional enclosed flare, if necessary. This unit also contains six space heaters in the maintenance garage which have been, or, are being converted from burning propane gas to LFG.



Building(s): OUTSIDE

Item 23.2:

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

Emission Unit: 2-LEACH

Emission Unit Description:

This unit consists of one 1.1 million-gallon, above-ground, vertical fixed roof leachate storage tank and one water truck used to spray leachate back onto the active landfill area in the leachate recirculation process.

Item 23.3:

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

Emission Unit: 3-CDDEB

Emission Unit Description:

This unit consists of a rubble processing plant for crushing construction and demolition material, a vibrating screen to sort material by size and a water spray bar to decrease dust emissions.

Building(s): OUTSIDE

Item 23.4:

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

Emission Unit: 4-TIRES

Emission Unit Description:

This unit consists of tire processing equipment, some of which is powered by diesel-fueled generators, a tire shredder powered by a 350 kilowatt diesel generator and trommel screen which is powered by a 100 hp diesel engine. Two granulators are equipped with cyclones and bag filters to control dust emissions.

Building(s): OUTSIDE
TIRE BLDG

**Condition 24: Applicability of Subpart A General Provisions
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 24.1:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 25: EPA Region 2 address.
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A



Item 25.1:

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

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

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

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

Condition 26: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective



action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 27: Excess emissions report.
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 27.1:

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

Condition 28: Facility files for subject sources.
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 28.1:

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

Condition 29: Prior notice.
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 29.1:

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

Condition 30: Performance testing facilities.



Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 30.1:

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

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

Condition 31: Number of required tests.

Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 31.1:

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

Condition 32: Availability of information.

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 32.1:

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

Condition 33: Circumvention.

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 33.1:

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

Condition 35: Standards for air emissions from MSW landfills

Effective between the dates of 11/21/2008 and 11/20/2013



(B) A passive collection system shall:

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

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

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

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

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

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

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

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

**Condition 36: Operational standards for collection and control systems
Effective between the dates of 11/21/2008 and 11/20/2013**

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

WWW

Item 36.1:

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 37: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 37.1:
The Compliance Certification activity will be performed for the Facility.

Item 37.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

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

- 1) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR Part 60.757(f)(1).
- 2) Use of a geomembrane cover or an equivalent gas-impermeable synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan.
- 3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows.
- 4) A temporarily closed wellhead. A well may exhibit zero pressure in the event it is liquid plugged or cannot be operated at < 5% oxygen.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW.

If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: PRESSURE
Upper Permit Limit: 0 pounds per square inch gauge
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION



Monitoring Description:

Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade. The owner or operator may establish a higher operating temperature at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 40: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000074-82-8 METHANE

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

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



surface testing.

The procedures as provided in 40 CFR 60.755(c) shall be used for compliance with the surface methane operational standard as provided in 40 CFR 60.753(d).

Parameter Monitored: METHANE

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

Reference Test Method: 40CFR60 App A, M 21

Monitoring Frequency: QUARTERLY

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 41: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: LANDFILL GAS

Upper Permit Limit: 1 hours

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 42: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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



Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 43: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 43.1:

The Compliance Certification activity will be performed for the Facility.

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If monitoring demonstrates that the operational requirements of 40 CFR Part 60.753(b), (c) or (d) (and for temporarily closed wellheads) 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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 44: NMOC Calculation After Collection and Control System Installation
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 44.1:

After the installation of a collection and control system in compliance with 40 CFR Part 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of



determining when the system can be removed as provided in 40 CFR Part 60.752(b)(2)(v), using the following equation:

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

where,

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

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

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

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

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

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

Condition 45: Performance Test
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 45.1:

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



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

where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

Condition 46: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 46.1:

The Compliance Certification activity will be performed for the Facility.

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR Part 60.752(b)(2)(i)(A)(1), the following equation shall be used. The k and Lo kinetic factors should be those published in the most recent Compilation of Air Pollutant Emissions Factors (AP-42) or other site specific values demonstrated to be appropriate for this site and approved by the Administrator. If k has been determined as specified in 40 CFR Part 60.754(a)(4), the value of k determined from the test shall be used. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

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

$$QM = S \cdot 2 \cdot k \cdot Lo \cdot Mi \cdot (e^{-kti}) ,$$

where,

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

k = methane generation rate constant, year⁻¹

Lo = methane generation potential, cubic meters per



megagram

solid waste

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

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

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

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

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

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



Administrator for approval.

6) An owner or operator seeking to show compliance with 40 CFR 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR Part 60.759 shall provide information satisfactory to the Administrator as specified in 40 CFR Part 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 47: Compliance Provisions - wells
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 47.1:

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 48: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 48.1:

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

Condition 49: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 49.1:

The Compliance Certification activity will be performed for the Facility.

Item 49.2:

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 50: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 50.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000074-82-8 METHANE

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

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



frequency for that landfill (or closed landfill section(s)) to quarterly monitoring.

For safety purposes, if a section of the landfill is covered with snow and/or ice or excessive precipitation (wet conditions) for an entire quarter, that section of the landfill does not need to be included in the surface scan required for that quarter under 40 CFR 60 Subpart WWW. The facility must return to quarterly surface monitoring in the event that conditions improve (ie., if the snow and ice melt and the ground surface is dry enough to be accessible by personnel and suitable for the monitoring instruments) during the quarterly monitoring period.

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

Reference Test Method: Method 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 51: Reporting Requirements - Closure Report
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 51.1:

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

Condition 52: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

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

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

- (i) A copy of the closure report submitted in accordance with 40 CFR Part 60.757(d) of this section;
- (ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
- (iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 53: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 53.1:

The Compliance Certification activity will be performed for the Facility.

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

(1) Value and length of time for exceedance of applicable



parameters monitored under 40 CFR Part 60.756(a), (b), (c), and (d).

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

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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 54: Reporting requirements - Collection and control system Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 54.1:

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

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

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



based;

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

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

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

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

Condition 55: Compliance Certification

Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 55.1:

The Compliance Certification activity will be performed for the Facility.

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Certification

Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW



Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii):
 - i) The maximum expected gas generation flow rate as calculated in 40 CFR Part 60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.
 - ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR Part 60.759(a)(1).

- 2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity greater than 44 megawatts:
 - i) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.
 - ii) The percent reduction of NMOC determined as specified in 40 CFR Part 60.752(b)(2)(iii)(B) achieved by the control device.

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



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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 56: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 56.1:

The Compliance Certification activity will be performed for the Facility.

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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



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

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 57: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 57.1:
The Compliance Certification activity will be performed for the Facility.

Item 57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator shall keep for the life of the collection system an up-to-date, readily accessible plot



map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 58: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW

Item 58.1:

The Compliance Certification activity will be performed for the Facility.

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 59: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

WWW



Item 59.1:

The Compliance Certification activity will be performed for the Facility.

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 60: Asbestos-containing waste material standard for active waste disposal sites

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 61.154, NESHAP Subpart M

Item 60.1:

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

Condition 61: General Provisions

Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:40CFR 63, Subpart A

Item 61.1:

This emission source is subject to the applicable provisions of 40 CFR 63 Subpart A. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 62: Compliance Certification

Effective between the dates of 11/21/2008 and 11/20/2013



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

Item 62.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 62.2:

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 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 AAAAA (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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 63: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

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

**Condition 64: Emission Point Definition By Emission Unit
Effective between the dates of 11/21/2008 and 11/20/2013**

Applicable Federal Requirement:6NYCRR 201-6

Item 64.1:

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

Emission Unit: 1-LFGAS



Landfill gas is collected and may be combusted at a minimum operating temperature of 1650 Deg. F. in an enclosed flare nominally rated at 1500 CFM. If necessary, Modern may install a 3,000 CFM flare when LFG collection rates approach the capacity of the utilization facility and the existing flare. This process also includes combustion of treated LFG in the maintenance garage heaters.

Emission Source/Control: FL15K - Control
Control Type: FLARING

Emission Source/Control: FL30K - Control
Control Type: FLARING

Emission Source/Control: MGSH1 - Control
Control Type: FLARING

Emission Source/Control: LNDFL - Process

Item 65.3:

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

Emission Unit: 2-LEACH
Process: EVP Source Classification Code: 4-07-999-97
Process Description:

A 1.1 million gallon, above ground, vertical fixed roof storage tank is used to store leachate from the landfill. The tank is vented to prevent pressurization. Emissions consist of evaporative loss of leachate.

Emission Source/Control: TANK1 - Process
Design Capacity: 1.1 million gallons

Item 65.4:

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

Emission Unit: 2-LEACH
Process: REC Source Classification Code: 4-07-999-98
Process Description:

In this process a water truck fills up with leachate from the on-site storage tank and the operator sprays the leachate through a nozzle mounted on the truck onto the active landfill surface.

Emission Source/Control: TRUCK - Process

Item 65.5:

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

Emission Unit: 3-CDDEB
Process: PRC Source Classification Code: 3-05-020-01
Process Description:



Construction and demolition materials are fed into the rubble processing plant and crushed. A water spray bar is used to control dust emissions.

Emission Source/Control: SPRAY - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: CRUSH - Process

Item 65.6:

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

Emission Unit: 3-CDDEB
Process: SCS Source Classification Code: 3-05-020-02
Process Description:

After primary crushing the debris is run through a vibratory screen to segregate particles over a specified size which are reprocessed. A water spray bar is used to control dust emissions.

Emission Source/Control: SPRAY - Control
Control Type: DUST SUPPRESSION BY WATER SPRAY

Emission Source/Control: VIBSC - Process

Item 65.7:

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

Emission Unit: 4-TIRES
Process: ICE Source Classification Code: 2-02-001-02
Process Description:

After rims and steel beads are removed from the tires, they are shredded. Emissions from this process may include diesel engines used to power the processing equipment. Since no emissions come from the shredder, it is not required to be listed as a source.

Emission Source/Control: DESL1 - Process

Item 65.8:

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

Emission Unit: 4-TIRES
Process: RUB Source Classification Code: 3-08-001-99
Process Description:

After shredding, some of the tires are run through a magnetized shaker table which sorts any undesirable material such as metal parts. Some of the rubber then goes through a granulator which further reduces particle size. Emissions from this process are particulate matter from the shaker table and granulator which are controlled by cyclones and bag filters. Also, there are combustion emissions from the diesel generators. Should fugitive



emissions be observed of equipment during the work shift, appropriate action by Modern personnel is required to address the situation.

Emission Source/Control: BGFL1 - Control
Control Type: FABRIC FILTER

Emission Source/Control: BGFL2 - Control
Control Type: FABRIC FILTER

Emission Source/Control: CYCL1 - Control
Control Type: SINGLE CYCLONE

Emission Source/Control: CYCL2 - Control
Control Type: SINGLE CYCLONE

Emission Source/Control: DESL1 - Process

Emission Source/Control: DESL2 - Process

Emission Source/Control: DESL3 - Process

Emission Source/Control: GRAN1 - Process

Emission Source/Control: GRAN2 - Process

Emission Source/Control: SHAK1 - Process

Emission Source/Control: SHAK2 - Process

Condition 66: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 231-2

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

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

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- a.) The facility shall limit (cap) the amount of municipal solid waste (MSW) disposed in this landfill to 815,000 tons per calendar year (Jan. 1 - Dec. 31) assuming year 2032 as the closure year. Alternate Daily Covers



(ADC) may be used at the facility provided they are pre-approved by the Department. The total amount of ADC used at the landfill must not exceed 25% of the annual amount of non-BUD (Beneficial Use Determination) waste disposed at the landfill. Therefore, the total amount of waste and ADC received at the facility must not exceed 1,018,750 tons per year. ADC material may include contaminated soils (including petroleum contaminated), construction and demolition debris, and some types of industrial waste that has minimal contamination and is similar in make up to a soil.

NOTE: Maximum landfill capacity is 2.660E+07 (Mg) with an estimated maximum landfill gas generation rate of 6.224E+07 Cubic m/yr.

b.) The facility shall track all such MSW received by recording the amount received daily in a log maintained on site during each day of operation.

c.) The owner or operator 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 the facility 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.

d.) On an annual basis the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by this emission cap. This certification shall include a brief summary of the MSW disposed in this landfill and a comparison with the 815,000 tons per calendar year established by this cap.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: MUNICIPAL SOLID WASTE

Upper Permit Limit: 815000 tons per year

Monitoring Frequency: DAILY

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 67: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement:6NYCRR 231-2

Item 67.1:



The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 67.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

a.) Use of AP-42 emission factors in the EPA LandGEM model along with a maximum waste placement rate 815,000 tons per year results in a model predicted maximum VOC generation rate which will exceed the 50 tpy NSR applicability threshold for this landfill operation. As a result the facility has elected to limit (cap) VOC emissions to below the 50 tpy NSR applicability threshold by installing a landfill gas collection system which will capture up to 85% of VOC generated by the landfill and destroy 98% or more of the VOC captured by the collection system.

AP-42 estimates that a well designed collection system will result in 75 to 85% capture of VOC. Part 231- 2 applicability threshold for MSW landfills applies to all emissions generated by the landfill - both uncaptured and captured emissions. Based on site specific sampling data for uncaptured emissions and flare test data (1999) for captured emissions , total actual emissions of 21.03 tons per year are predicted by the closure year of 2032.

b.) Facility-wide emissions of Volatile Organic Compound (VOC) are limited to 39 tons for each 12 month period under this permit by the installation of a well designed gas collection and control system according to the requirements of Subpart WWW contained in this permit. By capping emissions the facility avoids applicability of New Source Review (NSR) under 6 NYCRR Part 231-2.

c.) The facility shall track actual annual emissions and keep records according to the following. This calculation shall be completed by the 15 day of each month for each 12 month period.

1. The facility shall continuously measure landfill gas flow rate (total cfm) being collected by the collection system and directed to the on site flare control device. This information shall be logged daily, when the flare is operating, and logs shall be kept on



site.

2. The annual quantity of VOC emissions from the landfill shall be computed by adding the uncaptured VOC emissions to the VOC emissions after control. For this calculation 25% of the emissions are assumed to be uncaptured and the VOC concentration in landfill gas shall be that measured by the most recent stack test. In the absence of test data the AP-42 factor of 235 ppmv as hexane shall be used.

d.) The owner or operator 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 the facility 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.

e.) On an annual calendar year basis, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison with the 39 ton per year VOC emission limit established by this cap.

Parameter Monitored: VOC

Upper Permit Limit: 39 tons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 68: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable Federal Requirement: 6NYCRR 231-2

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Regulated Contaminant(s):

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

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING



Emission Unit: 1-LFGAS

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

- a.) According to the AP-42 emission factor for an enclosed combustor, maximum emissions of Carbon Monoxide (CO) from the control device (which occurs in year 2032) would not exceed the Prevention of Significant Deterioration (PSD) applicability threshold of 250 tons per year. The manufacturer guarantees the low emission enclosed combustors (both the existing and possible future flares) will have a maximum emission rate (limit) of 0.2 pounds of CO per million BTU fired. Total actual (flare outlet) CO emissions of 186.83 tons per year are predicted for this facility. Total facility emissions (captured as well as uncaptured) are predicted to be 191.12 tons per year.
- b.) Therefore, under this permit, in order to cap emissions of CO from the facility below 250 tons per year the enclosed combustor shall not exceed 0.2 pounds of CO per million BTU of landfill gas fired.
- c.) Landfill gas is collected and sold to a privately owned landfill gas utilization facility. The on site flare will remain for contingencies. This flare has demonstrated compliance with subpart WWW for VOC (in 1999) and with the 0.2 lb/mmBTU limit for CO (in 2005). An additional flare, if necessary, would require compliance testing within 180 days of startup of operation.
- d.) The owner or operator shall prepare and submit a stack test protocol for any required testing to the Department for review and approval at least 45 days prior to scheduled testing. The stack test protocol shall also address QA/QC, reportables, data usability and corrective action. Corrective action shall include provisions for retesting where necessary.
- e.) A stack test report shall be submitted to the Department for review and approval within 60 days of completion of the field testing.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 0.2 pounds per million Btus

Reference Test Method: EPA METHOD 10



Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 70: Flare operation requirements.
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 70.1:

This Condition applies to Emission Unit: 1-LFGAS

Item 70.2:

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

1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;

2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);

3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).

4) Steam assisted and non assisted 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).

5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{MAX} , as determined by the method specified in 40 CFR 60.18(f)(6).

6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.

Condition 71: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of flares used to comply with the provisions of 40 CFR 60.18 shall monitor these control devices, when operating, 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 72: Compliance Certification
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 73: Flare compliance testing.
Effective between the dates of 11/21/2008 and 11/20/2013

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

Item 73.1:

This Condition applies to Emission Unit: 1-LFGAS

Item 73.2: 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).



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 74: Contaminant List
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable State Requirement:ECL 19-0301

Item 74.1:

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

CAS No: 000074-82-8

Name: METHANE

CAS No: 000630-08-0



Name: CARBON MONOXIDE

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

Condition 75: Unavoidable noncompliance and violations
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable State Requirement:6NYCRR 201-1.4

Item 75.1:

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

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

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

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



of the malfunction and the air contaminants emitted.

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

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

Condition 76: Air pollution prohibited
Effective between the dates of 11/21/2008 and 11/20/2013

Applicable State Requirement:6NYCRR 211.2

Item 76.1:

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

