



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

**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: 315 426 7438

Division of Air Resources:

Name: ANDREW C LOFARO

Address: NYSDEC - REGION 7

615 ERIE BLVD W

SYRACUSE, NY 13204

Phone: 315 426 7472

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: 607 778 2190

**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**

Existing passive LFG vents on the Old Landfill Mound will be modified and connected to a new LFG piping system. This system will connect to a new separate LFG blower/flare system which will be located adjacent to the existing Broome Energy, LLC landfill gas to energy (LFGE) facility (separately permitted).



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

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

**Renewal Number: 2**

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**Attainment Status**

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

Criteria Pollutant	Attainment Status
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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
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\* 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:**

Broome County Landfill receives municipal and private waste for disposal. Broome Energy Resources, LLC (an independant private company), installed a LFG collection system and operates a separately permitted LFGE facility. The landfill also has a leachate collection and storage system, anaerobic digester, small flare to burn anaerobic digester gas, weigh station and miscellaneous equipment to move, compact and cover the waste materials.

**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.



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

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

**Renewal Number: 2**

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

Emission unit 3LNDFL - Emission Unit 3-LNDFL is the original landfill which has been closed and capped since 1993. Landfill gas (LFG) is collected through surface collectors and existing vents and sent to a new blower/flare station. Two LSC Solar- Spark CF10 flares are used to burn the LFG. A portion of this area will continue to be vented to the atmosphere pending completion of reclamation activities.

Emission unit 3LNDFL is associated with the following emission points (EP):

FLR-1, FLR-2

Process: 003 Emissions of landfill gas through passive vents, and the portion of the landfill gas which is not collected and is emitted from the landfill itself as fugitive emissions.

Process: 004 Landfill Gas collected through surface collectors and existing vents and sent to the blower/flare station

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.

Process: 103 Landfill gas (LFG) collected from Section IV through a comprehensive Gas Collection and Control System (GCCS). Control is managed by Broome Energy, LLC who utilizes the LFG for energy production, and combusts unused LFG in a flare.

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.

Process: 102 Landfill gas (LFG) collected from Sections I, II and III through a comprehensive Gas Collection and Control System (GCCS). Control is managed by Broome Energy, LLC who utilizes the LFG for energy production, and combusts unused LFG in a flare.

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



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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.

**Title V/Major Source Status**

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. The facility has exceeded the 50 megagram threshold for NMOC and is now subject to the collection and control requirements of 40 CFR 60: WWW and well as 40 CFR 63: AAAA.

**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)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
SIP	YES

NOTES:



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

**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 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.



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

**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 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  
SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL  
DUMP

5-01-004-10

FUGITIVE EMISSIONS  
SOLID WASTE DISPOSAL - GOVERNMENT  
SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL  
DUMP

5-01-004-33

WASTE GAS DESTRUCTION: WASTE GAS FLARES  
SOLID WASTE DISPOSAL - GOVERNMENT  
SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL  
DUMP  
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

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



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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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	Range
		lbs/yr	
000107-06-2	1,2-DICHLOROETHANE	> 0	but < 10 tpy
000108-10-1	2-PENTANONE, 4-METHYL	> 0	but < 10 tpy
000071-43-2	BENZENE	> 0	but < 10 tpy
000106-46-7	BENZENE, 1,4-DICHLORO-	> 0	but < 10 tpy
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	>= 250 tpy but < 75,000 tpy	
000075-15-0	CARBON DISULFIDE	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 2.5 tpy but < 10 tpy	
000463-58-1	CARBONYL SULFIDE	> 0	but < 10 tpy
000108-90-7	CHLOROBENZENE	> 0	but < 10 tpy
000067-66-3	CHLOROFORM	> 0	but < 10 tpy
000075-09-2	DICHLOROMETHANE	> 0	but < 10 tpy
000075-34-3	ETHANE, 1,1-DICHLORO-	> 0	but < 10 tpy
000106-93-4	ETHANE, 1,2-DIBROMO	> 0	but < 10 tpy
000075-00-3	ETHANE, CHLORO	> 0	but < 10 tpy
000075-35-4	ETHENE, 1,1-DICHLORO	> 0	but < 10 tpy
000100-41-4	ETHYLBENZENE	> 0	but < 10 tpy
000110-54-3	HEXANE	> 0	but < 10 tpy
000067-63-0	ISOPROPYL ALCOHOL	> 0	but < 10 tpy
007439-92-1	LEAD	> 0	but < 10 tpy
007439-97-6	MERCURY	> 0	but < 10 tpy
000074-82-8	METHANE	>= 250 tpy but < 75,000 tpy	
000074-87-3	METHYL CHLORIDE	> 0	but < 10 tpy
000078-93-3	METHYL ETHYL KETONE	> 0	but < 10 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
000127-18-4	PERCHLOROETHYLENE	> 0	but < 10 tpy
0NY075-02-5	PM 2.5	> 0	but < 2.5 tpy
0NY075-00-5	PM-10	> 0	but < 2.5 tpy
000078-87-5	PROPANE, 1,2-DICHLORO	> 0	but < 10 tpy
000107-13-1	PROPENENITRILE	> 0	but < 10 tpy
007446-09-5	SULFUR DIOXIDE	> 0	but < 2.5 tpy
025322-20-7	TETRACHLOROETHANE, TOTAL	> 0	but < 2.5 tpy
000108-88-3	TOLUENE	> 0	but < 10 tpy
0NY100-00-0	TOTAL HAP	> 0	but < 2.5 tpy
025323-89-1	TRICHLOROETHANE	> 0	but < 10 tpy
000079-01-6	TRICHLOROETHYLENE	> 0	but < 10 tpy
000075-01-4	VINYL CHLORIDE	> 0	but < 10 tpy
0NY998-00-0	VOC	>= 10 tpy but < 25 tpy	
001330-20-7	XYLENE, M, O & P MIXT.	> 0	but < 10 tpy

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**Item A: Emergency Defense - 6 NYCRR 201-1.5**

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
  - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
  - (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item B: Public Access to Recordkeeping for 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 201-6.2(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 201-6.2(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 201-6.4(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





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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(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 201-6.4(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 201-6.4(a)(6)**

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

**Item I: Severability - 6 NYCRR Part 201-6.4(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 201-6.4(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



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR Part 201-6.4(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



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

applicable requirements as being enforceable under only state regulations.

**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**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Condition</b>	<b>Short Description</b>
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FACILITY	ECL 19-0301	48	Powers and Duties of the Department with respect to air
FACILITY	40CFR 60-A.11 (d)	35	pollution control
FACILITY	40CFR 60-A.12	36	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.18 (c)	1 -14	General provisions - Circumvention
FACILITY	40CFR 60-A.4	27	Control Device Requirements (Flares)
FACILITY	40CFR 60-A.7 (b)	28	General provisions - Address
FACILITY	40CFR 60-A.7 (f)	29	Notification and Recordkeeping
FACILITY	40CFR 60-A.8 (b)	30	Notification and Recordkeeping
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	Performance Tests
FACILITY	40CFR 60- WWW.752 (b) (2)	1 -15	General provisions - Availability of information
			Standards for air emissions from MSW landfills



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

FACILITY	40CFR 60- WWW.752 (b) (2) (	1	-16	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
FACILITY	40CFR 60-WWW.753 (a)	1	-17	Operational standards for collection and control systems
FACILITY	40CFR 60-WWW.753 (b)	1	-18	Op Standards for collection/ control systems-Pressure
FACILITY	40CFR 60-WWW.753 (c)	1	-19	Operational Standards for Collection and Control Systems
FACILITY	40CFR 60-WWW.753 (d)	1	-20	Operational Standards for Collection and Control Systems - Surface Methane
FACILITY	40CFR 60-WWW.753 (e)	1	-21	Operational Standards for Collection and Control Systems - Collected Gases to Control System
FACILITY	40CFR 60-WWW.753 (f)	1	-22	Operational Standards for Collection and Control Systems - Control Systems
FACILITY	40CFR 60-WWW.753 (g)	1	-23	Operational Standards for Collection and Control Systems - Corrective Action
FACILITY	40CFR 60-WWW.755 (a)	1	-24	Compliance Provisions - collection system
FACILITY	40CFR 60-WWW.755 (b)	1	-25	Compliance Provisions - wells
FACILITY	40CFR 60-WWW.755 (c)	1	-26	Compliance Provisions - surface methane
FACILITY	40CFR 60-WWW.755 (d)	1	-27	Compliance Provisions - instrumentation specifications
FACILITY	40CFR 60-WWW.755 (e)	1	-28	Compliance Provisions - Start-up, shutdown, or malfunction
FACILITY	40CFR 60-WWW.756 (a)	1	-29	Monitoring of Operations
FACILITY	40CFR 60-WWW.756 (c)	1	-30	Monitoring of Operations - Open flare
FACILITY	40CFR 60-WWW.756 (f)	1	-31	Monitoring of Operations - Surface Methane
FACILITY	40CFR 60-WWW.757 (b)	1	-32	Reporting requirements - NMOC emission rate
FACILITY	40CFR 60-WWW.757 (c)	44		Reporting Requirements - Collection and Control System Design Plan
FACILITY	40CFR 60-WWW.757 (d)	1	-33	Reporting Requirements - Closure Report
FACILITY	40CFR 60-WWW.757 (e)	1	-34	Reporting Requirements -

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



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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

FACILITY	40CFR 60-WWW.757 (f)	1	-35	Control Equipment Removal Reporting requirements - Annual Reports
FACILITY	40CFR 60-WWW.757 (g)	1	-36	Reporting requirements - Collection and control system
FACILITY	40CFR 60-WWW.758 (a)	1	-37	Recordkeeping requirements - waste
FACILITY	40CFR 60-WWW.758 (b)	1	-38	Recordkeeping requirements - control equipment
FACILITY	40CFR 60-WWW.758 (c)	1	-39	Recordkeeping requirements - operating parameters
FACILITY	40CFR 60-WWW.758 (d)	1	-40	Recordkeeping requirements - collectors
FACILITY	40CFR 60-WWW.758 (e)	1	-41	Recordkeeping requirements - exceedances of operational standards
FACILITY	40CFR 60-WWW.759 (a)	1	-42	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759 (b)	1	-43	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759 (c)	1	-44	Specifications for active collection systems
FACILITY	40CFR 61-M.154	46		Standard for active waste disposal sites
FACILITY	40CFR 63-A	1	-45	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-A.10	1	-49, 1 -50	Recordkeeping and Reporting
FACILITY	40CFR 63-A.10 (b)	1	-51, 1 -52	
FACILITY	40CFR 63-A.10 (d) (5) (i)	1	-53	
FACILITY	40CFR 63-A.10 (d) (5) (ii)	1	-54	
FACILITY	40CFR 63-A.6 (e) (1)	1	-46	General Provisions - Operations and Maintenance Requirements During Startup, Shutdown, and Malfunction Compliance with Nonopacity Standards (MACT Gen. Prov.) Methods for Determining Compliance (MACT Gen. Prov.)
FACILITY	40CFR 63-A.6 (f) (1)	1	-47	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 63-A.6 (f) (2) (i)	1	-48	Recordkeeping and Reports
FACILITY	40CFR 63-AAAA.1955 (b)	1	-55	
FACILITY	40CFR 63-AAAA.1980 (a)	1	-56	



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 82-F	21	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	1 -57	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	1 -6	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	1 -7	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	1 -8	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 47	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	1 -9	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	1 -1	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	1 -10	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	1 -2	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	1 -3	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	1 -4	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	1 -12	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	1 -5	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	1 -11	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, 1 -13	General Process Emission Sources - emissions from new sources and/or modifications



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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 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.



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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. 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 201-6.4 (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 201-6.4 (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





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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

semiannually.

6 NYCRR 201-6.4 (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 201-6.4 (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 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



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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 60.18 (c)

This regulation specifies the operating parameters and testing methods used to operate and monitor a flare that is being used as an air pollution control device (as required by a new source performance standard).

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 60.752 (b) (2) (iii) ('C')

Condition related to gas treatment system. All treated gas must be utilized by Broome Energy and not vented directly into the atmosphere.

40 CFR 60.753 (a)

This condition sets forth the requirements of where and when a collection and control system is required at an MSW landfill. The collection system is required for areas, cells or groups of cells where solid waste has been in place for 5 years (if active) or 2 years (if inactive or closed). The collection system must be operated as follows: under negative pressure; with a temperature of less than 55 degrees Celsius; and with an oxygen content less than 5% or a nitrogen content less than 20%.



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

40 CFR 60.753 (b)

This condition requires that the collection system be operated under negative pressure.

40 CFR 60.753 (c)

This condition requires that each interior wellhead in the collection system be operated such that the landfill gas temperature is less than 55 °C and with a nitrogen content less than 20% or an oxygen content less than 5%.

40 CFR 60.753 (d)

This condition requires that the collection system be operated such that the concentration of methane on the surface of the landfill is less than 500 parts per million (by volume).

40 CFR 60.753 (e)

This condition requires that all collected gases be sent to a control system when the collection system is operating.

40 CFR 60.753 (f)

This condition requires that the control or treatment system be operated at all times when the collected gas is sent to the system.

40 CFR 60.753 (g)

This condition requires that any problems at the landfill, found as a result of the monitoring of operation of the collection or control system be repaired or fixed within 15 days.

40 CFR 60.755 (a)

This condition sets forth the compliance provisions for the collection system at an MSW landfill.

40 CFR 60.755 (b)

This condition sets forth the compliance provisions for the collection system. The system must be installed within 60 days after the date on which solid waste has been in place for a period of 5 years for an active cell or section or 2 years for a closed cell or section.

40 CFR 60.755 (c)

This condition sets forth the procedures to be used to determine compliance with the surface methane operational standard. The perimeter and surface area of the landfill are monitored for methane concentrations. If the concentration is 500 parts per million above background, corrective action must be taken.

40 CFR 60.755 (d)

This condition sets forth the instrumentation specifications and procedures for determining the surface methane concentration.



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

40 CFR 60.755 (e)

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

40 CFR 60.756 (a)

This condition sets forth the monitoring requirements for an active gas collection system. Landfill gas temperature, pressure and oxygen or nitrogen content must be monitored.

40 CFR 60.756 (c)

This condition sets forth the requirements for an open flare used to control landfill gas. A heat sensing device to determine the presence of a flame or pilot light and a gas flow meter are required.

40 CFR 60.756 (f)

This condition requires that monitoring of surface methane concentrations be done according to the requirements of 40 CFR 60.755(d).

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 60.757 (d)

This condition requires that each owner or operator of a controlled landfill shall submit a closure report to the Administrator 30 days after the landfill stops accepting waste.

40 CFR 60.757 (e)

This condition requires that each owner or operator of a controlled landfill submit an equipment removal report to the EPA Administrator 30 days prior to removal or cessation of operation of the control equipment

40 CFR 60.757 (f)

This condition sets forth the requirements for the annual report from the MSW landfill.

40 CFR 60.757 (g)



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

This condition sets forth the required information to be included in the initial performance test report (i.e., stack test) for the control system at an MSW landfill.

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 60.758 (b)

This condition specifies the records to be kept regarding the control equipment at the landfill.

40 CFR 60.758 (c)

This condition requires each owner or operator of a controlled landfill to keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR Part 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

40 CFR 60.758 (d)

This condition requires each owner or operator to keep, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector (eg. well) in the system and providing a unique identification location label for each collector.

40 CFR 60.758 (e)

This condition requires each owner or operator to keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR Part 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance

40 CFR 60.759 (a)

This condition provides the specifications for the construction and installation of the active collection system.

40 CFR 60.759 (b)

This condition provides the specifications for the construction and installation of the active collection system

40 CFR 60.759 (c)

This condition provides the specifications for the construction and installation of the active collection system

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

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.

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.

40 CFR 63.10

Section 63.10 contains default general recordkeeping requirements as well as recordkeeping for applicability determinations and continuous monitoring systems. It also contains default reporting requirements for "one shot" items such as performance test results and immediate startup shutdown, malfunction reports. It also contains periodic (semi-annual) reporting requirements for startup, shutdown, and malfunction; excess emissions; and continuous monitoring performance.

40 CFR 63.10 (b)

Must keep records for a period no less than 5 years.

40 CFR 63.10 (d) (5) (i)

Periodic startup, shutdown, malfunction reports - must follow SSM plan and report exceedances and deviations semiannually.

40 CFR 63.10 (d) (5) (ii)

Periodic startup, shutdown, malfunction reports - must follow SSM plan. Initial notification of variation from plan must be submitted within 2 days with a formal letter within 7 days after an event.



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

40 CFR 63.1955 (b)

This condition requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

40 CFR 63.1980 (a)

This regulation requires the owner or operator of the landfill to submit a report, on a semiannual basis of the following:

- any time the monitoring of wellhead parameters showed exceedances of temperature, pressure or nitrogen and oxygen content
- description and duration of any gas diversion from the control device
- description and duration when the control device was not operating for more than 1 hour
- all periods when the collection system was not operating for 5 days or more
- location of each exceedance of the 500 ppm standard for surface methane
- date of installation and location of any additional wells for the collection system.

40 CFR 63.6 (e) (1)

This condition requires the facility to address the emissions of hazardous air pollutants (HAPs) during periods when the process(es) are starting up, shutting down, or malfunctioning. This condition requires the facility to come up with a startup, shutdown, malfunction plan (SSMP) which addresses how the plant personnel will react to each of the situations when the process(es) are not functioning normally and what steps will be taken to reduce the release of HAPs to the atmosphere.

If the facility takes actions which aren't in the SSMP, then the facility needs to notify NYSDEC, and update the SSMP accordingly.

The facility must have the SSMP available upon request for the NYSDEC to review.

40 CFR 63.6 (f) (1)

This section states that nonopacity standards apply at all times except during periods of startup, shutdown, and malfunction.

40 CFR 63.6 (f) (2) (i)

§63.6(f)(2) states that compliance with nonopacity standards shall be based on the results of performance tests using procedures in §63.7 and on conformance with the operation and maintenance requirements of §63.6(e).

40 CFR Part 63, Subpart A

The General Provisions in 40CFR63, Subpart A apply to facilities subject to other National



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

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

**Renewal Number: 2**

**Modification Number: 1 09/04/2015**

Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable Control Technology. Each MACT rule has a table or section that describe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40CFR61 do **not** trigger the general provisions of 40CFR63.

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</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
<b>Facility/EU/EP/Process/ES</b>		

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New York State Department of Environmental Conservation  
Permit Review Report

Permit ID: 7-0399-00027/00009

Renewal Number: 2

Modification Number: 1 09/04/2015

FACILITY	1-14	record keeping/maintenance procedures
FACILITY	1-15	record keeping/maintenance procedures
FACILITY	1-16	record keeping/maintenance procedures
FACILITY	1-18	work practice involving specific operations
FACILITY	1-19	record keeping/maintenance procedures
FACILITY	1-20	ambient air monitoring
FACILITY	1-21	record keeping/maintenance procedures
FACILITY	1-22	record keeping/maintenance procedures
FACILITY	1-23	record keeping/maintenance procedures
FACILITY	1-29	record keeping/maintenance procedures
FACILITY	1-30	record keeping/maintenance procedures
FACILITY	1-31	ambient air monitoring
FACILITY	1-35	record keeping/maintenance procedures
FACILITY	1-37	record keeping/maintenance procedures
FACILITY	1-38	record keeping/maintenance procedures
FACILITY	1-39	record keeping/maintenance procedures
FACILITY	1-40	record keeping/maintenance procedures
FACILITY	1-41	record keeping/maintenance procedures
FACILITY	1-52	record keeping/maintenance procedures
FACILITY	1-53	record keeping/maintenance procedures
FACILITY	1-54	record keeping/maintenance procedures
FACILITY	1-47	record keeping/maintenance procedures
FACILITY	1-48	record keeping/maintenance procedures
FACILITY	1-55	record keeping/maintenance procedures
FACILITY	1-56	record keeping/maintenance procedures
FACILITY	1-4	record keeping/maintenance procedures
FACILITY	1-5	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	1-13	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures

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**Basis for Monitoring**

40 CFR 60.753(b) - Requires monthly pressure check at each wellhead to ensure it is under negative pressure.

40 CFR 60.753(c) - Requires that each interior wellhead in the collection system be operated such that the landfill gas temperature is less than 55 degrees C and with a nitrogen content less than 20% or an oxygen content less than 5%. (Monthly)

40 CFR 60.753(d) - Quarterly surface methane monitoring. Must be less than 500ppm above background concentrations.

40 CFR 60.756(b) - This condition sets forth the monitoring requirements for an enclosed combustor used to control landfill gas. Flow rate and temperature must be monitored. The facility send landfill gas to Broome Energy to be burned in their engines as the control for the main portion of the landfill. The engines are considered to be enclosed combustors.

40 CFR 60.756(c) - This condition sets forth the requirements for an open flare used to control landfill gas. A heat sensing device to determine the presence of a flame or pilot light and a gas flow meter are required. The flare must be operated with a flame visible at all times.