



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

**Facility Identification Data**

Name: CHAUTAUQUA COUNTY LANDFILL  
Address: 3889 TOWERVILLE RD  
ELLERY CENTER, NY 14701

**Owner/Firm**

Name: CHAUTAUQUA COUNTY  
Address: 3 N ERIE ST  
MAYVILLE, NY 14757-1007, USA  
Owner Classification: Municipal

**Permit Contacts**

Air Permitting Contact:  
Name: KEITH STOCK  
Address: CHAUTAUQUA COUNTY DPF  
3889 TOWERVILLE RD  
JAMESTOWN, NY 14701-9653  
Phone: 7169854785

**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.

**Attainment Status**

CHAUTAUQUA COUNTY LANDFILL is located in the town of ELLERY in the county of CHAUTAUQUA. 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



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

Carbon Monoxide (CO)

ATTAINMENT

- \* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NO<sub>x</sub>) which are ozone precursors.
- \*\* NO<sub>x</sub> has a separate ambient air quality standard in addition to being an ozone precursor

**Facility Description**

Chautauqua County, New York owns and operates the Chautauqua County Landfill, an existing solid waste landfill located on a 790 acre parcel in the Town of Ellery, New York. The facility was opened in 1981 and has total design capacity of 5.9 million megagrams (MG). The total landfill footprint is 83.5 acres: 33 acres are active, 43.5 acres are closed and have received final cover, and an additional 7-acre landfill cell will begin construction at a later date. The facility is an existing facility for the purpose of applicability of 6NYCRR Part 208, "Landfill Gas Collection and Control Systems for Certain Municipal Solid Waste Landfills".

The landfill currently emits less than 50 megagrams per year of nonmethane organic compounds (NMOC); therefore, Part 208 does not require a landfill gas capture and control system. Part 208 and this permit do, however, require the facility to monitor the quantity of solid waste disposed at the landfill annually and either monitor or estimate (based on annual solid waste disposal ) annual NMOC emissions. If emissions of NMOC reach 50 megagrams per year, the facility will be required to design, install, operate and maintain a gas collection and control system according to the requirements of Part 208. The facility is in the process of installing an open candlestick flare to control odors and meet the requirements of 6NYCRR Part 212.

**Permit Structure and Description of Operations**

The Title V permit for CHAUTAUQUA COUNTY LANDFILL

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

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

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



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

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

Emission unit 1LFGAS - 1-LFGAS consists of the landfill area that generates landfill gas (LFG), an active gas collection system, and an open flare to combust the LFG. The gas collection system covers 61.5 acres and consists of several landfill gas extraction sources, including 40 vertical wells, 9 horizontal trenches, and 14 leachate collection system cleanouts. The active gas collection system covers all landfill cells where waste has reached an age of two or more years.

1-LFGAS has a single emission point, the open flare designated as FL001.

Three emission sources/controls generate emissions:

LFGCS - the landfill gas collection system

F1200 is the 1,200 scfm open flare

LNDFL is the existing landfill

The following two processes are also used to define 1-LFGAS: GAS, which is the collection and combustion of LFG; and FUG, which includes fugitive emissions of LFG, beyond the collection efficiency of the landfill gas collection system.

Emission unit 1LFGAS is associated with the following emission points (EP):  
FL001

It is further defined by the following process(es):

Process: FUGFUGITIVE LANDFILL GAS EMISSIONS (BEYOND THE COLLECTION EFFICIENCY OF THE GAS COLLECTION SYSTEM). BASED ON THE ATTACHED CALCULATIONS, APPROXIMATELY 63% OF THE LANDFILL GAS IS NOT COLLECTED.

Process: GASLandfill gas is collected from an active solid waste landfill and combusted in a 1,200 cfm open flare.

**Title V/Major Source Status**

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

This facility is currently not a major source for VOC. Its emissions are below 50 tons per year. However, A Title V permit is required because the landfill capacity exceeds Part 208 threshold of 2.5 million megagrams (2.5 million cubic meters)

**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



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
1499	NONMETALLIC MINERALS, NEC
4953	REFUSE SYSTEMS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
5-01-004-02	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP FUGITIVE EMISSIONS
5-01-004-10	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 Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000630-08-0	CARBON MONOXIDE	pteyear	F
0NY100-00-0	HAP	pteyear	B
0NY998-20-0	NMOC - LANDFILL USE ONLY	pteyear	C
0NY210-00-0	OXIDES OF NITROGEN	pteyear	B
0NY075-00-0	PARTICULATES	pteyear	D
0NY075-00-5	PM-10	pteyear	C
007446-09-5	SULFUR DIOXIDE	pteyear	A
0NY998-00-0	VOC	pteyear	C



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

**Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

**Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

**Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**

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

**Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision,



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon



**Permit Review Report**

**Permit ID: 9-0636-00006/00017**  
**10/06/2008**

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 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.



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

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 Protection of	40CFR 82-F		Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.1		
FACILITY	6NYCRR 200.5		
FACILITY Acceptable ambient air	6NYCRR 200.6		quality.
FACILITY	6NYCRR 200.7		
FACILITY Permitting - public	6NYCRR 201-1.10 (b)		access to records kept for Title V permitting
FACILITY Permitting - unpermitted	6NYCRR 201-1.2		emission sources
FACILITY Unavoidable noncompliance	6NYCRR 201-1.4		and violations
FACILITY	6NYCRR 201-1.5		
FACILITY	6NYCRR 201-1.7		
FACILITY Prohibition of	6NYCRR 201-1.8		reintroduction of collected contaminants to the air
FACILITY Exempt Activities - Proof	6NYCRR 201-3.2 (a)		of eligibility
FACILITY Trivial Activities -	6NYCRR 201-3.3 (a)		

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



**Permit ID: 9-0636-00006/00017**  
**10/06/2008**

FACILITY	6NYCRR 201-5	proof of eligibility
	State Facility Permit	
FACILITY	6NYCRR 201-5.3 (b)	General Provisions
	Permit Content and Terms	
FACILITY	6NYCRR 201-6	of Issuance - permit conditions
	Title V Permits and the	
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	Associated Permit Conditions
	Permit conditions for	
FACILITY	6NYCRR 201-6.5 (e)	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (g)	
FACILITY	6NYCRR 202-1.1	
FACILITY	6NYCRR 202-2.1	
	Emission Statements -	
FACILITY	6NYCRR 202-2.5	Applicability
	Emission Statements -	
FACILITY	6NYCRR 208.3 (b) (1)	record keeping requirements.
	Standards for air	
FACILITY	6NYCRR 208.5 (a) (1) (i)	emissions from MSW landfills
	Test Methods and	
FACILITY	6NYCRR 208.5 (a) (3)	Procedures-NMOC calculation (known waste deposition)
	Test methods and	
FACILITY	6NYCRR 208.8 (b)	procedures
FACILITY	6NYCRR 208.9 (a)	
	Recordkeeping	
FACILITY	6NYCRR 211.2	Requirements
	General Prohibitions -	
FACILITY	6NYCRR 211.3	air pollution prohibited.
	General Prohibitions -	
		visible emissions limited

New York State Department of Environmental Conservation  
Permit Review Report



Permit ID: 9-0636-00006/00017  
10/06/2008

1-LFGAS/FL001/GAS/F1200 6NYCRR 212.4

General Process Emission

Sources - emissions from  
new sources and/or  
modifications

FACILITY 6NYCRR 215

FACILITY 6NYCRR 215.2(b) faccondition

### Applicability Discussion:

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

#### 6NYCRR Part 200-.5

Allows for the sealing of non-compliant air contamination sources

#### 6NYCRR Part 200-.6

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

#### 6NYCRR Part 200-.7

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

#### 6NYCRR Part 201-1.2

Any existing emission source that is required to be permitted or registered but has not done so, must apply for the necessary permit or registration. The source is subject to all regulations that were applicable at the time the original permit or registration was required as well as any subsequent applicable requirements that came into effect since.

#### 6NYCRR Part 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.

#### 6NYCRR Part 201-1.5

An enforcement action may be avoided if the facility can demonstrate that an emergency situation occurred which resulted in an emission limitation or permit violation. The following information would constitute evidence of an emergency situation: a properly signed operating log recorded during the actual event which; identifies the cause(s) of the emergency, indicates that all equipment was operating properly at the time, the person responsible took all reasonable steps to minimize the exceedance or violation, and that the department was notified of the emergency within 2 working days of the event.

#### 6NYCRR Part 201-1.7



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-1.10(b)

Any permit application, compliance plan, permit, and monitoring and compliance certification report that is submitted as part of the Title V permit process must be made available to the public as per requirements set forth under 6 NYCRR Part 616 - Public Access to Records and section 114(c) of the Clean Air Act Amendments of 1990.

6NYCRR Part 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.

6NYCRR Part 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.

6NYCRR Part 201-5

This regulation applies to those permit terms and conditions which are not federally enforceable. It specifies the applicability criteria for state facility permits, the information to be included in all state facility permit applications as well as the permit content, terms of permit issuance, and sets guidelines for modifying state facility permits and allowing for operational flexibility. For permitting purposes, this rule specifies the need to list all emission units except those that are exempt or trivial pursuant to Subpart 201-3 in the permit application and provide a description of the emission unit's processes and products. Finally, this rule also provides the Department the authority to include this and any other information that it deems necessary to identify applicable Federal standards, recordkeeping and reporting requirements, and establish terms and conditions that will ensure compliance with the national ambient air quality standards.

6NYCRR Part 201-5.3(b)

Lists those contaminants subject to contaminant specific requirements



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

6NYCRR Part 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.

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

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

6NYCRR Part 201-6.5(e)

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

6NYCRR Part 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6NYCRR Part 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.

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

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

6NYCRR Part 211-2

This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR Part 211.3

This condition requires that the opacity (i.e., the degree to which emissions other



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.

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, CHAUTAUQUA COUNTY LANDFILL has been determined to be subject to the following regulations:

6NYCRR 200 .1

This section contains a definition of terms referred to throughout New York's entire codes, rules and regulations.

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

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

6NYCRR 208 .3 (b) (1)

This regulation requires owners or operators of MSW landfills with non-methane organic compound (NMOC) emission rates less than 50 megagrams per year to recalculate their NMOC emission rate annually and submit a report to the Department of their NMOC emission rate annually.

6NYCRR 208 .5 (a) (1) (i)

This condition contains the equation to be used to determine the emission rate of non-methane organic carbon from the landfill if the annual waste deposition rate is known

6NYCRR 208 .5 (a) (3)

This regulation sets forth the requirements the owner or operator of a MSW landfill must follow to determine the non-methane organic compound (NMOC) emission rate using the site specific concentration of NMOC in the equation.

6NYCRR 208 .8 (b)

This regulation sets forth the requirements for the NMOC emission rate report.



Permit Review Report

Permit ID: 9-0636-00006/00017  
10/06/2008

6NYCRR 208 .9 (a)

This condition requires the owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) to keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

6NYCRR 212 .4

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.

6NYCRR 215 .2 (b)

This regulation prohibits open fires at municipal solid waste landfills.

**Compliance Certification**

Summary of monitoring activities at CHAUTAUQUA COUNTY LANDFILL:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
FACILITY	25	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	29	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	34	intermittent emission testing
FACILITY	35	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
1-LFGAS/FL001/GAS/F1200	48	intermittent emission testing
1-LFGAS/FL001/GAS/F1200	49	record keeping/maintenance procedures
1-LFGAS/FL001/GAS/F1200	50	intermittent emission testing
1-LFGAS/FL001/GAS/F1200	51	record keeping/maintenance procedures
1-LFGAS/FL001/GAS/F1200	52	record keeping/maintenance procedures

**Basis for Monitoring**

1.) As described in monitoring conditions in this permit, under Part 208 the facility is required to monitor NMOC emissions on an annual basis. The site-specific NMOC concentration must be retested during the 2003 calendar year according to the schedule contained in the permit. The facility is expected to use an alternative Tier 2 equivalent method of monitoring NMOC concentration, sampling the NMOC concentration in the header of the landfill gas collection system rather than installing and taking samples from multiple sample probes. The permit conditions also require that a demonstration is made prior to sampling that samples taken from the gas collection system are as representative of the landfill as the original Tier 2 sampling probe method. This information will be used with LandGEM, USEPA's Landfill Gas Emission Model, to determine the landfill NMOC generation rate. The rule allows the projection of landfill gas generation rate making adjustment where the waste disposal rate for any year is unknown. If emissions of NMOC's reach 50 megagrams per year, the facility is required by Part 208 to design, install, operate and maintain a gas collection and control system.



**Permit Review Report**

**Permit ID: 9-0636-00006/00017**

**10/06/2008**

2.) The facility has already started construction of a gas collection and control system. This initially was driven by the need to control landfill odors and comply with the solid waste landfill rule, 6NYCRR Part 360. However, by capturing NMOC emissions which contain hazardous air pollutants (HAPs) the facility is required to install a landfill gas control system under Part 212. The facility has elected to install an open "candlestick" flare to accomplish the needed control.