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
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Permit Description

Introduction

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

Summary Description of Proposed Project
Application for renewal of Air Title V Facility.

Attainment Status
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
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
Site History

Chautauqua County, New York owns and operates the Chautauqua County Landfill, an existing solid waste landfill located on a 827.5 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 facility is an existing facility for the purpose of 40 CFR Part 60 Cc. No hazardous waste has been accepted at the facility. The closest offsite building, a seasonal home, is located 0.85 miles from the active area of the landfill.

On June 20, 1996, the County submitted an Initial Design Capacity Report and Tier 1 Emission Rate Calculation to USEPA and NYSDEC. The report provides a detailed description of the site history, design capacity, waste receipts, and includes a preliminary estimate of NMOC emissions using the USEPA Tier 1 methods.

Currently, the total landfill footprint is 83.5 acres: 40 acres are active and 43.5 acres are closed and have received final cover. Figure 2 of the Title V application supporting documentation shows individual landfill cells, the date each cell commenced operation, the limit of final cover, and areas that are currently active. Note that the current fill area extends above a portion of Phase I, which was previously covered.

A Tier 2 Test and Emission Rate Report for the Chautauqua County Landfill was submitted to the USEPA and NYSDEC on June 18, 1998 by the County's consultant, SCS Engineers, PC. The average NMOC concentration determined by SCS Engineers, PC, was 286 ppm (as hexane).

The County submitted a revised Emission Rate Estimate, February 27, 2001. As of December 2000, there was approximately 2.76 million megagrams of putrescible waste in the Chautauqua County Landfill. Based on Landgem, the USEPA's Landfill Gas Emission Model, and SCS Engineers Tier 2 NMOC concentration, the landfill generated 31.2 MG of NMOC in 2000. Emissions are projected to peak at 44.6 MG of NMOC in 2021. The NMOC generation rate for the Chautauqua County Landfill is, and will remain, below the 50 MG megagrams per year threshold for landfill gas emission control under the federal emission guideline and Part

208.

A new Tier 2 test and 5 year Emission Rate Estimate was submitted 11/13/03.

On April 10, 1995, the County submitted a permit application and design report for an active landfill gas collection and control system to the NYSDEC under the then applicable solid waste regulations (6 NYCRR Part 360). The active landfill gas collection system design covered approximately 52.5 acres, using 28 new vertical wells, 7 existing gas collection trenches, and 14 existing leachate collection system cleanouts, and several existing vertical vents.

Based on the approved design, a gas collection header system of 6", 8", 10", and 12" HDPE pipe was installed in the cover system during 1995 and 1996. Existing gas vents, trenches, and cleanouts were plumbed into the header system. The 28 new vertical wells were installed in January and February 1997. A final installation report and as-built drawings were submitted to the NYSDEC on October 9, 1997.

On May 21, 1997, the County received an interim Air Facility Registration for a temporary odor control flare. The open flare was in operation until September 11, 1998, when it was replaced with an enclosed ground flare/leachate evaporation processor.

The enclosed ground flare/leachate evaporator was owned and operated by an independent, private developer. The developer leased the rights to use the landfill gas from the County and planned to use the energy in the gas to evaporate leachate and obtain federal income tax credits. Under the terms of the lease, the developer was responsible for the air permit requirements for the entire facility. The developer was issued an Air State Facility Permit number 109-0636-00123/00001 and Solid Waste Management Permit 109-0636-00123/00002 covering the ground flare/process unit, leachate transfer system, and gas collection system. The ground flare/leachate evaporator unit failed to pass an emission stack test on two separate occasions. The County's lease with the developer has recently been terminated (see attached letter dated February 6, 2001).

The enclosed flare was fed by a 100 H.P. Gardner-Denver, Duroflow rotary positive displacement blower, rated for 7" Hg inlet pressure at 2,080 scfm. As it turned out, the Duroflow blower was oversized for the 700 to 900 scfm of landfill gas that is actually produced from the collection system, resulting in excessive wellhead vacuums and air intrusion. The larger blower could not be turned down enough to properly tune the gas collection system or prevent dangerous air intrusion into the landfill.

The County recently replaced the developer's Duroflow blower with a smaller blower manufactured by Republic. Republic's 20 H.P. model RB1200 centrifugal blower is rated for up to 1,200 scfm at a differential pressure of up to 3" Hg. The new blower has been tested and adequate vacuum is maintained at all landfill gas collection points.

The County has matched the new blower with an 8" diameter, open "candlestick" flare manufactured in 1998 by Perennial Energy, Inc. The flare, model FL-8-C, is designed to be fired by landfill gas and is rated for a maximum landfill gas flow of up to 1,200 scfm. The flare is equipped with a Varec 8", model 3E-15 flame arrester. The County has installed a flow meter, sensors, and an automatic shutdown to the new control system. In addition, a spark-ignited pilot assembly with an electrically-operated solenoid pilot fuel valve provides safe flare burner ignition through a UV-sensor monitored pilot and a type K thermocouple temperature sensor. The flare is intended to meet or exceed the requirements of 40 CFR 60.18. The enclosed flare will be decommissioned and the open flare will be used by the County to prevent unwanted odors.

The enclosed flare has been removed and the blower has been upgraded. Details provided in the application.

The gas collection system has been modified since the October, 1997 installation report, including the installation of: several replacement wells; additional header piping to create a second loop in the system; a pair of horizontal trench collectors to recover gas from the active area; and a new gas main connecting the header system to the ground flare. A current as-built of the gas collection system is attached as Figure 3.

The County expanded and improved the gas collection system. Details provided in the application.

The various reports discussed above are on file with the NYSDEC and are included in this application by reference.

Site Description

Table 1 of the supporting documentation is a summary of current site conditions. Figure 4 of the supporting documentation is a detail map.

The facility's design capacity exceeds the 2.5 million megagrams threshold requiring a Title V operating permit. Based on current Tier 2 emission estimates, the County is not required to control NMOC emissions. The County has voluntarily elected to install an active gas collection system and flare, however, to control odors.

This application designates two emission units within the Chautauqua County Landfill facility:

Emission Unit 1-LFGAS consists of the emission of landfill gas, generated within the buried waste mass, and emissions resulting from the control of the landfill gas odors.

Emission Unit 1-MISC consists of minor, exempt, and trivial emissions of other air pollutants resulting from the operation of the landfill and various ancillary support activities.

The facility's transfer station receives various recyclables, including appliances that contain restricted refrigerants. The County contracts a certified refrigerant reclamation technician to recover and recycle all ozone-depleting substances from the units in accordance with federal law.

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.

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 – the 1,200 scfm open flare

LNDFL – 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):
FLARE
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.

Emission unit 1LFGTE - Emission Unit 1-LFGTE consists of four (4) lean-burn Caterpillar, Inc. Model G3520C IC engines connected to individual electricity generators. The emission unit inlcudes ancillary equipment that supports the electricity generation operations.
Emission unit 1LFGTE is associated with the following emission points (EP):
ENG01, ENG02, ENG03, ENG04, ENG05, ENG06
It is further defined by the following process(es):
Process: 001 is located at Building ENGBLDG - Process 001 consists of four (4) Caterpillar G3520C gas internal combustion (IC) engine generator sets. The four (4) IC engines have individual maximum heat input rates of 14.67 MMBtu/hr LHV (43.92 MMBtu/hr combined). At the minimum fuel quality utilization value of 420 Btu/cf (LHV), the maximum fuel use rate of each IC engine is approximately 580 cfm. The total combined number of annual operating hours for Process 001 is 33,638 (i.e., total combined number of annual operating hours for four IC engine generators).

Title V/Major Source Status
CHAUTAUQUA COUNTY LANDFILL is subject to Title V requirements. This determination is based on the following information:
The facility has a potential to emit carbon monoxide greater then 250 tpy. All other contaminants are less than major.

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

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

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

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

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

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

specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

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

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

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

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

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

Compliance Status

Facility is in compliance with all requirements

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
1499	NONMETALLIC MINERALS, NEC
4953	REFUSE SYSTEMS

SCC Codes

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

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
2-01-008-07	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS RECIPROCATING: EXHAUST
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	H
0NY100-00-0	HAP	pteyear	B
0NY998-20-0	NMOC - LANDFILL USE ONLY	pteyear	C
0NY210-00-0	OXIDES OF NITROGEN	pteyear	F
0NY075-00-0	PARTICULATES	pteyear	F
0NY075-00-5	PM-10	pteyear	F
007446-09-5	SULFUR DIOXIDE	pteyear	F
0NY998-00-0	VOC	pteyear	C

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)
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 - 6NYCRR 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, 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 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.

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		63	Powers and Duties of the Department with respect to air pollution control
1-LFGTE	40CFR 60-JJJJ	61	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
FACILITY	40CFR 63-AAAA.1945	52	NESHAP for MSW Landfills - Compliance Dates
FACILITY	40CFR 63-AAAA.1955(b)	53	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 63-AAAA.1980(a)	54	
1-LFGTE	40CFR 63-ZZZZ.6590(a)(2)	62	Reciprocating Internal Combustion Engine (RICE) NESHAP - Applicability - New RICE
FACILITY	40CFR 68	21	Chemical accident prevention provisions
FACILITY	40CFR 82-F	22	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	
FACILITY	6NYCRR 201-1.4	64	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	
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	23, 55, 56	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5(a)(4)	15	
FACILITY	6NYCRR 201-6.5(a)(7)	2	
FACILITY	6NYCRR 201-6.5(a)(8)	16	
FACILITY	6NYCRR 201-6.5(c)	3	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(2)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(3)(ii)	5	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(d)(5)	17	
FACILITY	6NYCRR 201-6.5(e)	6	
FACILITY	6NYCRR 201-6.5(f)(6)	18	
FACILITY	6NYCRR 201-6.5(g)	24	
1-LFGTE	6NYCRR 202-1	58	Emission Testing, Sampling and Analytical Determinations
FACILITY	6NYCRR 202-1.1	19	
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping

			requirements.
FACILITY	6NYCRR 208.10	51	Specifications for active collection systems
FACILITY	6NYCRR 208.3(b)	25	Standards of Emissions from MSW Landfills
1-LFGAS/-/GAS/01FLR	6NYCRR 208.3(b)(2)(iii)('	57	Active Collection System - Flares
1-LFGTE	6NYCRR 208.3(b)(2)(iii)('	59	Active Collection System - Gas Treatment
FACILITY	6NYCRR 208.4(a)	26	Operation Standards - Collection system for Waste-in-Place 2 years or 5 years
FACILITY	6NYCRR 208.4(b)	27	WellHead Monitoring - Pressure
FACILITY	6NYCRR 208.4(c)	28, 29	
FACILITY	6NYCRR 208.4(d)	30	
FACILITY	6NYCRR 208.5(a)(1)(i)	31, 32	Test Methods and Procedures-NMOC calculation (known waste deposition)
FACILITY	6NYCRR 208.5(b)	33	Test Methods and Procedures - System NMOC Emission Rate
FACILITY	6NYCRR 208.5(c)	34	Test methods and procedures
FACILITY	6NYCRR 208.5(d)	35	
FACILITY	6NYCRR 208.6(a)	36	Compliance Provisions - Gas Collection System
FACILITY	6NYCRR 208.6(b)	37	Gas Collection System Compliance - Collection Well Placement
FACILITY	6NYCRR 208.6(c)	38	Surface Methane Monitoring
FACILITY	6NYCRR 208.6(d)	39	Instrument Specs for Surface Methane Analyzer
FACILITY	6NYCRR 208.7(a)	40	
FACILITY	6NYCRR 208.7(c)	41	Monitoring of Operations - Open Flare
FACILITY	6NYCRR 208.7(d)	42	Monitoring of Operations - Other Control Devices
FACILITY	6NYCRR 208.7(f)	43	Monitoring of operations - surface methane concentration
FACILITY	6NYCRR 208.8(f)	44	
FACILITY	6NYCRR 208.8(g)	45	
FACILITY	6NYCRR 208.9(a)	46	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(b)	47	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(c)	48	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(d)	49	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(e)	50	Recordkeeping Requirements
FACILITY	6NYCRR 211.2	65	General Prohibitions - air pollution prohibited.
FACILITY	6NYCRR 211.3	20	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 215	9	
1-LFGTE	6NYCRR 227-1.3(a)	60	Smoke Emission Limitations.

Applicability Discussion:

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

ECL 19-301.
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.

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 201-1.4
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 201-1.7
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 201-3.2(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 201-6
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 201-6.5(a)(4)
This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6NYCRR 201-6.5(a)(7)
This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6NYCRR 201-6.5(a)(8)
This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6NYCRR Part 201-6.5(c)
This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6NYCRR Part 201-6.5(c)(2)
This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. 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.

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 201-6.5(d)(5)
This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

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 201-6.5(f)(6)
This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

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 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 68.
This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F
Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements
In addition to Title V, CHAUTAUQUA COUNTY LANDFILL has been determined to be subject to the following regulations:

40CFR 60-JJJJ
40 CFR 60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (SI ICE):

In accordance with 40 CFR 60.4230(a)(4)(i), owners or operators of stationary SI ICE that are ordered after June 12, 2006 and are manufactured after July 1, 2007 must comply with the emission standards in Table 1 as follows:

NOx = 3.0 g/HP-hr

CO = 5.0 g/HP-hr

VOC = 1.0 g/HP-hr

40 CFR 60.4243 specifies the compliance requirements for owners and operators.

40 CRR 60.4244 specifies the testing requirements for owners and operators.

40 CFR 60.4245 specifies the notification, reports and record keeping requirements for owners and operators.

40CFR 63-AAAA.1945
This regulation sets forth the dates that the landfill must be in compliance with this subpart. For

most facilities, the landfill must be in compliance with the regulation by the time it becomes affected by 40 CFR 60 Subpart WWW.

40CFR 63-AAAA.1955 (b)
This condition requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

40CFR 63-AAAA.1980 (a)
This regulation requires the owner or operator of the landfill to submit a report, on a semiannual basis of the following:

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

40CFR 63-ZZZZ.6590 (a) (2)
40 CFR 63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE):

In accordance with 40 CFR 63.6595(a)(7), if you start up a new stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of the affected source.

6NYCRR 202-1
This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations.

6NYCRR 208 .10
this Part shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the stated procedures.

6NYCRR 208 .3 (b)
This condition requires the owner or operator of an MSW landfill to submit a landfill design capacity report and a report of the emissions of non-methane organic carbon from the landfill. If the emissions of non-methane organic carbon are less than 50 megagrams/year (55 tpy), the report must be re-submitted annually. If the emissions are greater than 50 megagrams/year, a collection and control system must be installed at the landfill.

6NYCRR 208 .3 (b) (2) (iii) ('a')
This condition contains the requirements to be met by the flare controlling the landfill gas.

6NYCRR 208 .3 (b) (2) (iii) ('c')

This condition requires that all of the collected gas be sent to a treatment system that processes the collected gas for subsequent sale or use

6NYCRR 208 .4 (a)
This condition requires the owner or operator of this landfill gas collection system to operate the collection system such that gas is collected from each area, cell or group of cells in the landfill in which solid waste has been in place for 5 years or more if active or 2 years or more if inactive

6NYCRR 208 .4 (b)
This condition requires that the collection system be operated at negative pressure.

6NYCRR 208 .4 (c)
This condition requires that the temperature of the landfill not exceed 55o C and that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

6NYCRR 208 .4 (d)
This condition requires that the concentration of methane on the surface of hte landfill be less than 500 parts per million.

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 (b)
This condition requires the landfill owner or operator to calculate the emission rate of non-methane organic carbon in order to determine when the collection and control system can be removed.

6NYCRR 208 .5 (c)
This regulation allows the use of emission factors (such as those from AP-42) to determine if the emissions from a landfill are subject to the requirements of PSD and/or NSR.

6NYCRR 208 .5 (d)
This condition provides the equation to be used to determine the efficiency of the control system in destroying the non-methane organic carbon in the landfill gas.

6NYCRR 208 .6 (a)
This regulation sets forth the provisions for determining if the gas collection system at a municipal solid waste landfill is in compliance with 6 NYCRR Part 208.3(b)(2)(i). It provides the equation to be used to determine the maximum expected gas generation flow rate from the landfill.

6NYCRR 208 .6 (b)
This regulation specifies that landfill gas collection wells must be installed in sections of the landfill where waste has been in place for 5 years, if the section is active, or 2 years if the section is closed or at final grade.

6NYCRR 208 .6 (c)
This condition sets forth the procedures to be used to determine the concentration of methane on the surface of the landfill.

6NYCRR 208 .6 (d)
This condition sets forth the equipment specifications of the analyzer used to determine the concentration of methane on the surface of the landfill.

6NYCRR 208 .7 (a)
This condition sets forth the monitoring requirements for the collection system. The temperature, pressure and either oxygen or nitrogen content of the gas must be checked monthly.

6NYCRR 208 .7 (c)
This condition sets forth the requirements for the use of a flare to control landfill gas.

6NYCRR 208 .7 (d)
This condition requires for landfills that use a device other than an open flare or enclosed combustor to control the landfill gas, the owner or operator provide information satisfactory to the Department describing the operation of the control device, the operating parameters that would indicate proper performance and appropriate monitoring procedures.

6NYCRR 208 .7 (f)
This regulation specifies that the instrument used to monitor the concentration of methane on the surface of the landfill must meet the specifications in 6 NYCRR Part 208.6(c). It also allows the owner of a closed landfill to monitor the surface methane concentration on an annual basis if there are no exceednances of the surface methane standard for three consecutive monitoring events.

6NYCRR 208 .8 (f)
This condition requires the owner or operator of a landfill seeking to comply with 6 NYCRR Part 208.3(b)(2) using an active collection system designed in accordance with 6 NYCRR Part 208.3(b)(2)(ii) to submit to the Department annual reports. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8.

6NYCRR 208 .8 (g)
This condition specifies the information required to be included in the performance test report.

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 208 .9 (b)
This condition requires the owner or operator of the landfill to keep up-to-date, readily accessible records for the life of the control equipment of the data gathered during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 7 years. Records of the control device vendor specifications shall be maintained until removal.

6NYCRR 208 .9 (c)
This condition requires the owner or operator of the landfill shall keep for 7 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 6 NYCRR Part 208.7 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

6NYCRR 208 .9 (d)
This condition requires the owner or operator of the landfill to keep, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector (eg. well) in the system and

providing a unique identification location label for each collector.

6NYCRR 208 .9 (e)
This condition requires the owner or operator of the landfill to keep for at least 7 years of up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 6 NYCRR Part 208.4, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

6NYCRR 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.

Non Applicability Analysis
List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40CFR 52-A.21	Prevention of Significant Deterioration

Reason: The existing facility is a minor source of attainment area pollutants including nitrogen oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO2) and particulate matter less than 10 microns (PM-10). As such, the proposed project emissions were compared with the major source threshold of 250 tons per year (tpy) to determine whether or not the project is subject to Prevention of Significant Deterioration (PSD) for the attainment area pollutants. The project potential to emit (PTE) for all these contaminants were below 250 tpy and are as follows:

NOx = 69 tpy
CO = 200 tpy
SO2 = 29 tpy
PM-10 = 12 tpy

Thus, this project is not subject to PSD. However, total facility-wide PTE emissions after the project is complete will be major for CO. Specifically, the existing facility CO emissions emitted by the flare results in a PTE of 190 tpy. The proposed LFGTE project has a CO PTE of 200 tpy. Both the existing facility and proposed project emissions, by themselves, are less than the major source threshold of 250 tpy. However, the resulting facility-wide CO PTE is 390 tpy which is greater than the major facility size threshold of 250 tpy. As such, the facility will be evaluated as an existing major source for any future PSD projects.

FACILITY	40CFR 64	COMPLIANCE ASSURANCE MONITORING

Reason: Chautauqua County does not operate Pollutant-Specific Emission Units (PSEU) at a major source that use a control device to achieve compliance with any emission limitation or standard. Therefore, Chautauqua County Landfill is not subject to the Compliance Assurance Monitoring (CAM) requirements.

FACILITY	6NYCRR 227-2	Reasonably available control technology for NOx

Reason: The existing facility nitrogen oxide (NOx) emissions emitted by the flare results in a potential to emit (PTE) of 10 tons per year (tpy). The proposed landfill gas to energy project has a NOx PTE of 69 tpy. The resulting facility-wide NOx PTE is 79 tpy which is less than the major facility size threshold of 100 tpy. As such, the combustion sources are not subject to the NOx RACT requirements of 6NYCRR Part 227-2.

FACILITY	6NYCRR 231-2	New Source Review in Nonattainment Areas and Ozone Transport Region

Reason: The existing facility is a non-major source of non-attainment area pollutants, including volatile organic compounds (VOC) and nitrogen oxides

(NOx). As such, the proposed project emissions were compared with the major source thresholds of 50 tons per year (tpy) VOC and 100 tpy NOx. The proposed project, by itself, is a minor source of VOC and NOx emissions. In addition, the facility remains a non-major source after the project is complete. The total facility-wide VOC and NOx PTE emissions, including emissions from the existing landfill and the proposed landfill gas to energy (LFGTE) project, are 15 tpy VOC and 79 tpy NOx. Therefore, the facility is not a major source of non-attainment contaminants and is not subject to New Source Review requirements.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(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

Summary of monitoring activities at CHAUTAUQUA COUNTY LANDFILL:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
1-LFGTE	61	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
1-LFGTE	62	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
1-LFGTE	58	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
1-LFGAS/-/GAS/01FLR	57	record keeping/maintenance procedures
1-LFGTE	59	record keeping/maintenance procedures
FACILITY	27	work practice involving specific operations
FACILITY	28	work practice involving specific operations
FACILITY	29	work practice involving specific operations
FACILITY	30	ambient air monitoring
FACILITY	32	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance

1-LFGTE	60	procedures monitoring of process or control device parameters as surrogate

Basis for Monitoring

APPLICABLE REQUIREMENTS:

6NYCRR Part 202-1 - Required Emission Tests:

The design emission rates of the internal combustion engines for nitrogen oxides (NOx) and carbon monoxide (CO) are 0.6 grams per brake horsepower-hour (g/bhp-hr) and 3.0 g/bhp-hr, respectively. The design emission rates were used to assess the non-applicability of the facility to New Source Review (6NYCRR Part 231-2), Prevention of Significant Deterioration (40CFR52.21) and Reasonably Available Control Technology for Oxides of Nitrogen (6 NYCRR Part 227-2). The Department requires routine performance testing and periodic monitoring of the internal combustion engines to confirm the engines consistently operate within the design criteria.

6NYCRR Part 208 - Landfill Gas Collection and Control Systems for Certain Municipal Solid Waste Landfills:

On July 16, 2007 gas samples were collected from the main header of the Chautauqua County Landfill active gas collection system and analyzed for NMOC. Based on these results, Chautauqua County recalculated the NMOC emission rates from the landfill using LandGEM. The results were provided to the Department in January, 2008 and demonstrated the uncollected NMOC emission rate from the landfill is greater than 50 megagrams per year. In accordance with the regulation, Chautauqua County is now required to submit a collection and control system design plan to the Department within 1 year or by January 1, 2009. In addition, Chautauqua County is required to install the Department approved collection and control system within 30 months or by June 1, 2010.

As stated in 6NYCRR Part 208.3, the regulatory standards for operation of an open flare require the flare be designed and operated in accordance with 40 CFR Section 60.18. Chautauqua County must test the flare to demonstrate compliance with 40CFR60.18 within 60 days after achieving the maximum production rate but not later than 180 days after initial start-up of the LFGTE plant.

The regulatory standards for combusting the landfill gas in stationary internal combustion engines to produce electricity require that a gas pre-treatment system be utilized. 6NYCRR Part 208.3 and the governing EPA rule, identified as 40CFR60 Subpart Cc - Emission Guidelines, currently do not provide sufficient details about the pre-treatment system. EPA has recognized the need for more detailed requirements and has proposed changes to the rule on September 8, 2006. The proposed changes have been incorporated into this permit as described below in 40CFR60 Subpart Cc.

Proposed Amendments to 40 CFR60 Subpart Cc - Emission Guidelines for Municipal Solid Waste Landfills:

EPA clarified the definition of a treatment system by adding specific numerical values that would

provide long-term protection of the combustion equipment, which would support good combustion. For particulate matter filtration, a filter system would be required to have an absolute rating no greater than 10 microns. For dewatering, the system would be required to reduce the dew point by at least 20 degrees Fahrenheit. In addition, EPA clarified the monitoring requirements for treatment systems. To ensure that treatment systems are operating properly to achieve the filtration and de-watering levels specified in the revised proposed treatment system definition, they proposed more specific monitoring, recordkeeping, and reporting requirements. They also proposed that owners/operators of treatment systems monitor pressure drop across the filtration system and temperature or dew point for dewatering systems, depending on the type of de-watering system.

The permit requires Chautauqua County to submit a monitoring plan within 180 days of startup. The plan should provide documentation that the pre-treatment system satisfies the EPA definition and provide monitoring methods used for the filtering, dewatering and compression processes to ensure the treatment system operates as designed.

6NYCRR Part 212 - General Process Emission Sources:
Due to noted odor complaints and the need to evaluate the impact of the landfill on nearby receptors, an Air Quality Impact Evaluation was requested by the Department in March, 2007. The elements of the Air Quality Impact Evaluation included a landfill gas sampling program, air dispersion model analysis and ambient hydrogen sulfide monitoring program. The ambient air quality impact analysis was completed in January, 2008 and demonstrated the facility emissions do not exceed the SGCs, AGCs or AAQS. Based on the results of the Air Dispersion Model Analysis, an ambient hydrogen sulfide monitoring program was not requested.

6NYCRR Part 227-1.3(a) - Stationary Combustion Installations:
Chautauqua County must operate the engines with less than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with the opacity standard will be accomplished by completing weekly visible emission observations. Within 180 days of startup, Chautauqua County Landfill shall submit an Operation and Maintenance (O&M) plan for the engines. The O&M plan shall outline proper operation and maintenance procedures to minimize emission from the engines. The plan shall include, but is not limited to: operation requirements, maintenance schedule, reporting, and recordkeeping.

40CFR63 Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills:
Chautauqua County must comply with the startup, shutdown, and malfunction requirements in Subpart A of this part as specified in Table 1 of this subpart and all affected sources must submit compliance reports every 6 months including information on all deviations that occurred during the 6-month reporting period.