



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-2934-00022/00233
Mod 0 Effective Date: 10/24/2014 Expiration Date: 10/23/2024

Mod 1 Effective Date: Expiration Date:

Permit Issued To: CWM CHEMICAL SERVICES LLC
1550 BALMER RD
MODEL CITY, NY 14107

Contact: Jonathan P Rizzo
CWM Chemical Services LLC
1550 Balmer Rd
Model City, NY 14107
(716) 286-0354

Facility: CWM CHEMICAL SERVICES - MODEL CITY SITE
1550 BALMER RD
MODEL CITY, NY 14107

Contact: MICHAEL F MAHAR
CWM CHEMICAL SERVICES LLC
1550 BALMER ROAD
MODEL CITY, NY 14107
(716) 286-1550

Description:
CWM Facility Description (Ren 0 Mod 1 revision)

(1) CWM Chemical Services, L.L.C., a wholly owned subsidiary of Waste Management of New Jersey, Inc. and indirect, wholly owned subsidiary of Waste Management, Inc. owns and operates the Model City Facility located at 1550 Balmer Road, Model City, New York. The facility is a hazardous waste treatment, storage and disposal, and recovery facility, which accepts hazardous and industrial non-hazardous waste.

(2) This permit action is a modification to the Air State Facility permit to include the construction and operation of proposed Residual Management Unit 2 (RMU-2), a new landfill.

(3) A modified draft Air State Facility permit was supplied to the New York State Facility Siting Board, Administrative Law Judge Daniel P. O'Connell and the petitioners seeking party status via letter dated March 20, 2015. Based on a review of



the post-Issues Conference submissions, staff re-evaluated the RMU-2 application and determined that the emissions inventory, fugitive dust plan and ambient air monitoring plan provided by CWM was deficient and revisions were required to make the application complete. The Department's concerns were identified in a letter to Judge O'Connell, dated December 1, 2015. Staff reviewed CWM's response to this letter and have revised the Air State Facility application and permit as follows:

- (a) The permit application information was updated by:
 - (i) Changing the emission range code for carbon monoxide from A to B.
 - (ii) Changing the emission range code for sulfur dioxide changed from B to A.
 - (iii) Adding emission range codes for persistent, bioaccumulative or toxic (PBT) compounds.
 - (iv) Expiring Emission Unit 1-BOILER, Process HTR, and Emission Sources BLR01, BLR02 and BLR03 because these distillate oil fired boilers were removed from service recently.

- (b) The permit was revised by:
 - (i) Updating the emission summaries and narrative in this facility description.
 - (ii) Permit conditions for 6NYCRR Part 212 and 40 CFR 63 subpart ZZZZ were revised to clarify recordkeeping and reporting requirements.
 - (iii) Removing Emission Unit 1-BOILER, Process HTR, and Emission Sources BLR01, BLR02 and BLR03 because the propane fired boilers that replaced the distillate oil fired boilers are exempt from permitting.
 - (iv) Removing the permit condition for 40 CFR 63 Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources because the distillate oil boilers were removed.

In addition, the fugitive dust control plan and the air and meteorological monitoring plan, that are part of the sitewide Part 373 Hazardous Waste Management permit, have been revised.

(4) In reference to the significant mass emission rates for persistent, bioaccumulative or toxic (PBT) compounds, as listed in Table 1 of 6 NYCRR Part 201-9, the facility exceeds the threshold for three compounds as compared below. Exceedance of the listed threshold only requires the facility to obtain an air state facility permit instead of an air facility registration. The major source threshold is listed in the table for reference and comparison purposes. This facility is not a major source of emissions, so it is not required to have a major source Title V (five) air permit.



PBT Contaminate	Facility Emission Rate (lb/yr)(1)	6NYCRR Part 201-9 Threshold to obtain an Air State Facility Permit (lb/yr)	6NYCRR Part 201-6 Major Source HAP Threshold to obtain an Air Title V Permit(2) (lb/yr)
Pesticides	0.24	0	20,000
PCBs (3)	359.56	0.1	20,000
Polycyclic organic Matter (POM)	48.20	1	20,000

(1) Pounds per year

(2) Major Source total HAP threshold is 50,000 pounds per year

(3) Polychlorinated biphenyl

(5) The change in facility emissions from the proposed RMU-2 Expansion are:

	Criteria Contaminates				Persistent, Bioaccumulative or Toxic (PBT) Compounds				
	VOC(1) (tpy)(6)	HAP(2) (tpy)	PM10(3) (tpy)	PM2.5(4) (tpy)	Benzene (lb/yr)*	Methylene Chloride (lb/yr)*	TCE(5) (lb/yr)*	PCBs (lb/yr)*	POM (lb/yr)*
Existing Facility	3.20	1.33	7.44	5.66	25.3	829.3	138.4	122.4	15.7
Proposed RMU-2	0.52	0.53	8.46	2.69	16.3	78.6	24.0	237.2	32.5
Proposed Total	3.71	1.86	15.90	8.35	41.6	907.9	163.4	259.6	48.2

(1) Volatile organic compound

(2) Hazardous air pollutant

(3) Particulate matter less than 10 microns

(4) Particulate matter less than 2.5 microns

(5) Trichloroethylene

(6) Tons per year

* identifies the PBT pollutants added to this table compared to the 3/20/15 draft of this proposed permit

Emissions of PBT's that increased less than 5 pound per year are not included in this table.

(6) The facility is subject to specific air emission standards as specified in the facility's sitewide Part 373 Hazardous Waste Management Permit. The regulations include Part 373-2.28 Air Emission Standards for Equipment Leaks, and Part 373-2.29 Air Emission Standards for Tanks, Surface Impoundments, and Containers. For this reason, the Air State Facility permit does not duplicate air emission control requirements that are required under that permit.



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.



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DEC GENERAL CONDITIONS

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Facility Level

- 5 6 Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS



DEC GENERAL CONDITIONS
****** General Provisions ******
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: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



Condition 1-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 1-1.1:

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

Item 1-1.3:

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

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

Item 4.1:

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

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

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

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

Item 5.1:

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

New York State Department of Environmental Conservation

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Facility DEC ID: 9293400022



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: CWM CHEMICAL SERVICES LLC
1550 BALMER RD
MODEL CITY, NY 14107

Facility: CWM CHEMICAL SERVICES - MODEL CITY SITE
1550 BALMER RD
MODEL CITY, NY 14107

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

Mod 0 Permit Effective Date: 10/24/2014

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- 6 1 6 NYCRR 211.1: Air pollution prohibited
- 6 1-2 40CFR 63, Subpart DD: Compliance Demonstration

Emission Unit Level

EU=1-AQWTP

- 7 1-3 6 NYCRR Part 212: Compliance Demonstration

EU=1-FRMP

- 8 1-4 40CFR 63.6603(a), Subpart ZZZZ: Compliance Demonstration
- 8 1-5 40CFR 63.6625, Subpart ZZZZ: Compliance Demonstration
- 10 1-6 40CFR 63.6640, Subpart ZZZZ: Compliance Demonstration

EU=1-LANDF

- 10 1-7 6 NYCRR Part 212: Compliance Demonstration

EU=1-LEACH

- 11 1-8 6 NYCRR Part 212: Compliance Demonstration
- 12 1-9 6 NYCRR Part 212: Compliance Demonstration

EU=1-STABL

- 13 1-10 6 NYCRR Part 212: Compliance Demonstration

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- 15 14 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 16 15 6 NYCRR Subpart 201-5: Emission Unit Definition
- 17 16 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 17 17 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 18 18 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

- 18 19 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 19 20 6 NYCRR Subpart 201-5: Process Definition By Emission Unit



FEDERALLY ENFORCEABLE CONDITIONS

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or



modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

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

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

Item E: Recycling and Salvage - 6 NYCRR 201-1.7

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

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

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

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

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

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

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

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control requirements, regulations, or law.

Item I: Required Emission Tests - 6 NYCRR 202-1.1

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item K: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

**Condition 1-1: Non Applicable requirements
Effective for entire length of Permit**



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

Item 1-1.1:

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

Condition 1: Air pollution prohibited
Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.1

Item 1.1:

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

Condition 1-2: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63, Subpart DD

Item 1-2.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 1-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Based on air emission estimates from this application to modify the permit, the Department has determined CWM Chemical Services, Inc. is not a major source of hazardous air pollutants (HAP) and, therefore, is not subject to the National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations - 40 CFR 63 Subpart DD. If operations change significantly from the assumptions made to estimate emissions, CWM may be required to determine applicability to subpart DD at that time and submit the supporting information.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**** Emission Unit Level ****

Condition 1-3: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Part 212

Replaces Condition(s) 3

Item 1-3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-AQWTP

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

EMISSION UNIT 1-AQWTP
OPERATION AND MONITORING REQUIREMENTS

(1) Tanks containing hazardous waste with >500 ppm VOCs, as listed in the facility's RCRA permit, are subject to 6NYCRR 373-2.29 AIR EMISSION STANDARDS for Tanks, Containers and Surface Impoundments. As required by this regulation, tanks determined to be Level 1 are either closed with no cracks, gaps or openings or if they are vented, a control device such as a carbon canister is employed. The facility must perform tank inspections and corrective action as specified in this regulation. As a best management practice, the carbon canisters are monitored routinely for breakthrough and replaced in accordance with the facility's 6NYCRR 373-2.29 Compliance Plan. The monitoring and carbon canister replacement for the Level 2 tanks are also completed in accordance with the Compliance Plan.

(2) When strong acid wastes are being processed, the tanks in use are vented to the caustic scrubber to neutralize the acid vapor. The caustic scrubber is operated, monitored and maintained in accordance with the facility's Aqueous Waste Treatment Operations & Maintenance Manual.

(3) Recordkeeping requirements are in 6NYCRR 373-2.29(j) and reporting requirements are in 6NYCRR 373-2.29(k).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

Item 1-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**EMERGENCY ENGINE
OPERATION AND MAINTENANCE REQUIREMENTS**

- (1) Operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
- (2) Install a non-resettable hour meter if one is not already installed.
- (3) Minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards apply at all times.
- (4) Utilize an oil analysis program in order to extend the specified oil change requirement, if desired. The oil analysis must be performed at the same frequency specified for changing the oil. The analysis program must, at a minimum, analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows:
 - (a) Total Base Number is less than 30 percent of the total base Number of the oil when new;
 - (b) Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or
 - (c) Percent water content (by volume) is greater than 0.5.
- (5) If all of the condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis. If the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.



New York State Department of Environmental Conservation

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Item 1-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LANDF

Regulated Contaminant(s):

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

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

GENERAL FUGITIVE DUST OPERATIONAL REQUIREMENTS

(1) The facility must employ the best management practices specified in the facility’s FUGITIVE DUST CONTROL PLAN to control dust during landfill operations and on the facility roadways. This plan is an attachment to the facility’s Site-wide RCRA Operating Permit. In addition, the Part 373 Permit contains a requirement for the application of Daily Cover on bulk waste placed in the active landfill.

(2) Records of monitoring fugitive dust control will be kept on site and made available upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 1-8: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Part 212

Replaces Condition(s) 10

Item 1-8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LEACH

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**EMISSION UNIT 1-LEACH
OPERATION AND MONITORING REQUIREMENTS**



(1) Tanks containing hazardous waste with >500 ppm VOCs, as listed in the facility's RCRA permit, are subject to 6NYCRR 373-2.29 AIR EMISSION STANDARDS for Tanks, Containers and Surface Impoundments. As required by this regulation, tanks determined to be Level 1 are either closed with no cracks, gaps or openings or if they are vented, a control device such as a carbon canister is employed. The facility must perform tank inspections and corrective action as specified in this regulation. As a best management practice, the carbon canisters are monitored routinely for breakthrough and replaced in accordance with the facility's 6NYCRR 373-2.29 Compliance Plan.

(2) All landfill standpipes must be covered at all times, except when being attended. As required by the facility's Site-wide RCRA Operating Permit, covers shall be inspected on a routine basis.

(3) Recordkeeping requirements are in 6NYCRR 373-2.29(j) and reporting requirements are in 6NYCRR 373-2.29(k).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-9: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Part 212

Replaces Condition(s) 11

Item 1-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LEACH

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

EMISSION UNIT 1-LEACH
EQUIPMENT LEAK REQUIREMENTS

(1) Equipment including pumps, valves, and flanges in contact with hazardous waste containing more than 10 percent organics is subject to 6NYCRR 373-2.28 AIR EMISSION STANDARDS for Equipment Leaks. The facility must perform monitoring and corrective actions as specified in the regulation and referenced in the facility's RCRA permit.

(2) Specified valves and flanges in the landfill standpipes shall be



inspected and monitored in accordance with the requirements in the facility's 6 NYCRR 373-2.28 Compliance Plan.

(3) Recordkeeping requirements are in 6NYCRR 373-2.28(o) and reporting requirements are in 6NYCRR 373-2.28(p).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-10: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Part 212

Replaces Condition(s) 12

Item 1-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STABL

Regulated Contaminant(s):

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

Item 1-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

EMISSION UNIT 1-STABL
OPERATION AND MONITORING REQUIREMENTS

(1)The facility shall perform a monthly visual inspection of the bags located within the stabilization facility baghouses in accordance with the facility's STABILIZATION Operation & Maintenance Manual. Upon inspection, any damaged or defective bags shall be replaced. If the bags are caked with dust, a change out shall be performed. A record of the inspection and any necessary corrective action is placed in the Operating Record.

(2)The facility shall complete a daily visual inspection of the stabilization facility baghouses on operating days to verify no visible releases of particulates to the air. The inspection shall be completed in accordance with the Inspection Plan as specified in the facility's RCRA Permit. A completed inspection form is placed in the Daily Operating Record.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



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: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

Item C: General Provisions for State Enforceable Permit Terms and Condition -



6 NYCRR Part 201-5

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 13: Contaminant List

Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 13.1:

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

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY100-00-0

Name: TOTAL HAP

CAS No: 0NY998-00-0

Name: VOC

Condition 14: Malfunctions and start-up/shutdown activities

Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 14.1:

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.



(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 15: Emission Unit Definition
Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 15.1(From Mod 1):

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

Emission Unit: 1-AQWTP

Emission Unit Description:

Emission Unit 1-AQWTP includes the Aqueous Waste Treatment Plant.

Item 15.2(From Mod 1):

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

Emission Unit: 1-FRPMP

Emission Unit Description:

Emission Unit 1-FRPMP includes the fire pump for supplying water from the water storage tank to the sprinkler system in the drum warehouse.

New York State Department of Environmental Conservation

Permit ID: 9-2934-00022/00233

Facility DEC ID: 9293400022



Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 9
270 Michigan Ave.
Buffalo, NY 14203

Reporting Requirements: BIENNIAL (CALENDAR)

Condition 18: Visible Emissions Limited
Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 18.1:

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.

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

Condition 19: Emission Point Definition By Emission Unit
Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 19.1(From Mod 0):

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

Emission Unit: 1-AQWTP

Emission Point: 00003

Height (ft.): 7 Diameter (in.): 4

NYTMN (km.): 4793.671 NYTME (km.): 176.957

Emission Point: 00004

Height (ft.): 37 Diameter (in.): 8

NYTMN (km.): 4793.671 NYTME (km.): 176.957

Emission Point: 00005

Height (ft.): 35 Diameter (in.): 12

NYTMN (km.): 4793.671 NYTME (km.): 176.957

Item 19.2(From Mod 0):

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

New York State Department of Environmental Conservation

Permit ID: 9-2934-00022/00233

Facility DEC ID: 9293400022



Emission Unit: 1-STABL

Emission Point: 00001

Height (ft.): 50

Diameter (in.): 96

NYTMN (km.): 4793.671 NYTME (km.): 176.957

Emission Point: 00002

Height (ft.): 30

Diameter (in.): 52

NYTMN (km.): 4793.671 NYTME (km.): 176.957

Condition 20: Process Definition By Emission Unit
Effective between the dates of 10/24/2014 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 20.1(From Mod 1):

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

Emission Unit: 1-AQWTP

Process: TRE

Source Classification Code: 5-03-008-99

Process Description:

Process TRE includes emissions from sources located within the Aqueous Waste Treatment Plant. Full treatment train includes neutralization/metals precipitation, filtration to remove solids (FLTPR), biological treatment to reduce organics, and treatment by granular activated carbon (GAC). When old landfill leachate is processed, storage and treatment tanks (AQTNK) and the biotowers (BIOTW) are vented to carbon canisters (CARB2). When waste acids are neutralized, the tanks may be vented to the caustic scrubber (SCRUB). No carbon canisters are present on the GAC or treated effluent tanks or the facultative ponds (PONDS).

Emission Source/Control: CARB2 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: SCRUB - Control

Control Type: GAS SCRUBBER (GENERAL, NOT CLASSIFIED)

Emission Source/Control: AQTNK - Process

Emission Source/Control: BIOTW - Process

Emission Source/Control: FLTPR - Process

Emission Source/Control: PONDS - Process

Item 20.2(From Mod 1):

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

Emission Unit: 1-FRPMP

Process: PMP

Source Classification Code: 2-02-001-07

New York State Department of Environmental Conservation

Permit ID: 9-2934-00022/00233

Facility DEC ID: 9293400022



Process Description:

Process PMP includes the fire pump for supplying water from the water storage tank to the sprinkler system in the drum warehouse. The fire pump is applicable to 40CFR63 Subpart ZZZZ-National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Emission Source/Control: FRPMP - Combustion

Design Capacity: 187 brake horsepower

Item 20.3(From Mod 1):

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

Emission Unit: 1-LANDF

Process: FUG

Source Classification Code: 5-03-008-99

Process Description:

Process FUG includes operation of the RMU-1 Landfill. Emissions occur from paved/unpaved roads, waste unloading and compacting, and landfill capping.

Emission Source/Control: RMU01 - Process

Design Capacity: 117,359 square meters

Emission Source/Control: RMU02 - Process

Design Capacity: 4,030,700 cubic yards

Item 20.4(From Mod 1):

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

Emission Unit: 1-LEACH

Process: LE1

Source Classification Code: 5-03-008-99

Process Description:

Process LE1 includes emissions from the collection, handling and storage of leachate from older landfills, SLF 1-6, SLF-7, SLF-10, and SLF-11. The storage tanks (LTNK1) for these units utilize carbon canisters (CARB1) for controlling air emissions due to the higher level of organics in the leachate. Also, included in this process are the emissions from the landfill standpipes (SPIP1). The standpipes (SPIP1) do not use carbon canisters.

Emission Source/Control: CARB1 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LTNK1 - Process

Emission Source/Control: SPIP1 - Process

Item 20.5(From Mod 1):

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

Emission Unit: 1-STABL

Process: STB

Source Classification Code: 5-03-008-99

New York State Department of Environmental Conservation

Permit ID: 9-2934-00022/00233

Facility DEC ID: 9293400022



Process Description:

Process STB includes emissions from the stabilization facility. Stabilization includes the treatment of metals with cement kiln dust (CKD) or other similar material to change the metals into a less soluble, less toxic form prior to landfill disposal. Emission sources include the stabilization tanks (STBTK) and two (2) baghouses (BGH01 & BGH02) used to control CKD and waste dust emissions during transfer and mixing.

Emission Source/Control: BGH01 - Control
Control Type: FABRIC FILTER

Emission Source/Control: BGH02 - Control
Control Type: FABRIC FILTER

Emission Source/Control: STBTK - Process

Item 20.6(From Mod 1):

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

Emission Unit: 2-LEACH

Process: LE2

Source Classification Code: 5-03-008-99

Process Description:

Process LE2 includes emissions from the collection, handling and storage of leachate from the newer landfills, SLF-12 and RMU-1. These units have lower levels of organic emissions than process LE1. As such, there are no carbon canisters used on these storage tanks (LTNK2). The landfill standpipes are identified as SPIP2.

Emission Source/Control: LTNK2 - Process
Design Capacity: 11,000 gallons

Emission Source/Control: SPIP2 - Process

