



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

Permit ID: 8-2648-00014/00011

Renewal Number: 2

02/29/2016

Facility Identification Data

Name: RIGA/MILL SEAT LANDFILL

Address: 303 BREW RD

BERGEN, NY 14416

Owner/Firm

Name: MONROE COUNTY

Address: 39 W MAIN ST

ROCHESTER, NY 14614-1476, USA

Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:

Name: MATTHEW GRIFFITHS

Address: NYSDEC - REGION 8

6274 E AVON-LIMA RD

AVON, NY 14414-9519

Phone:5852265469

Division of Air Resources:

Name: MICHELE A KHARROUBI

Address: NYSDEC - REGION 8

6274 E AVON-LIMA RD

AVON, NY 14414

Air Permitting Contact:

Name: JEFFREY G RICHARDSON

Address: WMNY - MILL SEAT LANDFILL

303 BREW RD

BERGEN, NY 14416

Phone:5854943000

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 and a modification of Mill Seat Landfill's existing Title V Permit. The facility is proposing to add two additional CAT 3520 IC engines in a new building to be located adjacent to the Mill Seat Landfill. The new engines will be subject to 40 CFR Part 60, Subpart JJJJ.



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Attainment Status

RIGA/MILL SEAT LANDFILL is located in the town of RIGA in the county of MONROE. 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
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 Mill Seat Landfill is a municipal solid waste landfill, having a permitted footprint of 95 acres and a permit maximum design capacity of 1945 tons per day. The deposited waste undergoes aerobic and anaerobic decomposition to produce landfill gas (LFG). LFG consists mainly of methane, carbon dioxide, and trace amounts of organic compounds (NMOC) and sulfur. Emission sources at the facility include fugitive emissions from the landfill; LFG combustion emissions from a 3000-cfm open flare, a 3500-cfm enclosed flare, eight IC engines, plus two proposed engines; emissions from two leachate storage tanks; evaporative emissions from three fuel storage tanks, and diesel combustion emissions from one backup generator. Mill Seat Landfill is subject to 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAAA. However, the facility is not currently required to install a gas collection and control system. As demonstrated in the NMOC Emission Rate Report, NMOC emissions remain less than 50 Mg/year. Therefore, a gas collection and control system and all associated monitoring, testing, record keeping, and reporting requirements are not yet applicable. Through submittal of a Treatment Applicability Request Determination letter to the USEPA, it is expected that the USEPA will agree that the engines operate off of "treated" landfill gas, and thus are not subject to the testing, monitoring, record keeping or reporting requirements of the Landfill NSPS or the Landfill NESHAP. However, the treatment system will be subject to these requirements.

Permit Structure and Description of Operations

The Title V permit for RIGA/MILL SEAT 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



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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.

RIGA/MILL SEAT LANDFILL is defined by the following emission unit(s):

Emission unit P00001 - This emission unit consists of Caterpillar 3516 engine/generator sets that combust landfill gas to generate electricity for sale. Each engine/generator set is rated at 1,148 brake horsepower. This emission unit also includes insignificant activities such as crankcase breather vents, condensate tanks, and storage tanks/drums for petroleum products.

Emission unit P00001 is associated with the following emission points (EP):

00016, 00017, 00018, 00019, 00020, 00021, 00022, 00023, 00030

Process: 100 is located at Building GASPLANT - Collected landfill gas will be routed to the landfill gas-to-energy plant. The eight (8) engine generator sets will combust the collected landfill gas to generate electricity for sale. Prior to combustion, the landfill gas is treated via compression, dewatering, and filtration. Landfill gas is combusted in the engines to produce electricity for sale on the open market.

Process: 200 is located at Building GASPLANT - The landfill gas-to-energy plant will have an insignificant emission point called a "crankcase breather vent." Each engine has a crankcase for engine oil. The purpose of the crankcase breather vent is to remove water vapor from the crankcase in order to prevent water from collecting in the oil pan. The water vapor may contain an oil mist. The breather vent in each engine removes the vapors generated within the crankcase and ducts them to a single common emission point called the crankcase breather vent. The mist can be reported as PM. Other insignificant activities include emissions from oil tanks, a condensate tank, and a gas chromatograph vent. Calculations for all of these activities are provided in the application.

Process: GEN Process GEN represents emissions from the Cummins 600 HP emergency generator. The generator does not operate above the exempt limit of 500 hours per year. However, this unit has been placed within the Emission Unit (P-00001) due to 40 CFR 63 Subpart ZZZZ applicability.

Emission unit P00002 - This emission unit consists of Caterpillar 3520 engine/generator sets that combust landfill gas to generate electricity for sale. Each engine/generator set is rated at 2,233 brake horsepower. This emission unit also contains insignificant activities such as crankcase breather vents, condensate tanks, and storage tanks/drums for petroleum products.

Emission unit P00002 is associated with the following emission points (EP):



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00024, 00025

Process: 101 is located at Building PLANT2 - Collected landfill gas is routed to two Caterpillar 3520 IC engines located in Renewable Energy Plant #2. Prior to combustion, the landfill gas is treated via compression, dewatering, and filtration. Landfill gas is combusted in the engines to produce electricity for sale on the open market.

Process: 201 is located at Building PLANT2 - Renewable Energy Plant #2 has insignificant emission points called "crankcase breather vents." Each engine has a crankcase for engine oil. The purpose of the crankcase breather vent is to remove water vapor from the crankcase in order to prevent water from collecting in the oil pan. The water vapor may contain an oil mist. The breather vent in each engine removes the vapors generated within the crankcase and ducts them to a common emissions point called the crankcase breather vent. Air from the vent is passed through a mist elimination system prior to venting outside the building. The mist can be reported as PM. Other insignificant activities include emissions from oil tanks, a condensate tank, and a gas chromatograph vent.

Emission unit 1LANDF - The emission unit includes the uncontrolled fugitive emissions from the Mill Seat Landfill resulting from the decomposition of municipal solid waste. The emission unit also includes one 3000- cfm open flare; one 3,500-cfm enclosed flare; and two 1.5 million gallon leachate storage tanks.

Emission unit 1LANDF is associated with the following emission points (EP):

00011, 00012, 00015, 00028

Process: 001 Process 001 represents the fugitive landfill gas emissions.

Process: 002 is located at Building LANDFILL - Landfill gas is combusted in several devices at the Mill Seat Landfill. Gas is collected and conveyed to a 3000-cfm open flare (designated as FL005) and a 3500-cfm enclosed flare (designated as FL004). Additionally, landfill gas is combusted at the vents of the leachate collection system by 4 candlestick flares placed throughout the landfill facility (designated FL001).

Process: 003 Process 003 consists of fugitive emissions from two (2) 1.5 million gallon leachate storage tanks.

Title V/Major Source Status

RIGA/MILL SEAT LANDFILL is subject to Title V requirements. This determination is based on the following information:

This facility is an existing major for oxides of nitrogen (NOx) and carbon monoxide (CO).

Monroe County owns the solid waste management facility. The facility accepts MSW and other non-hazardous wastes, mainly from Monroe County. Waste Management of New York, LLC (WMNY) operates the landfill and the landfill gas (LFG) collection system that conveys collected LFG to eight (8) Caterpillar 3516 IC engines located in the existing Renewable Energy Plant (REP). The REP converts LFG to electricity for sale on the open market. Any LFG remaining in excess of the REP is combusted in a 3500 cfm enclosed flare or a portable 3000 cfm open flare used for emergency backup purposes.

The Department has determined that the landfill and the energy plant are under common control.



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The NO_x cap limit for the existing landfill and existing energy plant (Emission Unit P-00001) is set at 190 tpy. This cap limit does not trigger Non-Attainment New Source Review (NANSR) under 6NYCRR Part 231. The CO cap limit for the existing landfill and existing energy plant (Emission Unit P-00001) is set at 479 tpy CO. The facility will demonstrate compliance with the CO and NO_x cap limits by calculating actual monthly CO and NO_x emissions on a 12-month rolling basis.

This facility is not yet subject to NSPS Operational Standards under 40 CFR 60 Subpart WWW since it has been demonstrated by Tier II testing (in March 2008) that uncontrolled NMOC emissions are less than 50 megagrams per year.

This facility is not yet subject to the MACT Standards under 40 CFR 63 Subpart AAAA since it has been demonstrated by Tier II testing (in June 2014) that uncontrolled NMOC emissions are less than 50 megagrams per year.

The facility is currently subject to RACT requirements under 6NYCRR Part 227 as a major source of NO_x (greater than 100 tpy). Part 227 requires that NO_x emissions from the engines fueled by landfill gas have NO_x emissions less than 2.0 grams per brake horsepower-hour (g/BHp-hr).

Based on calculations for potential emissions, the facility is not a major source of HAPs for single HAP totals greater than 10 tpy. Total combined HAPs are also below the major source thresholds of 25 tpy.

The engines installed after January 1, 2010 at the facility will be subject to the new recordkeeping and performance testing requirements defined in 40CFR60 Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines).

Owners and operators of new and reconstructed stationary engines located at area sources of HAPs emissions (total HAPs < 25 tpy and all individual speciated HAPs < 10 tpy) must meet the requirements of 40 CFR Part 60, Subpart JJJJ. If the engines are in compliance with 40CFR60 Subpart JJJJ, then they are also in compliance with 40 CFR Part 63 Subpart ZZZZ.

In regard to PSD and Title V GHG Tailoring Rule (40 CFR Parts 51, 52, 70 and 71), the new rule that took effect on January 2, 2011 places new PSD and Title V Permit requirements on facilities that exceed the major source and project significant thresholds of 100,000 tons of CO₂ equivalents per year (CO₂eq/yr) and 75,000 tons CO₂eq/yr, respectively.

For future modifications, projects with increases of NO_x and CO may be subject to modeling.

The facility is proposing the installation of two new CAT 3520 internal combustion (IC) engines to be located in a new Renewable Energy Facility (Plant 2) at the Mill Seat Landfill. The engines will combust approximately 1620 scfm of landfill gas operating at full load. Under a separate application the facility is proposing a landfill expansion. The capacity of the landfill expansion is approximately 24,000,000 tons and will allow the facility to accept waste through approximately 2052, assuming the max waste acceptance rate of 700,000 tons per year through closure. This



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permit addresses the renewal and the addition of the new gas plant. However, emissions from both sources were considered in the modeling of the facility.

The project emission potential for the 2 Caterpillar 3520 IC engines is 21.6 tpy NO_x and 150.9 tpy CO. Since the new engine plant's significant project thresholds are exceeded for CO, the engine project is subject to review under New Source Review.

In summary, the facility is an existing permitted TV facility as a major source of NO_x and CO. In addition to the renewal of the TV, the modification of the engine plant was prepared and is incorporated into the renewal permit. The facility is not yet subject to NSPS Operational Standards in 40 CFR Subpart WWW as mentioned above, nor the MACT Standards in 40CFR60 Subpart AAAA. The facility is currently subject to RACT (6NYCRR Part 227) as a major source of NO_x (greater than 100 tpy). Part 227 requires that NO_x emissions from the engines fueled by landfill gas have NO_x emissions less than 2.0 g/BHp-hr. The existing engines from Emission Unit P-00001 have to meet this requirement. Due to the fact that the proposed emission plant is subject to 6NYCRR Part 231 New Source Review requirement, the proposed engines from Emission Unit P-00002 will have more stringent requirements for NO_x and CO based on SIL modeling (therefore, for the new engines in Emission Unit P-00002, the requirements for new engines under 40 CFR 60 Subpart JJJJ for NO_x and CO are not in the permit under this rule, but are instead under 6NYCRR Part 200.6. However, the requirement for VOC, NO_x and CO is still under 40 CFR 60 Subpart JJJJ). Based on calculations for potential emissions, the facility is not a major source of HAPs for single HAP totals greater than 10 tpy. Total HAPs are also below the major source threshold of 25 tpy.

In order to understand the modeling results which will be presented below, the following is a summary of the separate project consisting of the landfill expansion. The capacity of the Proposed Landfill Expansion is approximately 24,000,000 tons as stated above. Landfill gas is currently collected in an active system and combusted to generate electricity. Because the facility is not yet subject to the collection and control requirements of 40CFR60 Subpart WWW, the Department has included monitoring conditions on the permit to ensure proper collection and control as based on the projected emissions for the application. Under the separate permit application, the facility also proposes the addition of a 1090 cfm flare to handle the remaining gas from the expansion that is not otherwise combusted through the energy plants and existing flares. The Proposed Landfill Expansion will generate a peak volume of 7306 cfm of LFG in 2052 (approximately 6210 of LFG collected). It is assumed that collected gas will be combusted in enclosed LFG flares. The project emission potential for the Proposed Landfill Expansion is 49.0 tpy NO_x, 163.2 tpy CO. Since the significant project thresholds are exceeded for NO_x and CO, the Proposed Landfill Expansion is subject to review under PSD and NANSR rules.

As a result, the facility ran an air dispersion modeling analysis in support of the two PSD and NANSR applications for the Proposed Landfill Expansion and the New Renewable Energy Facility at the Mill Seat Landfill. Per New Source Review Guidance, modeling was conducted in stages. The significant impact level (SIL) analysis included the following proposed stationary sources ("Project" sources):

- Two (2) CAT G3520 IC engines



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- 3500 cfm enclosed flare
- Future enclosed flare
- Proposed Landfill Expansion

The modeling report demonstrates compliance for CO and NO₂ with all PSD increments based on the SIL Analysis. As a result, the additional PSD Increments and NAAQS using the tiered approach was not required as part of the further analysis. The emission rates of the sources were modeled as follows:

- CAT 3520 engines (per engine): 0.3101 g/s of NO_x, 2.171 g/s of CO;
- 3500 scfm enclosed flare: 0.8843 g/s of NO_x, 2.9476 g/s of CO;
- 1090 scfm enclosed flare: 0.2754 g/s of NO_x, 0.918 g/s of CO.

The modeling report adequately demonstrates that the facility expansion will cause ambient air impacts below the SILs for these pollutants, thus the NSR regulations do not require further modeling. Conditions have been added to this permit to provide monitoring of parameters to ensure these emission rates are not exceeded.

In addition, each permit term the following will be reviewed:

Based on using the Tier II ratio of 0.8, at a stack height of 40 meters, the energy plant on its own remains below the SIL. The combination of the engine plant and flares, based on the LandGEM model, will not generate enough gas to cause the NO_x SIL to be reached until at least 2032 (when the model predicts about 2,000 cfm of gas from the Expansion Landfill will need to be flared). The facility has proposed a stack height for which they will remain below the SIL throughout the life of the landfill (assuming the facility reaches the peak collection rate of 6210 cfm from the Expansion in 2052). The facility proposes to maintain the current stack height. This will be reassessed once the facility reaches 90% of 3620 cfm of gas being collected (2000 cfm for the flares and 1620 cfm for the engine plant). The reasons for this are the following:

- The LandGEM model assumes the full waste acceptance rate is received every year, and that the percent of organics in the waste remains constant. These are both conservative assumptions, particularly as the intent of NYSDEC's Beyond Waste plan is to significantly reduce the volume of organics going to the landfills which will reduce the landfill gas generation accordingly;

- Alternatives for the use of the landfill gas as a fuel, whether High BTU or other, continue to be evaluated and it is expected that there will be more options available 15-20 years from now when the gas will actually be available.

This approach will allow the facility to demonstrate the SIL will not be exceeded without causing unnecessary expense for the County. The foundations for the stacks will be designed to allow for the load of the raised stacks if needed. The Department has also determined that the BACT analysis for the engine plant expansion modification at the Mill Seat Landfill is sufficient. The Department determined that Good Combustion Control Practices/Technologies for Internal Combustion Engines is currently BACT.

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Program Applicability

The following chart summarizes the applicability of RIGA/MILL SEAT LANDFILL with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
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	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - 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 231-5, 231-6) - 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, 6 NYCRR 200.10) - 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).



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MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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



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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
2-01-002-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Reciprocating
2-01-008-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS Reciprocating
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 WASTE GAS DESTRUCTION: WASTE GAS FLARES

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	Range
		lbs/yr	
000079-34-5	1,1,2,2-TETRACHLOROETHANE	> 0	but < 10 tpy
000107-06-2	1,2-DICHLOROETHANE	> 0	but < 10 tpy



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000108-10-1	2-PENTANONE, 4-METHYL	> 0 but < 10 tpy
000071-43-2	BENZENE	> 0 but < 10 tpy
000075-15-0	CARBON DISULFIDE	> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 250 tpy but < 75,000 tpy
000056-23-5	CARBON TETRACHLORIDE	> 0 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
000071-55-6	ETHANE, 1,1,1-TRICHLORO	> 0 but < 10 tpy
000075-34-3	ETHANE, 1,1-DICHLORO-	> 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
007647-01-0	HYDROGEN CHLORIDE	> 0 but < 10 tpy
007439-92-1	LEAD	> 0 but < 10 tpy
007439-97-6	MERCURY	> 0 but < 10 tpy
000078-93-3	METHYL ETHYL KETONE	> 0 but < 10 tpy
0NY998-20-0	NMOC - LANDFILL USE ONLY	>= 10 tpy but < 25 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 100 tpy but < 250 tpy
0NY075-00-0	PARTICULATES	>= 10 tpy but < 25 tpy
000127-18-4	PERCHLOROETHYLENE	> 0 but < 10 tpy
0NY075-00-5	PM-10	>= 10 tpy but < 25 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	>= 50 tpy but < 100 tpy
000108-88-3	TOLUENE	> 0 but < 10 tpy
0NY100-00-0	TOTAL HAP	>= 10 tpy but < 25 tpy
000079-01-6	TRICHLOROETHYLENE	> 0 but < 10 tpy
000075-01-4	VINYL CHLORIDE	> 0 but < 10 tpy
0NY998-00-0	VOC	>= 2.5 tpy but < 10 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 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;



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- (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 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.



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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 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



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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.

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

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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 Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	107	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.11	43	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.11 (d)	44	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	45	General provisions - Circumvention
FACILITY	40CFR 60-A.14	46	General provisions - Modification
FACILITY	40CFR 60-A.15	47	General provisions - Reconstruction
FACILITY	40CFR 60-A.4	29	General provisions - Address
FACILITY	40CFR 60-A.7 (a)	30	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (b)	31	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (d)	32	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (e)	33	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (f)	34	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (g)	35	Notification and Recordkeeping
FACILITY	40CFR 60-A.8 (a)	36	Performance Tests
FACILITY	40CFR 60-A.8 (b)	37	Performance Tests
FACILITY	40CFR 60-A.8 (c)	38	Performance Tests
FACILITY	40CFR 60-A.8 (d)	39	Performance Tests
FACILITY	40CFR 60-A.8 (e)	40	Performance Tests
FACILITY	40CFR 60-A.8 (f)	41	Performance Tests

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FACILITY	40CFR 60-A.9	42	General provisions - Availability of information
P-00001	40CFR 60-JJJJ	65	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
P-00002	40CFR 60-JJJJ	93	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
P-00001/-/100	40CFR 60-JJJJ.4230 (a) (4)	84	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Applicability
P-00002	40CFR 60-JJJJ.4230 (a) (4)	94	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Applicability
P-00001	40CFR 60-JJJJ.4233 (e)	66, 67, 68	Emission limits for IC Engines > 100 HP
P-00002	40CFR 60-JJJJ.4233 (e)	95, 96, 97	Emission limits for IC Engines > 100 HP
P-00001	40CFR 60-JJJJ.4243 (a) (1)	69	NSPS for Stationary Spark Ignition Internal Combustion Engines - Compliance Requirements
P-00002	40CFR 60-JJJJ.4243 (a) (1)	98	NSPS for Stationary Spark Ignition Internal Combustion Engines - Compliance Requirements
P-00001	40CFR 60-JJJJ.4243 (b) (2)	70	SI ICE - Maintenance Plan and testing
P-00002	40CFR 60-JJJJ.4243 (b) (2)	99	SI ICE - Maintenance Plan and testing
P-00001	40CFR 60-JJJJ.4244	71	Test methods and procedures
P-00002	40CFR 60-JJJJ.4244	100	Test methods and procedures
P-00001	40CFR 60-JJJJ.4245 (a)	72	Notification, reporting and recordkeeping requirements
P-00002	40CFR 60-JJJJ.4245 (a)	101	Notification, reporting and recordkeeping requirements
P-00001	40CFR 60-JJJJ.4245 (c)	73	Initial notification for engines > 500 HP
P-00002	40CFR 60-JJJJ.4245 (c)	102	Initial notification for engines > 500 HP
P-00001	40CFR 60-JJJJ.4245 (d)	74	Performance test requirements
P-00002	40CFR 60-JJJJ.4245 (d)	103	Performance test requirements
FACILITY	40CFR 60-JJJJ.4246	48	Applicability of

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FACILITY	40CFR 60- WWW.752(b) (1)	49	Subpart A provisions Standards for air emissions from municipal solid waste landfills.
FACILITY	40CFR 60- WWW.752(b) (2)	50	Standards for air emissions from MSW landfills
P-00001/-/100	40CFR 60- WWW.752(b) (2) (85	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
P-00002/-/101	40CFR 60- WWW.752(b) (2) (106	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
FACILITY	40CFR 60- WWW.754(a) (1)	51	Calculation of Non- Methane Organic Carbon (NMOC) Emissions
FACILITY	40CFR 60- WWW.754(a) (2)	52	NMOC Calculation - Tier 1
FACILITY	40CFR 60- WWW.754(a) (3)	53	NMOC Calculation - Tier 2
FACILITY	40CFR 60-WWW.757(a)	54	Reporting requirements - Initial design capacity
FACILITY	40CFR 60-WWW.757(b)	55	Reporting requirements - NMOC emission rate
FACILITY	40CFR 60-WWW.758(a)	56	Recordkeeping requirements - waste
FACILITY	40CFR 61-M.154	57	Standard for active waste disposal sites
P-00001	40CFR 63-ZZZZ.6590(c)	75	Reciprocating Internal Combustion Engine (RICE) NESHAP - Stationary RICE subject to Regulations under 40 CFR Part 60
P-00002	40CFR 63-ZZZZ.6590(c)	104	Reciprocating Internal Combustion Engine (RICE) NESHAP - Stationary RICE subject to Regulations under 40 CFR Part 60
P-00001	40CFR 63-ZZZZ.6603(a)	76	Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at area sources of HAP emissions
P-00001/-/GEN	40CFR 63-ZZZZ.6603(a)	86	Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at area sources of HAP emissions
P-00001/-/GEN/EMGEN	40CFR 63-ZZZZ.6604	87	Reciprocating

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P-00001	40CFR 63-ZZZZ.6625	77	Internal Combustion Engine (RICE) NESHAP - Fuel requirements for CI RICE Reciprocating Internal Combustion Engine (RICE) NESHAP - Monitoring and maintenance requirements
P-00001	40CFR 63-ZZZZ.6655	78	Reciprocating Internal Combustion Engine (RICE) NESHAP - Record keeping requirements
FACILITY	40CFR 63-ZZZZ.6665	58	Reciprocating Internal Combustion Engine (RICE) NESHAP - General provisions
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
1-LANDF/-/002	6NYCRR 200.6	62, 63	Acceptable ambient air quality.
P-00002	6NYCRR 200.6	88, 89	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	108	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 59, 60	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements -



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FACILITY	6NYCRR 201-6.4 (d) (4)	22	Deviations and Noncompliance Compliance Schedules
FACILITY	6NYCRR 201-6.4 (e)	6	- Progress Reports
FACILITY	6NYCRR 201-6.4 (f)	23	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Operational Flexibility
FACILITY	6NYCRR 201-7.1	61	Off Permit Changes
FACILITY	6NYCRR 202-1.1	18	Emission Capping in Facility Permits
FACILITY	6NYCRR 202-2.1	7	Required emissions tests.
FACILITY	6NYCRR 202-2.5	8	Emission Statements - Applicability
FACILITY	6NYCRR 211.1	27	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 212.4 (a)	28	General Prohibitions - air pollution prohibited
1-LANDF/-/002	6NYCRR 212.6 (a)	64	General Process Emission Sources - emissions from new sources and/or modifications
FACILITY	6NYCRR 215.2	9	General Process Emission Sources - opacity of emissions limited
P-00001/-/100	6NYCRR 227-1.3 (a)	80	Open Fires - Prohibitions
P-00002/-/101	6NYCRR 227-1.3 (a)	105	Smoke Emission Limitations.
P-00001/-/100	6NYCRR 227-2.4 (f) (2)	81, 82	Smoke Emission Limitations.
P-00001/-/100	6NYCRR 227-2.6 (c)	83	Emission limit for engines running on landfill gas.
P-00002	6NYCRR 231-8	91, 92	Stack Test Requirements.
			Mods to Existing Major Facilities in Attainment Areas (PSD)

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



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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.

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.



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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 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



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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 their 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, RIGA/MILL SEAT LANDFILL has been determined to be subject to the following regulations:

40 CFR 60.11

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

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 60.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40 CFR 60.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.



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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 60.4230 (a) (4) (i)

Owners and operators of stationary spark ignited internal combustion engines (SI ICE), that commence construction after June 12, 2006, where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP) are subject to the requirements of 40 CFR 60 Subpart JJJJ.

40 CFR 60.4233 (e)

This regulation sets the emission limit for internal combustion engines greater than 100 horsepower.

40 CFR 60.4243 (a) (1)

This regulation requires the owners and/or operators of internal combustion engines subject to Subpart JJJJ to keep records of maintenance on the engine and any demonstrated compliance with the standards in Subpart JJJJ.

40 CFR 60.4243 (b) (2) (ii)

This regulation requires the owner or operator of a stationary SI internal combustion engine greater than 500 HP to keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.

40 CFR 60.4244

This regulation specifies the test methods and procedures to be used by owners or operators of spark ignited internal combustion engines.

40 CFR 60.4245 (a)

This regulation sets forth the notification, reporting and recordkeeping requirements for 40 CFR 60 Subpart JJJJ, for owners and operators of stationary spark ignited internal combustion engines.

40 CFR 60.4245 (c)



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This regulation sets forth the notification requirements for engines larger than 500 horsepower.

40 CFR 60.4245 (d)

Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.

40 CFR 60.4246

This regulation specifies that the following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

40 CFR 60.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.

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 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (e)

This condition specifies how sources that remain in continuous compliance, and are subject to monthly or quarterly reporting, can reduce reporting frequency to semiannually.

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 60.7 (g)

This condition allows source owners to use reporting required for state or local agencies to satisfy the paragraph (a) reporting requirements of this section of this rule.



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40 CFR 60.752 (b) (1)

This regulation requires the owner or operator of a municipal solid waste (MSW) landfill to determine the annual emissions of non-methane organic compounds from the landfill. If the non-methane organic carbon emission rate from an MSW landfill is less than 50 megagram/year (55 tons/year), the owner must submit an emission report and recalculate the emission rate annually.

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')

This condition requires the facility to monitor their treatment system according to their accepted monitoring plan and the manufacturer's specifications. The facility must report on this semi-annually.

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)

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 60.757 (a)

This condition requires that an initial landfill design capacity report be submitted to the EPA 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 60.758 (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.



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40 CFR 60.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

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.

40 CFR 60.8 (f)

This regulation requires that Performance (stack) tests consist of three runs unless otherwise specified. The rule also designates the allowable averaging methods for the analysis of the results.

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 63.6590 (c)

This regulation states that an affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines.



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40 CFR 63.6603 (a)

These conditions list the emission limits, operating limits, and work practices that existing engines located at an area source of HAP emissions must meet.

The engines must meet work practices, emission limits, and operating limits on carbon monoxide or formaldehyde for the specific type of engine listed in table 2d of subpart ZZZZ.

40 CFR 63.6604

These conditions state the fuel requirements for compression ignition engines that uses diesel fuel.

40 CFR 63.6625

This condition sets forth the monitoring, installation, operation, and maintenance requirements for the emissions of hazardous air pollutants from stationary reciprocating internal combustion engines.

40 CFR 63.6655

This regulation sets forth the record keeping requirements for owners or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR 63.6665

This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR Part 60, Subpart JJJJ

6NYCRR Part 227-2.4 (f)(2): The instantaneous monitoring with the handheld portable monitor of NO_x in the conditions for Process 100 for the 3516 internal combustion engines are for the purpose of monitoring compliance with the NO_x RACT limit of 2.0 grams per brakehorsepower-hour for these engines. The limits given of 214 ppm for ENG01-ENG06 and 223 ppm for ENG07 and ENG08 for the 3516 engines are based on the most recent stack test where the facility showed compliance with the 2.0 g/bHp-hr NO_x limit for this type of engine. The stack test determined operating conditions of 1.39 g/bHp-hr of NO_x at 190.1 ppm NO_x for the 3516 engine. The higher limit established in these monitoring conditions are such that the facility could increase their emission rate by approximately 50% while still remaining in compliance with the 2.0 g/bHp-hr NO_x RACT limit. This condition is an indicator that the engine is not operating as it normally would. Fluctuations may occur but this condition will determine if the engines might need to be retested.

6NYCRR Part 212.4(a): In order not to exceed any standards modeled for, this permit requires the facility to properly run its gas collection and control system. The facility must maintain negative pressure on the collection system and perform corrective action when applicable.

6NYCRR Part 212.6(a): The facility will perform a visual observation of each flare on a daily basis during business days (excluding holidays and weekends). If opacity of 20% or more is observed, the



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facility shall take corrective action immediately or perform a Method 9 within 2 business days. Records shall be kept and submitted semiannually.

6NYCRR Part 227-1.3(a); The facility will perform a visual observation of engine exhaust and crankcase vent on a daily basis during business days (excluding holidays and weekends). If opacity of 20% or more is observed, the facility shall take corrective action immediately or perform a Method 9 within 2 business days. Records shall be kept and submitted semiannually.

6NYCRR Part 227-2.6(c): This condition requires the facility to perform a stack test on one CAT 3516 in process process 100 to establish compliance with the NO_x RACT requirement of 2.0 g/bHp-hr of NO_x 180 days prior to renewal of the permit.

40CFR60.752(b)(2)(iii)('C'); This condition requires the facility to monitor their treatment system according to their accepted monitoring plan and the manufacturer's specifications. The facility must report on this semi-annually.

6NYCRR Part 201-7.1: These conditions place a facility wide cap for NO_x at 190 tpy and CO at 479 tpy from emission sources ENG01-ENG08, FL004 and FL005 as well as any other trivial and exempt sources of NO_x and CO. The facility needs to keep records of daily readings of kilowatt hours (kWh) from the switchgear and maintain a monthly total of actual gross electrical output from each engine (ENG01-ENG08) in kWh. The facility must calculate monthly totals of NO_x and CO from all combustion sources. Emissions will be calculated using the formulas and emission factors found in these capping conditions.

Additionally, the facility is to do monthly monitoring of CO emissions from the exhausts of engines ENG01-ENG08 using a properly calibrated portable gas analyzer approved for use by the Department. A threshold for CO in ppm will be established based on the permitted emission factors for the engines and the measured exhaust stack conditions from the most recent performance test. If the concentration is greater than 110% of the threshold, the permittee must take corrective action as soon as possible but no later than 5 days after detection. If the problem can not be fixed, the Department may require a new stack test.

These conditions also require a stack test for one engine from Emission Unit P-00001.

Since the addition of 2 new 3520 IC engines was less than 40 tpy of NO_x, this modification was not subject to 6NYCRR Part 231 for NO_x. In order to confirm that the addition of the engines stays under the limit modeled for (32.3 tpy NO_x) the facility must keep records to confirm this.

6NYCRR Part 200.6: The facility was required to do SIL modeling for CO. They also did modeling for NO_x as well even though this project to add the 2 CAT 3520 IC engines in itself did not trigger the threshold for Part 231. The facility is planning on expanding the landfill as well as the energy plant but these are two separate projects. However, they did the modeling of both projects to show they meet the SIL. The conditions under 200.6 are intermittent emission testing for NO_x and CO for the 3500 cfm enclosed flare in order to show that the flare meets the emission rate that was modeled for. There are also requirements for NO_x testing on the new engines as well as instantaneous monitoring for the new engines under this rule.

6NYCRR Part 231-8: The facility exceeded the threshold for the PTE for the addition of two CAT 3520 IC engines. The facility was required to do a BACT analysis for CO. The Department determined that BACT was Good Combustion Practices/Technologies for IC Engines. The facility was also required to perform a significant impact level analysis. Based on the model, each engine is to operate at 17.2



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lb/hr CO or less. This condition requires the facility to perform stack testing and monthly instantaneous CO readings with a handheld monitor to ensure the engines are operating properly. The facility is required to maintain records of these readings and perform corrective action when necessary.

40 CFR 60.752(b)(2)(iii)('C'): The facility is required to maintain a properly operating treatment system to clean the gas prior to use in the engines at both P-00001 and P-00002. This condition requires that the facility monitor parameters associated with the gas treatment system and to keep records.

40CFR60 Subpart JJJJ: Where applicable the facility must comply with notification, reporting and recordkeeping requirements for this part.

40 CFR63 Subpart ZZZZ: Where applicable the facility must comply with notification, reporting and recordkeeping requirements for this part.

Where applicable, the facility must comply with the requirements of 40 CFR 60 Subpart JJJJ.

6 NYCRR 201-6.4 (f)

This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

6 NYCRR 201-7.1

This section of Part 201-7 specifies the criteria that need to be met in order to restrict emissions to avoid Title V or other applicable requirements using federally enforceable permit conditions permit.

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.



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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 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 227-2.4 (f) (2)

This regulation sets the limit for emissions of oxides of nitrogen from internal combustion engines running on landfill gas at 2.0 grams per brake horsepower-hour. The owner/operator of the engine must test the emissions one during the term of the permit.

6 NYCRR 227-2.6 (c)

This condition requires the facility to perform a stack test on an engine to establish compliance with the NOx RACT requirement of 2.0 g/bHp-hr of NOx for engines firing landfill gas.

6 NYCRR Subpart 231-8

This subpart applies to modifications to existing major facilities in attainment areas (prevention of significant deterioration (PSD)).

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40 CFR 60.18 (c)	Control Device Requirements (Flares)
Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b) (2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.		
FACILITY	40 CFR 60.18 (d)	Control Device Requirements (Flares)
Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b) (2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.		



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FACILITY 40 CFR 60.18 (e) Control Device Requirements (Flares)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50

FACILITY 40 CFR 60.18 (f)

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY 40 CFR 60.7 (b) Notification and Recordkeeping

FACILITY 40 CFR 60.7 (c) Notification and Recordkeeping

FACILITY 40 CFR 60.7 (d) Notification and Recordkeeping

FACILITY 40 CFR 60.7 (f) Notification and Recordkeeping

FACILITY 40 CFR 60.753 (a) Operational standards for collection and control systems

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY 40 CFR 60.753 (b) Op Standards for collection/ control systems-Pressure

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY 40 CFR 60.753 (c) Operational Standards for Collection and Control Systems

Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY 40 CFR 60.753 (d) Operational Standards for Collection and Control Systems - Surface Methane



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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.753 (e)	Operational Standards for Collection and Control Systems - Collected Gases to Control System
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.753 (f)	Operational Standards for Collection and Control Systems - Control Systems
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.753 (g)	Operational Standards for Collection and Control Systems - Corrective Action
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.754 (b)	Test Methods and Procedures
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.754 (d)	Performance Test
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.755 (a)	Compliance Provisions - collection system
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.755 (b)	Compliance Provisions - wells
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requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.757 (e)	Reporting Requirements - Control Equipment Removal
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.757 (f)	Reporting requirements - Annual Reports
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.757 (g)	Reporting requirements - Collection and control system
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.758 (b)	Recordkeeping requirements - control equipment
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.758 (c)	Recordkeeping requirements - operating parameters
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.758 (d)	Recordkeeping requirements - collectors
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.758 (e)	Recordkeeping requirements - exceedances of operational standards
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.759 (a)	Specifications for active collection systems
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 60.759 (c)	Specifications for active collection systems
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 63.6 (e) (3)	Startup, Shutdown and Malfunction Plan
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 63.1955 (b)	Municipal Solid Waste Landfill NESHAP - General requirements
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

FACILITY	40 CFR 63.1980 (a)	Recordkeeping and Reports
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Reason: The facility is not subject to this section until they meet the requirements of 40CFR60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

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Summary of monitoring activities at RIGA/MILL SEAT LANDFILL:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

P-00001	65	record keeping/maintenance procedures
P-00002	93	record keeping/maintenance procedures
P-00001/-/100	84	record keeping/maintenance procedures
P-00001	66	intermittent emission testing
P-00001	67	intermittent emission testing
P-00001	68	intermittent emission testing
P-00002	95	intermittent emission testing
P-00002	96	intermittent emission testing
P-00002	97	intermittent emission testing
P-00001	69	record keeping/maintenance procedures
P-00002	98	record keeping/maintenance procedures
P-00001	70	record keeping/maintenance procedures
P-00002	99	record keeping/maintenance procedures
P-00001	72	record keeping/maintenance procedures
P-00002	101	record keeping/maintenance procedures
P-00001	73	record keeping/maintenance procedures
P-00002	102	record keeping/maintenance procedures
P-00001/-/100	85	record keeping/maintenance procedures
P-00002/-/101	106	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
P-00001	76	record keeping/maintenance procedures
P-00001/-/GEN	86	record keeping/maintenance procedures
P-00001/-/GEN/EMGEN	87	record keeping/maintenance procedures
P-00001	77	record keeping/maintenance procedures
P-00001	78	record keeping/maintenance procedures
1-LANDF/-/002	62	intermittent emission testing
1-LANDF/-/002	63	intermittent emission testing
P-00002	88	intermittent emission testing
P-00002	89	intermittent emission testing
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	24	intermittent emission testing
FACILITY	25	work practice involving specific operations
FACILITY	26	work practice involving specific operations
P-00001/-/100	79	intermittent emission testing
P-00002	90	work practice involving specific operations
FACILITY	7	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
1-LANDF/-/002	64	monitoring of process or control device parameters as surrogate
P-00001/-/100	80	monitoring of process or control device parameters as surrogate
P-00002/-/101	105	monitoring of process or control device parameters as surrogate
P-00001/-/100	81	monitoring of process or control device parameters as surrogate
P-00001/-/100	82	monitoring of process or control device parameters as surrogate
P-00001/-/100	83	intermittent emission testing
P-00002	91	intermittent emission testing
P-00002	92	intermittent emission testing



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Basis for Monitoring

6NYCRR Part 227-2.4 (f)(2): The instantaneous monitoring with the handheld portable monitor of NO_x in the conditions for Process 100 for the 3516 internal combustion engines are for the purpose of monitoring compliance with the NO_x RACT limit of 2.0 grams per brakehorsepower-hour for these engines. The limits given of 214 ppm for ENG01-ENG06 and 223 ppm for ENG07 and ENG08 for the 3516 engines are based on the most recent stack test where the facility showed compliance with the 2.0 g/bHp-hr NO_x limit for this type of engine. The stack test determined operating conditions of 1.39 g/bHp-hr of NO_x at 190.1 ppm NO_x for the 3516 engine. The higher limit established in these monitoring conditions are such that the facility could increase their emission rate by approximately 50% while still remaining in compliance with the 2.0 g/bHp-hr NO_x RACT limit. This condition is an indicator that the engine is not operating as it normally would. Fluctuations may occur but this condition will determine if the engines might need to be retested.

6NYCRR Part 212.4(a): In order not to exceed any standards modeled for, this permit requires the facility to properly run its gas collection and control system. The facility must maintain negative pressure on the collection system and perform corrective action when applicable.

6NYCRR Part 212.6(a); The facility will perform a visual observation of each flare on a daily basis during business days (excluding holidays and weekends). If opacity of 20% or more is observed, the facility shall take corrective action immediately or perform a Method 9 within 2 business days. Records shall be kept and submitted semiannually.

6NYCRR Part 227-1.3(a); The facility will perform a visual observation of engine exhaust and crankcase vent on a daily basis during business days (excluding holidays and weekends). If opacity of 20% or more is observed, the facility shall take corrective action immediately or perform a Method 9 within 2 business days. Records shall be kept and submitted semiannually.

6NYCRR Part 227-2.6(c): This condition requires the facility to perform a stack test on one CAT 3516 in process process 100 to establish compliance with the NO_x RACT requirement of 2.0 g/bHp-hr of NO_x 180 days prior to renewal of the permit.

40CFR60.752(b)(2)(iii)('C'); This condition requires the facility to monitor their treatment system according to their accepted monitoring plan and the manufacturer's specifications. The facility must report on this semi-annually.

6NYCRR Part 201-7.1: These conditions place a facility wide cap for NO_x at 190 tpy and CO at 479 tpy from emission sources ENG01-ENG08, FL004 and FL005 as well as any other trivial and exempt sources of NO_x and CO. The facility needs to keep records of daily readings of kilowatt hours (kWh) from the switchgear and maintain a monthly total of actual gross electrical output from each engine (ENG01-ENG08) in kWh. The facility must calculate monthly totals of NO_x and CO from all combustion sources. Emissions will be calculated using the formulas and emission factors found in these capping conditions.

Additionally, the facility is to do monthly monitoring of CO emissions from the exhausts of engines ENG01-ENG08 using a properly calibrated portable gas analyzer approved for use by the Department. A threshold for CO in ppm will be established based on the permitted emission factors for the engines and the measured exhaust stack conditions from the most recent performance test. If the concentration is greater than 110% of the threshold, the permittee must take corrective action as soon as possible but no later than 5 days after detection. If the problem can not be fixed, the Department may require a new stack test.

These conditions also require a stack test for one engine from Emission Unit P-00001.



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Since the addition of 2 new 3520 IC engines was less than 40 tpy of NO_x, this modification was not subject to 6NYCRR Part 231 for NO_x. In order to confirm that the addition of the engines stays under the limit modeled for (32.3 tpy NO_x) the facility must keep records to confirm this.

6NYCRR Part 200.6: The facility was required to do SIL modeling for CO. They also did modeling for NO_x as well even though this project to add the 2 CAT 3520 IC engines in itself did not trigger the threshold for Part 231. The facility is planning on expanding the landfill as well as the energy plant but these are two separate projects. However, they did the modeling of both projects to show they meet the SIL. The conditions under 200.6 are intermittent emission testing for NO_x and CO for the 3500 cfm enclosed flare in order to show that the flare meets the emission rate that was modeled for. There are also requirements for NO_x testing on the new engines as well as instantaneous monitoring for the new engines under this rule.

6NYCRR Part 231-8: The facility exceeded the threshold for the PTE for the addition of two CAT 3520 IC engines. The facility was required to do a BACT analysis for CO. The Department determined that BACT was Good Combustion Practices/Technologies for IC Engines. The facility was also required to perform a significant impact level analysis. Based on the model, each engine is to operate at 17.2 lb/hr CO or less. This condition requires the facility to perform stack testing and monthly instantaneous CO readings with a handheld monitor to ensure the engines are operating properly. The facility is required to maintain records of these readings and perform corrective action when necessary.

40 CFR 60.752(b)(2)(iii)('C'): The facility is required to maintain a properly operating treatment system to clean the gas prior to use in the engines at both P-00001 and P-00002. This condition requires that the facility monitor parameters associated with the gas treatment system and to keep records.

40CFR60 Subpart JJJJ: Where applicable the facility must comply with notification, reporting and recordkeeping requirements for this part.

40 CFR63 Subpart ZZZZ: Where applicable the facility must comply with notification, reporting and recordkeeping requirements for this part.



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

Permit ID: 8-2648-00014/00011

Renewal Number: 2

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