



**New York State Department of Environmental Conservation  
Permit Review Report**

**Permit ID: 7-0399-00027/00009**

**Renewal Number: 2**

**05/03/2012**

**Facility Identification Data**

Name: BROOME COUNTY LANDFILL

Address: 286 KNAPP RD  
BINGHAMTON, NY 13905

**Owner/Firm**

Name: BROOME COUNTY

Address: GOVERNMENT PLZ BOX 1766  
BINGHAMTON, NY 13902, USA

Owner Classification: Municipal

**Permit Contacts**

Division of Environmental Permits:

Name: JOSEPH M DLUGOLENSKI

Address: 615 ERIE BLVD W  
SYRACUSE, NY 13204-2400

Phone:3154267438

Division of Air Resources:

Name: RANDALL A YOUNG

Address: CORTLAND SUBOFFICE  
1285 FISHER AVENUE

CORTLAND, NY 13045-1090  
Phone:6077533095

Air Permitting Facility Owner Contact:

Name: DANIEL SCHOFIELD

Address: BROOME CO DIV OF SOLID WASTE MANAGEMENT  
60 HAWLEY ST PO BOX 1766

BINGHAMTON, NY 13902  
Phone:6077782190

**Permit Description**

**Introduction**

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**

Application for renewal of Air Title V Facility.

**Attainment Status**

BROOME COUNTY LANDFILL is located in the town of BARKER in the county of BROOME.



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The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

| <b>Criteria Pollutant</b>                   | <b>Attainment Status</b>          |
|---|-----------------------------------|
| Particulate Matter (PM)                     | ATTAINMENT                        |
| Particulate Matter < 10µ in diameter (PM10) | ATTAINMENT                        |
| Sulfur Dioxide (SO2)                        | ATTAINMENT                        |
| Ozone*                                      | TRANSPORT REGION (NON-ATTAINMENT) |
| Oxides of Nitrogen (NOx)**                  | ATTAINMENT                        |
| Carbon Monoxide (CO)                        | ATTAINMENT                        |

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

\*\* NOx has a separate ambient air quality standard in addition to being an ozone precursor.

**Facility Description:**

The Broome County Landfill had a footprint of approximately 245 acres. 145 acres are closed, 12 acres are active, and 87 acres are permitted for future use. A landfill gas collection system is operated by by Broome Landfill Gas Associates, an independent company, which also operates several LFG engine/generators and candle flare under a title V permit #7-0399-00011/00004. The landfill also has a leachate collection and storage system, weigh station and miscellaneous equipment to move, compact and cover waste materials. This Title V renewal application is for NMOC emissions from the Landfill, which are currently calculated to be less than 50 megagrams per year.

**Permit Structure and Description of Operations**

The Title V permit for BROOME COUNTY LANDFILL is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.



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BROOME COUNTY LANDFILL is defined by the following emission unit(s):

Emission unit 4LEACH - Five leachate storage tanks associated with the leachate treatment systems. The unit consists of: two new influent storage tanks (process 401, emission points 40001 and 40002) that serve the new section iv: two influent storage tanks located at the leachate treatment plant (process 402, emission points 40003 and 40004), serving the old landfill, sections I, II and III; and one effluent storage tank ( and one effluent storage tank (process 402, emission point 40005).

Process: 401 is located at Building 4L - Two influent storage tanks serving the new section IV landfill. Each tank can hold approximately two million gallons of leachate.

Process: 402 is located at Building 3L - Two influent storage tanks serving the old landfill and sections I, II, and III as well as one effluent storage tank; all located at the leachate treatment building.

Emission unit 1LNDFL - Emission Unit 1-LNDFL is the existing (Sections I-III) portion of the the landfill, including vertical expansion.

Process: 001 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission unit 2LNDFL - Emission unit 2-LNDFL is the proposed expansion portion (Section IV) of the landfill.

Process: 002 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission unit 3DFLAR - One waste gas burner and ignition set to burn digester gas from the anaerobic digester.

Process: 301 is located at LEACHATE TREATMENT P, Building 3L - Emissions from the anaerobic digester are collected and passed to the waste gas burner. The properties of the digester gas vary with the influent concentrations in the landfill leachate.

Note; The anaerobic digester and flare are not operating at the present time, but are permitted in case the County reactivates these sources.

Emission unit 3LNDFL - Emission Unit 3-LNDFL is the original landfill which has been closed and capped. Landfill gas emissions are emitted through passive vents.

Process: 003 Emissions of landfill gas through passive vents.



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BROOME COUNTY LANDFILL is subject to Title V requirements. This determination is based on the following information:

This facility is applicable to Title V requirements because the design capacity of the landfill exceeds the applicability size threshold (2.5 million megagram and 2.5 million cubic meters) of the NYS Emission guidelines for MSW Landfill Emissions and 40 CFR 60, subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. The landfill expansion (Section IV) makes the landfill subject to the NSPS for landfills, 40 CFR 60, subpart WWW and subject to Title V requirements. Actual emissions of VOCs and NMOC (non-methane organic compounds) are below the 50 ton per year thresholds after collection and control of the landfill gas.

**Program Applicability**

The following chart summarizes the applicability of BROOME COUNTY LANDFILL with regards to the principal air pollution regulatory programs:

| Regulatory Program             | Applicability |
|--------------------------------|---------------|
| PSD                            | NO            |
| NSR (non-attainment)           | NO            |
| NESHAP (40 CFR Part 61)        | YES           |
| NESHAP (MACT - 40 CFR Part 63) | NO            |
| NSPS                           | YES           |
| TITLE IV                       | NO            |
| TITLE V                        | YES           |
| TITLE VI                       | NO            |
| RACT                           | NO            |
| SIP                            | YES           |

**NOTES:**

**PSD** Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NSR** New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NESHAP** National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

**MACT** Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific



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emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to

be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

**NSPS** New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

**Title IV Acid Rain Control Program (40 CFR 72 thru 78)** - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

**Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G)** - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

**RACT** Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

**SIP** State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

**Compliance Status**

Facility is in compliance with all requirements.

**SIC Codes**

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis

of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

**SIC Code**

**Description**

4953

REFUSE SYSTEMS

**SCC Codes**

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes

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which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

| SCC Code    | Description   |
|-------------|---|
| 5-01-004-02 | SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP<br>FUGITIVE EMISSIONS   |
| 5-01-004-10 | SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP   |
| 5-01-004-33 | WASTE GAS DESTRUCTION: WASTE GAS FLARES<br>SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP<br>WASTE PURIFICATION: OTHER |

**Facility Emissions Summary**

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

| Cas No.     | Contaminant Name         | PTE    |                             |
|-------------|--------------------------|--------|-----------------------------|
|             |                          | lbs/yr | Range                       |
| 000630-08-0 | CARBON MONOXIDE          |        | > 0 but < 2.5 tpy           |
| 0NY100-00-0 | HAP                      |        | >= 10 tpy but < 25 tpy      |
| 007439-92-1 | LEAD                     |        | > 0 but < 10 tpy            |
| 000074-82-8 | METHANE                  |        | >= 250 tpy but < 75,000 tpy |
| 0NY998-20-0 | NMOC - LANDFILL USE ONLY |        | >= 40 tpy but < 50 tpy      |
| 0NY210-00-0 | OXIDES OF NITROGEN       |        | > 0 but < 2.5 tpy           |
| 0NY075-00-0 | PARTICULATES             |        | > 0 but < 2.5 tpy           |
| 0NY075-00-5 | PM-10                    |        | > 0 but < 2.5 tpy           |
| 007446-09-5 | SULFUR DIOXIDE           |        | > 0 but < 2.5 tpy           |
| 0NY998-00-0 | VOC                      |        | >= 10 tpy but < 25 tpy      |

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tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**Item A: Emergency Defense - 6 NYCRR 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 - 6 NYCRR 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 6 NYCRR 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



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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 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 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.



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**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.

**Item M: 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.

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**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.

**Regulatory Analysis**

| Location<br>Facility/EU/EP/Process/ES | Regulation                   | Condition | Short Description   |
|---------------------------------------|------------------------------|-----------|---|
| FACILITY                              | ECL 19-0301                  | 48        | Powers and Duties of the Department with respect to air pollution control   |
| FACILITY                              | 40CFR 60-A.11 (d)            | 35        | General provisions - compliance with standards and maintenance requirements |
| FACILITY                              | 40CFR 60-A.12                | 36        | General provisions - Circumvention  |
| FACILITY                              | 40CFR 60-A.4                 | 27        | General provisions - Address  |
| FACILITY                              | 40CFR 60-A.7 (b)             | 28        | Notification and Recordkeeping  |
| FACILITY                              | 40CFR 60-A.7 (f)             | 29        | Notification and Recordkeeping  |
| FACILITY                              | 40CFR 60-A.8 (b)             | 30        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (c)             | 31        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (d)             | 32        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (e)             | 33        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.9                 | 34        | General provisions - Availability of information                            |
| FACILITY                              | 40CFR 60-<br>WWW.752 (b) (2) | 37        | Standards for air emissions from MSW landfills                              |
| FACILITY                              | 40CFR 60-<br>WWW.754 (a) (1) | 38        | Calculation of Non-Methane Organic Carbon (NMOC)                            |

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|----------|---------------------------------|--------|---|
| FACILITY | 40CFR 60-<br>WWW.754 (a) (2)    | 39     | Emissions<br>NMOC Calculation -<br>Tier 1   |
| FACILITY | 40CFR 60-<br>WWW.754 (a) (3)    | 40, 41 | NMOC Calculation -<br>Tier 2  |
| FACILITY | 40CFR 60-<br>WWW.754 (a) (5)    | 42     | NMOC Calculation -<br>Alternative Methods   |
| FACILITY | 40CFR 60-WWW.757 (b)            | 43     | Reporting<br>requirements - NMOC<br>emission rate                                   |
| FACILITY | 40CFR 60-WWW.757 (c)            | 44     | Reporting<br>Requirements -<br>Collection and<br>Control System Design<br>Plan      |
| FACILITY | 40CFR 60-WWW.758 (a)            | 45     | Recordkeeping<br>requirements - waste   |
| FACILITY | 40CFR 61-M.154                  | 46     | Standard for active<br>waste disposal sites   |
| FACILITY | 40CFR 68                        | 20     | Chemical accident<br>prevention provisions  |
| FACILITY | 40CFR 82-F                      | 21     | Protection of<br>Stratospheric Ozone -<br>recycling and<br>emissions reduction      |
| FACILITY | 6NYCRR 200.6                    | 1      | Acceptable ambient<br>air quality.  |
| FACILITY | 6NYCRR 200.7                    | 10     | Maintenance of<br>equipment.  |
| FACILITY | 6NYCRR 201-1.4                  | 49     | Unavoidable<br>noncompliance and<br>violations                                      |
| FACILITY | 6NYCRR 201-1.7                  | 11     | Recycling and Salvage   |
| FACILITY | 6NYCRR 201-1.8                  | 12     | Prohibition of<br>reintroduction of<br>collected<br>contaminants to the<br>air      |
| FACILITY | 6NYCRR 201-3.2 (a)              | 13     | Exempt Activities -<br>Proof of eligibility   |
| FACILITY | 6NYCRR 201-3.3 (a)              | 14     | Trivial Activities -<br>proof of eligibility  |
| FACILITY | 6NYCRR 201-6                    | 22, 47 | Title V Permits and<br>the Associated Permit<br>Conditions                          |
| FACILITY | 6NYCRR 201-6.5 (a) (4)          | 15     | General conditions  |
| FACILITY | 6NYCRR 201-6.5 (a) (7)          | 2      | General conditions<br>Fees  |
| FACILITY | 6NYCRR 201-6.5 (a) (8)          | 16     | General conditions  |
| FACILITY | 6NYCRR 201-6.5 (c)              | 3      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (c) (2)          | 4      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-<br>6.5 (c) (3) (ii) | 5      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (d) (5)          | 17     | Compliance schedules  |
| FACILITY | 6NYCRR 201-6.5 (e)              | 6      | Compliance<br>Certification   |



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|          |                        |    |  |
|----------|------------------------|----|--|
| FACILITY | 6NYCRR 201-6.5 (f) (6) | 18 | Off Permit Changes   |
| FACILITY | 6NYCRR 202-1.1         | 19 | Required emissions tests.  |
| FACILITY | 6NYCRR 202-1.2         | 23 | Notification.  |
| FACILITY | 6NYCRR 202-2.1         | 7  | Emission Statements - Applicability  |
| FACILITY | 6NYCRR 202-2.5         | 8  | Emission Statements - record keeping requirements.                                 |
| FACILITY | 6NYCRR 211.1           | 24 | General Prohibitions - air pollution prohibited                                    |
| FACILITY | 6NYCRR 212.4 (a)       | 25 | General Process Emission Sources - emissions from new sources and/or modifications |
| FACILITY | 6NYCRR 212.6 (a)       | 26 | General Process Emission Sources - opacity of emissions limited                    |
| FACILITY | 6NYCRR 215.2           | 9  | Open Fires - Prohibitions  |
| FACILITY | 6NYCRR 217-3.2         | 50 | Prohibitions.  |
| FACILITY | 6NYCRR 217-3.3         | 51 | Exceptions.  |

**Applicability Discussion:**

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates



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within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.5 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.5 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.5 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.5 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations.



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It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.5 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.5 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.5 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.5 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

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.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or



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repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**

In addition to Title V, BROOME COUNTY LANDFILL has been determined to be subject to the following regulations:

40 CFR 60.11 (d)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.752 (b) (2)

If the non-methane organic carbon emission rate is greater than 50 megagrams/year (55 tons/year), the owner or operator must submit a design plan for a collection and control system.

40 CFR 60.754 (a) (1)

This condition specifies the equations to be used to calculate the non-methane organic carbon emission rate from an MSW landfill.

40 CFR 60.754 (a) (2)



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This condition sets forth the requirements for conducting a Tier 1 test of non-methane organic carbon emissions from an MSW landfill. The emission rate is calculated using the default values cited in 40 CFR 60.754(a)(1) and compared to 50 megagrams/year (55 tons/year).

40 CFR 60.754 (a) (3)

This condition sets forth the requirements for conducting a Tier 2 test of NMOC emissions from an MSW landfill.

40 CFR 60.754 (a) (5)

The owner or operator may use other methods to determine the NMOC concentration or a site-specific methane generation rate constant as an alternative to the methods required in 40 CFR Part 60.754(a)(3) and (a)(4) if the method has been approved by the Administrator

40 CFR 60.757 (b)

This condition requires that a non-methane organic carbon emission report be submitted to the EPA administrator.

40 CFR 60.757 (c)

This condition requires that a design plan be submitted to the EPA administrator within one year of when the Non-methane organic carbon emission rate exceeds 50 megagrams/year (55 tons/year).

40 CFR 60.758 (a)

This condition requires that 5 years if up-to-date records be kept of the current amount of waste in place at the landfill.

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40 CFR 60.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40 CFR 60.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40 CFR 60.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.



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40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR 61.154

This condition requires that there be no visible emissions from any active disposal area of the landfill where asbestos containing waste has been placed or that this type of area be covered to prevent disturbance of the asbestos containing waste.

6 NYCRR 202-1.2

This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212.4 (a)

This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.

6 NYCRR 212.6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6 NYCRR 217-3.2

6 NYCRR 217-3.3

**Compliance Certification**

**Summary of monitoring activities at BROOME COUNTY LANDFILL:**

| <b>Location<br/>Facility/EU/EP/Process/ES</b> | <b>Cond No.</b> | <b>Type of Monitoring</b> |
|---|-----------------|---------------------------|
| -----   |                 |                           |
| ---   |                 |                           |



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|          |    |                                       |
|----------|----|---------------------------------------|
| FACILITY | 39 | record keeping/maintenance procedures |
| FACILITY | 40 | record keeping/maintenance procedures |
| FACILITY | 41 | intermittent emission testing         |
| FACILITY | 45 | record keeping/maintenance procedures |
| FACILITY | 5  | record keeping/maintenance procedures |
| FACILITY | 6  | record keeping/maintenance procedures |
| FACILITY | 7  | record keeping/maintenance procedures |
| FACILITY | 25 | record keeping/maintenance procedures |
| FACILITY | 26 | record keeping/maintenance procedures |

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 ----  
**Basis for Monitoring**

6 NYCRR 201-6.5(c)(3) - requires that any required monitoring be submitted at a minimum of every 6 months based on a calendar year. This condition applies to all monitoring where the reporting requirement states "Upon Request by the Regulatory Agency".

6 NYCRR 201-6.5(e) - requires compliance certification for the entire facility on an annual basis, all conditions shown in the permit and any applicable requirements must be addressed and certified in compliance and any noncompliance must be reported.

6 NYCRR 202-2.1 - requires submission of annual Emission Statements by the 15th of April every year for the previous calendar year. Annual regulatory fees are based on actual emissions, and therefore, the facility is required to report their actual emission each year in order to determine the appropriate regulatory fee each year.

The following monitoring conditions and reporting requirements are required to document the annual uncontrolled NMOC emission rate, and to provide the Department and the Administrator with this information in order to determine when and if landfill gas collection and control will be required at this landfill. Note: NMOC is nonmethane organic compounds and 50 Mg/yr is equal to approximately 55 tons/year.

40 CFR 60.752(b)(1) - This requires that the NMOC emission rate be recalculated every year and an emission report submitted. This is necessary to determine if the uncontrolled landfill NMOC emissions have reached the landfill gas collection and control requirement threshold of 50 Mg/yr. Once uncontrolled NMOC emissions equal or exceed 50 Mg/yr, the landfill is required to install a landfill gas collection and control system.

40 CFR 60.754(a)(2) - This requires that the NMOC emission rate calculated using the default values specified in 60.754 (a)(1), Tier 1, be compared to the standard of 50 Mg/yr. If the NMOC emission rate is greater than 50 Mg/yr the owner or operator must either comply with landfill gas collection and control requirements or determine a site specific NMOC concentration and recalculate the NMOC emission rate. Note: Broome County completed Tier 2 testing to determine a site specific NMOC concentration in August 2005 and submitted a NMOC Emission Report in October 2005 based on the site specific NMOC concentration determined during testing. The emission report was approved by the USEPA by letter dated November 29, 2005. The emission report submitted in October 2005 indicated a NMOC emission rate of 41.4 Mg/yr. Retesting the site specific NMOC concentration is required to be done every 5 years. Therefore, the landfill must be retested by August 2010 to determine a new site specific NMOC concentration.

No additional monitoring is necessary for the facility to comply with these requirements. As noted above, Broome County chose to conduct Tier 2 testing and determine a site specific NMOC



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concentration. This testing has been completed and has demonstrated the NMOC emission rate is less than 50 Mg/yr.

40 CFR 60.754(a)(3) - This specifies the procedures to determine a site specific NMOC concentration. The monitoring requires is to retest the site specific NMOC concentration every 5 years.

40 CFR 60.758(a) - This requires that 5 years of up-to-date records be kept of the current amount of waste in place at the landfill. These records are important because the amount of waste accepted every year is used to determine emissions for the annual NMOC emission rate report.



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**Facility Identification Data**

Name: BROOME COUNTY LANDFILL

Address: 286 KNAPP RD  
BINGHAMTON, NY 13905

**Owner/Firm**

Name: BROOME COUNTY

Address: GOVERNMENT PLZ BOX 1766  
BINGHAMTON, NY 13902, USA

Owner Classification: Municipal

**Permit Contacts**

Division of Environmental Permits:

Name: JOSEPH M DLUGOLENSKI

Address: 615 ERIE BLVD W  
SYRACUSE, NY 13204-2400

Phone:3154267438

Division of Air Resources:

Name: RANDALL A YOUNG

Address: CORTLAND SUBOFFICE  
1285 FISHER AVENUE

CORTLAND, NY 13045-1090  
Phone:6077533095

Air Permitting Facility Owner Contact:

Name: DANIEL SCHOFIELD

Address: BROOME CO DIV OF SOLID WASTE MANAGEMENT  
60 HAWLEY ST PO BOX 1766

BINGHAMTON, NY 13902  
Phone:6077782190

**Permit Description**

**Introduction**

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**

Application for renewal of Air Title V Facility.

**Attainment Status**

BROOME COUNTY LANDFILL is located in the town of BARKER in the county of BROOME.



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The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

| <b>Criteria Pollutant</b>                   | <b>Attainment Status</b>          |
|---|-----------------------------------|
| Particulate Matter (PM)                     | ATTAINMENT                        |
| Particulate Matter < 10µ in diameter (PM10) | ATTAINMENT                        |
| Sulfur Dioxide (SO2)                        | ATTAINMENT                        |
| Ozone*                                      | TRANSPORT REGION (NON-ATTAINMENT) |
| Oxides of Nitrogen (NOx)**                  | ATTAINMENT                        |
| Carbon Monoxide (CO)                        | ATTAINMENT                        |

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

\*\* NOx has a separate ambient air quality standard in addition to being an ozone precursor.

**Facility Description:**

The Broome County Landfill had a footprint of approximately 245 acres. 145 acres are closed, 12 acres are active, and 87 acres are permitted for future use. A landfill gas collection system is operated by by Broome Landfill Gas Associates, an independent company, which also operates several LFG engine/generators and candle flare under a title V permit #7-0399-00011/00004. The landfill also has a leachate collection and storage system, weigh station and miscellaneous equipment to move, compact and cover waste materials. This Title V renewal application is for NMOC emissions from the Landfill, which are currently calculated to be less than 50 megagrams per year.

**Permit Structure and Description of Operations**

The Title V permit for BROOME COUNTY LANDFILL is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.



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BROOME COUNTY LANDFILL is defined by the following emission unit(s):

Emission unit 4LEACH - Five leachate storage tanks associated with the leachate treatment systems. The unit consists of: two new influent storage tanks (process 401, emission points 40001 and 40002) that serve the new section iv: two influent storage tanks located at the leachate treatment plant (process 402, emission points 40003 and 40004), serving the old landfill, sections I, II and III; and one effluent storage tank ( and one effluent storage tank (process 402, emission point 40005).

Process: 401 is located at Building 4L - Two influent storage tanks serving the new section IV landfill. Each tank can hold approximately two million gallons of leachate.

Process: 402 is located at Building 3L - Two influent storage tanks serving the old landfill and sections I, II, and III as well as one effluent storage tank; all located at the leachate treatment building.

Emission unit 1LNDFL - Emission Unit 1-LNDFL is the existing (Sections I-III) portion of the the landfill, including vertical expansion.

Process: 001 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission unit 2LNDFL - Emission unit 2-LNDFL is the proposed expansion portion (Section IV) of the landfill.

Process: 002 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission unit 3DFLAR - One waste gas burner and ignition set to burn digester gas from the anaerobic digester.

Process: 301 is located at LEACHATE TREATMENT P, Building 3L - Emissions from the anaerobic digester are collected and passed to the waste gas burner. The properties of the digester gas vary with the influent concentrations in the landfill leachate.

Note; The anaerobic digester and flare are not operating at the present time, but are permitted in case the County reactivates these sources.

Emission unit 3LNDFL - Emission Unit 3-LNDFL is the original landfill which has been closed and capped. Landfill gas emissions are emitted through passive vents.

Process: 003 Emissions of landfill gas through passive vents.



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BROOME COUNTY LANDFILL is subject to Title V requirements. This determination is based on the following information:

This facility is applicable to Title V requirements because the design capacity of the landfill exceeds the applicability size threshold (2.5 million megagram and 2.5 million cubic meters) of the NYS Emission guidelines for MSW Landfill Emissions and 40 CFR 60, subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. The landfill expansion (Section IV) makes the landfill subject to the NSPS for landfills, 40 CFR 60, subpart WWW and subject to Title V requirements. Actual emissions of VOCs and NMOC (non-methane organic compounds) are below the 50 ton per year thresholds after collection and control of the landfill gas.

**Program Applicability**

The following chart summarizes the applicability of BROOME COUNTY LANDFILL with regards to the principal air pollution regulatory programs:

| Regulatory Program             | Applicability |
|--------------------------------|---------------|
| PSD                            | NO            |
| NSR (non-attainment)           | NO            |
| NESHAP (40 CFR Part 61)        | YES           |
| NESHAP (MACT - 40 CFR Part 63) | NO            |
| NSPS                           | YES           |
| TITLE IV                       | NO            |
| TITLE V                        | YES           |
| TITLE VI                       | NO            |
| RACT                           | NO            |
| SIP                            | YES           |

**NOTES:**

**PSD** Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NSR** New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NESHAP** National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

**MACT** Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific



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emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to

be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

**NSPS** New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

**Title IV Acid Rain Control Program** (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

**Title VI Stratospheric Ozone Protection** (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

**RACT** Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

**SIP** State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

**Compliance Status**

Facility is in compliance with all requirements.

**SIC Codes**

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis

of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

**SIC Code**

**Description**

4953

REFUSE SYSTEMS

**SCC Codes**

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes



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which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

| SCC Code    | Description   |
|-------------|---|
| 5-01-004-02 | SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP<br>FUGITIVE EMISSIONS   |
| 5-01-004-10 | SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP   |
| 5-01-004-33 | WASTE GAS DESTRUCTION: WASTE GAS FLARES<br>SOLID WASTE DISPOSAL - GOVERNMENT<br>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP<br>WASTE PURIFICATION: OTHER |

**Facility Emissions Summary**

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

| Cas No.     | Contaminant Name         | PTE    |                             |
|-------------|--------------------------|--------|-----------------------------|
|             |                          | lbs/yr | Range                       |
| 000630-08-0 | CARBON MONOXIDE          |        | > 0 but < 2.5 tpy           |
| 0NY100-00-0 | HAP                      |        | >= 10 tpy but < 25 tpy      |
| 007439-92-1 | LEAD                     |        | > 0 but < 10 tpy            |
| 000074-82-8 | METHANE                  |        | >= 250 tpy but < 75,000 tpy |
| 0NY998-20-0 | NMOC - LANDFILL USE ONLY |        | >= 40 tpy but < 50 tpy      |
| 0NY210-00-0 | OXIDES OF NITROGEN       |        | > 0 but < 2.5 tpy           |
| 0NY075-00-0 | PARTICULATES             |        | > 0 but < 2.5 tpy           |
| 0NY075-00-5 | PM-10                    |        | > 0 but < 2.5 tpy           |
| 007446-09-5 | SULFUR DIOXIDE           |        | > 0 but < 2.5 tpy           |
| 0NY998-00-0 | VOC                      |        | >= 10 tpy but < 25 tpy      |

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**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**Item A: Emergency Defense - 6 NYCRR 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 - 6 NYCRR 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 6 NYCRR 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



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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 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 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.



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**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.

**Item M: 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.

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**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**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.

**Regulatory Analysis**

| Location<br>Facility/EU/EP/Process/ES | Regulation                   | Condition | Short Description   |
|---------------------------------------|------------------------------|-----------|---|
| FACILITY                              | ECL 19-0301                  | 48        | Powers and Duties of the Department with respect to air pollution control   |
| FACILITY                              | 40CFR 60-A.11 (d)            | 35        | General provisions - compliance with standards and maintenance requirements |
| FACILITY                              | 40CFR 60-A.12                | 36        | General provisions - Circumvention  |
| FACILITY                              | 40CFR 60-A.4                 | 27        | General provisions - Address  |
| FACILITY                              | 40CFR 60-A.7 (b)             | 28        | Notification and Recordkeeping  |
| FACILITY                              | 40CFR 60-A.7 (f)             | 29        | Notification and Recordkeeping  |
| FACILITY                              | 40CFR 60-A.8 (b)             | 30        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (c)             | 31        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (d)             | 32        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.8 (e)             | 33        | Performance Tests   |
| FACILITY                              | 40CFR 60-A.9                 | 34        | General provisions - Availability of information                            |
| FACILITY                              | 40CFR 60-<br>WWW.752 (b) (2) | 37        | Standards for air emissions from MSW landfills                              |
| FACILITY                              | 40CFR 60-<br>WWW.754 (a) (1) | 38        | Calculation of Non-Methane Organic Carbon (NMOC)                            |

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|          |                                 |        |   |
|----------|---------------------------------|--------|---|
| FACILITY | 40CFR 60-<br>WWW.754 (a) (2)    | 39     | Emissions<br>NMOC Calculation -<br>Tier 1   |
| FACILITY | 40CFR 60-<br>WWW.754 (a) (3)    | 40, 41 | NMOC Calculation -<br>Tier 2  |
| FACILITY | 40CFR 60-<br>WWW.754 (a) (5)    | 42     | NMOC Calculation -<br>Alternative Methods   |
| FACILITY | 40CFR 60-WWW.757 (b)            | 43     | Reporting<br>requirements - NMOC<br>emission rate                                   |
| FACILITY | 40CFR 60-WWW.757 (c)            | 44     | Reporting<br>Requirements -<br>Collection and<br>Control System Design<br>Plan      |
| FACILITY | 40CFR 60-WWW.758 (a)            | 45     | Recordkeeping<br>requirements - waste   |
| FACILITY | 40CFR 61-M.154                  | 46     | Standard for active<br>waste disposal sites   |
| FACILITY | 40CFR 68                        | 20     | Chemical accident<br>prevention provisions  |
| FACILITY | 40CFR 82-F                      | 21     | Protection of<br>Stratospheric Ozone -<br>recycling and<br>emissions reduction      |
| FACILITY | 6NYCRR 200.6                    | 1      | Acceptable ambient<br>air quality.  |
| FACILITY | 6NYCRR 200.7                    | 10     | Maintenance of<br>equipment.  |
| FACILITY | 6NYCRR 201-1.4                  | 49     | Unavoidable<br>noncompliance and<br>violations                                      |
| FACILITY | 6NYCRR 201-1.7                  | 11     | Recycling and Salvage   |
| FACILITY | 6NYCRR 201-1.8                  | 12     | Prohibition of<br>reintroduction of<br>collected<br>contaminants to the<br>air      |
| FACILITY | 6NYCRR 201-3.2 (a)              | 13     | Exempt Activities -<br>Proof of eligibility   |
| FACILITY | 6NYCRR 201-3.3 (a)              | 14     | Trivial Activities -<br>proof of eligibility  |
| FACILITY | 6NYCRR 201-6                    | 22, 47 | Title V Permits and<br>the Associated Permit<br>Conditions                          |
| FACILITY | 6NYCRR 201-6.5 (a) (4)          | 15     | General conditions  |
| FACILITY | 6NYCRR 201-6.5 (a) (7)          | 2      | General conditions<br>Fees  |
| FACILITY | 6NYCRR 201-6.5 (a) (8)          | 16     | General conditions  |
| FACILITY | 6NYCRR 201-6.5 (c)              | 3      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (c) (2)          | 4      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-<br>6.5 (c) (3) (ii) | 5      | Permit conditions for<br>Recordkeeping and<br>Reporting of<br>Compliance Monitoring |
| FACILITY | 6NYCRR 201-6.5 (d) (5)          | 17     | Compliance schedules  |
| FACILITY | 6NYCRR 201-6.5 (e)              | 6      | Compliance<br>Certification   |



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|          |                        |    |  |
|----------|------------------------|----|--|
| FACILITY | 6NYCRR 201-6.5 (f) (6) | 18 | Off Permit Changes   |
| FACILITY | 6NYCRR 202-1.1         | 19 | Required emissions tests.  |
| FACILITY | 6NYCRR 202-1.2         | 23 | Notification.  |
| FACILITY | 6NYCRR 202-2.1         | 7  | Emission Statements - Applicability  |
| FACILITY | 6NYCRR 202-2.5         | 8  | Emission Statements - record keeping requirements.                                 |
| FACILITY | 6NYCRR 211.1           | 24 | General Prohibitions - air pollution prohibited                                    |
| FACILITY | 6NYCRR 212.4 (a)       | 25 | General Process Emission Sources - emissions from new sources and/or modifications |
| FACILITY | 6NYCRR 212.6 (a)       | 26 | General Process Emission Sources - opacity of emissions limited                    |
| FACILITY | 6NYCRR 215.2           | 9  | Open Fires - Prohibitions  |
| FACILITY | 6NYCRR 217-3.2         | 50 | Prohibitions.  |
| FACILITY | 6NYCRR 217-3.3         | 51 | Exceptions.  |

**Applicability Discussion:**

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates



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within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.5 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.5 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.5 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.5 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations.



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It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.5 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.5 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.5 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.5 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

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.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or



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repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**

In addition to Title V, BROOME COUNTY LANDFILL has been determined to be subject to the following regulations:

40 CFR 60.11 (d)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.752 (b) (2)

If the non-methane organic carbon emission rate is greater than 50 megagrams/year (55 tons/year), the owner or operator must submit a design plan for a collection and control system.

40 CFR 60.754 (a) (1)

This condition specifies the equations to be used to calculate the non-methane organic carbon emission rate from an MSW landfill.

40 CFR 60.754 (a) (2)



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This condition sets forth the requirements for conducting a Tier 1 test of non-methane organic carbon emissions from an MSW landfill. The emission rate is calculated using the default values cited in 40 CFR 60.754(a)(1) and compared to 50 megagrams/year (55 tons/year).

40 CFR 60.754 (a) (3)

This condition sets forth the requirements for conducting a Tier 2 test of NMOC emissions from an MSW landfill.

40 CFR 60.754 (a) (5)

The owner or operator may use other methods to determine the NMOC concentration or a site-specific methane generation rate constant as an alternative to the methods required in 40 CFR Part 60.754(a)(3) and (a)(4) if the method has been approved by the Administrator

40 CFR 60.757 (b)

This condition requires that a non-methane organic carbon emission report be submitted to the EPA administrator.

40 CFR 60.757 (c)

This condition requires that a design plan be submitted to the EPA administrator within one year of when the Non-methane organic carbon emission rate exceeds 50 megagrams/year (55 tons/year).

40 CFR 60.758 (a)

This condition requires that 5 years if up-to-date records be kept of the current amount of waste in place at the landfill.

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40 CFR 60.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40 CFR 60.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40 CFR 60.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.



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40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR 61.154

This condition requires that there be no visible emissions from any active disposal area of the landfill where asbestos containing waste has been placed or that this type of area be covered to prevent disturbance of the asbestos containing waste.

6 NYCRR 202-1.2

This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212.4 (a)

This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.

6 NYCRR 212.6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6 NYCRR 217-3.2

6 NYCRR 217-3.3

**Compliance Certification**

**Summary of monitoring activities at BROOME COUNTY LANDFILL:**

| <b>Location<br/>Facility/EU/EP/Process/ES</b> | <b>Cond No.</b> | <b>Type of Monitoring</b> |
|---|-----------------|---------------------------|
| -----   |                 |                           |
| ---   |                 |                           |



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|          |    |                                       |
|----------|----|---------------------------------------|
| FACILITY | 39 | record keeping/maintenance procedures |
| FACILITY | 40 | record keeping/maintenance procedures |
| FACILITY | 41 | intermittent emission testing         |
| FACILITY | 45 | record keeping/maintenance procedures |
| FACILITY | 5  | record keeping/maintenance procedures |
| FACILITY | 6  | record keeping/maintenance procedures |
| FACILITY | 7  | record keeping/maintenance procedures |
| FACILITY | 25 | record keeping/maintenance procedures |
| FACILITY | 26 | record keeping/maintenance procedures |

**Basis for Monitoring**

6 NYCRR 201-6.5(c)(3) - requires that any required monitoring be submitted at a minimum of every 6 months based on a calendar year. This condition applies to all monitoring where the reporting requirement states "Upon Request by the Regulatory Agency".

6 NYCRR 201-6.5(e) - requires compliance certification for the entire facility on an annual basis, all conditions shown in the permit and any applicable requirements must be addressed and certified in compliance and any noncompliance must be reported.

6 NYCRR 202-2.1 - requires submission of annual Emission Statements by the 15th of April every year for the previous calendar year. Annual regulatory fees are based on actual emissions, and therefore, the facility is required to report their actual emission each year in order to determine the appropriate regulatory fee each year.

The following monitoring conditions and reporting requirements are required to document the annual uncontrolled NMOC emission rate, and to provide the Department and the Administrator with this information in order to determine when and if landfill gas collection and control will be required at this landfill. Note: NMOC is nonmethane organic compounds and 50 Mg/yr is equal to approximately 55 tons/year.

40 CFR 60.752(b)(1) - This requires that the NMOC emission rate be recalculated every year and an emission report submitted. This is necessary to determine if the uncontrolled landfill NMOC emissions have reached the landfill gas collection and control requirement threshold of 50 Mg/yr. Once uncontrolled NMOC emissions equal or exceed 50 Mg/yr, the landfill is required to install a landfill gas collection and control system.

40 CFR 60.754(a)(2) - This requires that the NMOC emission rate calculated using the default values specified in 60.754 (a)(1), Tier 1, be compared to the standard of 50 Mg/yr. If the NMOC emission rate is greater than 50 Mg/yr the owner or operator must either comply with landfill gas collection and control requirements or determine a site specific NMOC concentration and recalculate the NMOC emission rate. Note: Broome County completed Tier 2 testing to determine a site specific NMOC concentration in August 2005 and submitted a NMOC Emission Report in October 2005 based on the site specific NMOC concentration determined during testing. The emission report was approved by the USEPA by letter dated November 29, 2005. The emission report submitted in October 2005 indicated a NMOC emission rate of 41.4 Mg/yr. Retesting the site specific NMOC concentration is required to be done every 5 years. Therefore, the landfill must be retested by August 2010 to determine a new site specific NMOC concentration.

No additional monitoring is necessary for the facility to comply with these requirements. As noted above, Broome County chose to conduct Tier 2 testing and determine a site specific NMOC



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concentration. This testing has been completed and has demonstrated the NMOC emission rate is less than 50 Mg/yr.

40 CFR 60.754(a)(3) - This specifies the procedures to determine a site specific NMOC concentration. The monitoring requires is to retest the site specific NMOC concentration every 5 years.

40 CFR 60.758(a) - This requires that 5 years of up-to-date records be kept of the current amount of waste in place at the landfill. These records are important because the amount of waste accepted every year is used to determine emissions for the annual NMOC emission rate report.