



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

Permit ID: 9-1462-00001/00013

Renewal Number: 1

Modification Number: 1 09/10/2013

Facility Identification Data

Name: CHAFFEE LANDFILL

Address: 10860 OLEAN RD

CHAFFEE, NY 14030-9799

Owner/Firm

Name: WASTE MANAGEMENT OF NEW YORK LLC

Address: 1001 FANNIN STE 4000

HOUSTON, TX 77002, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Phone:7168512165

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Air Permitting Contact:

Name: THOMAS LEWIS

Address: WASTE MANAGMENT OF NY LLC - CHAFFEE

10860 OLEAN RD

CHAFFEE, NY 14030-9799

Phone:7164965192

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

This application is for a modification to the existing Title V permit for the Chaffee Landfill. WMNY is proposing an expansion to the existing landfill (Valley Fill Expansion) that will add 2 million cubic yards of airspace and increase the life of the existing landfill by 2.3 years. The project increase is below the applicable significant thresholds for all pollutants.

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Attainment Status

CHAFFEE LANDFILL is located in the town of SARDINIA in the county of ERIE. 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*	MARGINAL NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description:

The Chaffee Landfill is a municipal solid waste landfill located on 700 acres of property owned by WMNY. Emission sources at the facility include fugitive emissions from the landfill; LFG combustion emissions from a 910-cfm flare, a 3,300 cfm enclosed flare, and eight IC engines; combustion emissions from heating equipment; emissions from surface coating operations; and evaporative emissions from fuel and oil storage tanks, leachate tanks, and parts washers.

Permit Structure and Description of Operations

The Title V permit for CHAFFEE LANDFILL

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

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



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

Emission unit P00001 - This emission unit is a Renewable Energy Facility (REF) consisting of eight (8) Caterpillar 3516 internal combustion reciprocating engines rated at 1148 Bhp per engine. The landfill gas is treated using filtration, dewatering, and compression prior to combustion in the REF. Exhaust gases from the engines vent to the atmosphere.

Emission unit P00001 is associated with the following emission points (EP):
00001, 00002, 00003, 00004, 00005, 00006, 00007, 00008

Process: 601 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (REF) contains eight (8) Caterpillar 3516 internal combustion (IC) reciprocating engines rated at 1148 Bhp per engine. This process is for the original six (6) engines (ENG01, ENG02, ENG03, ENG04, ENG05 and ENG06). The landfill gas will enter the REF compressor room for treatment (LFG01) using filtration, dewatering, and compression prior to being combusted in the engines. Condensate formed during the treatment of the landfill gas drains to an underground tank where it is later transferred to a tanker truck to be hauled to a waste water treatment plant for disposal.

Process: 602 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (P-00001) will have an insignificant emission point called a "crankcase breather vent." The function of the crankcase breather vent is to allow moisture in each of the engines crankcase to be vented so water does not collect in the engines oil pan. The water vapor might contain some motor oil in the form of a mist. Other insignificant emissions might come from the virgin motor oil storage tank, the used oil storage tank, the landfill gas condensate tank and the gas chromatograph vent. Calculations for these emissions are included with this application.

Process: 603 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (REF) contains eight (8) Caterpillar 3516 internal combustion (IC) reciprocating engines rated at 1148 Bhp per engine. This process is for the two (2) additional engines (ENG07 & ENG08). The landfill gas will enter the REF compressor room for treatment (LFG01) using filtration, dewatering, and compression prior to being combusted in the engines. Condensate formed during the treatment of the landfill gas drains to an underground tank where it is later transferred to a tanker truck to be hauled to a waste water treatment plant for disposal.

Emission unit M00001 - Miscellaneous maintenance activities are performed at the facility for the equipment and vehicles owned by Chaffee Landfill. These activities include a paint booth and two exempt parts cleaning tank.



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Emission unit M00001 is associated with the following emission points (EP):
M0001, M0002

Process: PSB is located at Building MB - Chaffee Landfill operates a paint spray booth to coat miscellaneous metal parts. The booth is approximately 25 feet wide and 60 feet long. A high volume low pressure (HVLP) spray gun is used with a rated capacity of 0.117 gal/min. Emissions are vented through particulate filters, rated at 90% efficiency and then exhausted through two identical stacks.

Emission unit L00001 - Chaffee Landfill operates a municipal solid waste (MSW) landfill. The proposed Valley Fill Expansion, designated as new emission source LNDF3, will increase the total design capacity of the landfill from 17,456,922 cubic yards to 19,496,520 cubic yards of refuse.

Air emissions are controlled by internal combustion engines, an enclosed flare and an open flare. Air emissions from the landfill include primarily combustion components and fugitive emissions from the uncontrolled landfill gas. The power production plant (PPP) contains eight internal combustion reciprocating engines rated at 1148 Bhp per engine. The landfill gas is treated using filtration, dewatering, and compression prior to combustion in the Renewable Energy Facility (REF). Exhaust gases from the engines vent to the atmosphere.

Emission unit L00001 is associated with the following emission points (EP):
L0001, L0002

Process: 183 Fugitive dust is generated through the process of landfilling refuse as a result of vehicle traffic. Dust is controlled by periodic wetting of the facility access roads to ensure visible emissions do not exceed regulatory limitations at the property boundary. No wetting of the roads is conducted when precipitation occurs.

Process: 301 The landfill generates gases as a byproduct of decomposition of the waste placed at the facility. This gas is collected by a landfill gas collection and control system designed and operated in accordance with 40CFR60 Subpart WWW and 40CFR63 Subpart AAAA. Landfill gas not otherwise collected is fugitive.

Process: LEA Landfill operations produce leachate which is collected in leachate tanks and condensate tanks. As the tanks near their capacity, the leachate is pumped into trucks and shipped off-site.

Process: LGF The landfill generates gases as a byproduct of decomposition of the waste placed at the facility. This gas is collected by a landfill gas collection and control system designed and operated in accordance with 40CFR60 Subpart WWW and 40CFR63 Subpart AAAA. Landfill gas not otherwise collected is fugitive.

Chaffee Landfill operates a Renewable Energy Facility (REF) which consists of eight (8)



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Caterpillar 3516 internal combustion (IC) reciprocating engines rated at 1148 Bhp per filtration, dewatering, and compression prior to being combusted in the engines. Condensate formed during the treatment of the landfill gas drains to an underground tank where it is later transferred to a tanker truck to be hauled to a waste water treatment plant for disposal.

Chaffee Landfill also operates a John Zink enclosed ground flare system for control of the excess landfill gas not being used by the REF. The flare has dimensions of 11 feet 4 inches outer diameter by 40 feet 1 inch tall. It has a design heat input rating of 90 million British Thermal Units per hour (MMBtu/hr) and is capable of combusting up to 198,000 cubic feet per hour of landfill gas.

Title V/Major Source Status

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

Facility is major for nitrogen oxides, carbon monoxide, and greenhouse gases.

Program Applicability

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

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



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(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

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

SIC Code	Description
4953	REFUSE SYSTEMS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information.Each SCC represents

a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
2-01-008-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS Reciprocating
2-01-008-05	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS
4-02-001-10	RECIPROCATING: CRANKCASE BLOWBY SURFACE COATING OPERATIONS SURFACE COATING APPLICATION - GENERAL Paint: Solvent-Base
4-03-888-05	PETROLEUM PRODUCT STORAGE AT REFINERIES PETROLEUM PRODUCT STORAGE - FUGITIVE EMISSIONS Specify in Comments Field
5-01-004-02	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP FUGITIVE EMISSIONS
5-01-004-06	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-02-006-01	LANDFILL GAS COLLECTION SYSTEM: OTHER SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP
5-03-006-02	WASTE GAS FLARES ** (USE 5-01-004-10) SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - LANDFILL DUMP Liquid Waste Disposal

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or

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VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	Range
		lbs/yr	
000079-34-5	1,1,2,2-TETRACHLOROETHANE		> 0 but < 10 tpy
000107-06-2	1,2-DICHLOROETHANE		> 0 but < 10 tpy
000108-10-1	2-PENTANONE, 4-METHYL		> 0 but < 10 tpy
000071-43-2	BENZENE		> 0 but < 10 tpy
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		>= 100,000 tpy
000075-15-0	CARBON DISULFIDE		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 250 tpy but < 75,000 tpy
000056-23-5	CARBON TETRACHLORIDE		> 0 but < 10 tpy
000463-58-1	CARBONYL SULFIDE		> 0 but < 10 tpy
000108-90-7	CHLOROBENZENE		> 0 but < 10 tpy
000067-66-3	CHLOROFORM		> 0 but < 10 tpy
000075-09-2	DICHLOROMETHANE		> 0 but < 10 tpy
000071-55-6	ETHANE, 1,1,1-TRICHLORO		> 0 but < 10 tpy
000075-34-3	ETHANE, 1,1-DICHLORO-		> 0 but < 10 tpy
000075-00-3	ETHANE, CHLORO		> 0 but < 10 tpy
000075-35-4	ETHENE, 1,1-DICHLORO		> 0 but < 10 tpy
000100-41-4	ETHYLBENZENE		> 0 but < 10 tpy
000110-54-3	HEXANE		> 0 but < 10 tpy
007647-01-0	HYDROGEN CHLORIDE		> 0 but < 10 tpy
007439-97-6	MERCURY		> 0 but < 10 tpy
000074-82-8	METHANE		>= 250 tpy but < 75,000 tpy
0NY998-20-0	NMOC - LANDFILL USE ONLY		>= 25 tpy but < 40 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 100 tpy but < 250 tpy
0NY075-00-0	PARTICULATES		>= 10 tpy but < 25 tpy
000127-18-4	PERCHLOROETHYLENE		> 0 but < 10 tpy
0NY075-00-5	PM-10		>= 10 tpy but < 25 tpy
000078-87-5	PROPANE, 1,2-DICHLORO		> 0 but < 10 tpy
000107-13-1	PROPENENITRILE		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE		>= 50 tpy but < 100 tpy
000108-88-3	TOLUENE		> 0 but < 10 tpy
0NY100-00-0	TOTAL HAP		>= 2.5 tpy but < 10 tpy
000079-01-6	TRICHLOROETHYLENE		> 0 but < 10 tpy

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000075-01-4	VINYL CHLORIDE	> 0 but < 10 tpy
0NY998-00-0	VOC	>= 10 tpy but < 25 tpy
001330-20-7	XYLENE, M, O & P MIXT.	> 0 but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

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

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

Item C: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

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



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- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.
- Item J: Permit Shield - 6 NYCRR Part 201-6.4(g)**
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:
- i. The ability of the Department to seek to bring suit on behalf of the State of



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New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless 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



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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	ECL 19-0301	93	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.11 (d)	36	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	37	General provisions - Circumvention
L-00001/-/LGF/FLR03	40CFR 60-A.18 (c)	1 -20	Control Device Requirements (Flares)
L-00001/-/LGF/FLR03	40CFR 60-A.18 (d)	1 -21	Control Device

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L-00001/-/LGF/FLR03	40CFR 60-A.18 (e)	1	-22	Requirements (Flares) Control Device
L-00001/-/LGF/FLR03	40CFR 60-A.18 (f)	1	-23	Requirements (Flares) Control Device
FACILITY	40CFR 60-A.4		27	Requirements (Flares) General provisions - Address
FACILITY	40CFR 60-A.7 (c)		28	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (d)		29	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (f)		30	Notification and Recordkeeping
FACILITY	40CFR 60-A.8 (b)		31	Performance Tests
FACILITY	40CFR 60-A.8 (d)		32	Performance Tests
FACILITY	40CFR 60-A.8 (e)		33	Performance Tests
FACILITY	40CFR 60-A.8 (f)		34	Performance Tests
FACILITY	40CFR 60-A.9		35	General provisions - Availability of information
FACILITY	40CFR 60- WWW.752 (b) (2)		38	Standards for air emissions from MSW landfills
FACILITY	40CFR 60- WWW.752 (b) (2) (1	-16	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
FACILITY	40CFR 60-WWW.753 (a)		39	Operational standards for collection and control systems
FACILITY	40CFR 60-WWW.753 (b)		40	Op Standards for collection/ control systems-Pressure
FACILITY	40CFR 60-WWW.753 (c)		41, 42	Operational Standards for Collection and Control Systems
FACILITY	40CFR 60-WWW.753 (d)		43	Operational Standards for Collection and Control Systems - Surface Methane
FACILITY	40CFR 60-WWW.753 (e)		44	Operational Standards for Collection and Control Systems - Collected Gases to Control System
FACILITY	40CFR 60-WWW.753 (f)		45	Operational Standards for Collection and Control Systems - Control Systems
FACILITY	40CFR 60-WWW.753 (g)		46	Operational Standards for Collection and Control Systems - Control Systems
FACILITY	40CFR 60-WWW.754 (b)		48	Operational Standards for Collection and Control Systems - Corrective Action Test Methods and Procedures
FACILITY	40CFR 60-WWW.754 (d)		49	Performance Test
FACILITY	40CFR 60-WWW.755 (b)		50	Compliance Provisions - wells
FACILITY	40CFR 60-WWW.755 (c)		51	Compliance Provisions - surface methane
FACILITY	40CFR 60-WWW.755 (d)		52	Compliance Provisions - instrumentation specifications



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FACILITY	40CFR 60-WWW.755 (e)	53	Compliance Provisions - Start-up, shutdown, or malfunction
FACILITY	40CFR 60-WWW.756 (a)	54	Monitoring of Operations
FACILITY	40CFR 60-WWW.756 (b)	55	Monitoring of Operations - Enclosed Combustor
FACILITY	40CFR 60-WWW.756 (f)	56	Monitoring of Operations - Surface Methane
FACILITY	40CFR 60-WWW.757 (d)	57	Reporting Requirements - Closure Report
FACILITY	40CFR 60-WWW.757 (e)	58	Reporting Requirements - Control Equipment Removal
FACILITY	40CFR 60-WWW.757 (f)	59	Reporting requirements - Annual Reports
FACILITY	40CFR 60-WWW.757 (g)	60	Reporting requirements - Collection and control system
FACILITY	40CFR 60-WWW.758 (a)	61	Recordkeeping requirements - waste
FACILITY	40CFR 60-WWW.758 (b)	62	Recordkeeping requirements - control equipment
FACILITY	40CFR 60-WWW.758 (c)	63	Recordkeeping requirements - operating parameters
L-00001/-/LGF/OLGF1	40CFR 60-WWW.758 (c)	1 -19	Recordkeeping requirements - operating parameters
FACILITY	40CFR 60-WWW.758 (d)	64	Recordkeeping requirements - collectors
FACILITY	40CFR 60-WWW.758 (e)	65	Recordkeeping requirements - exceedances of operational standards
FACILITY	40CFR 60-WWW.759 (a)	66	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759 (b)	67	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759 (c)	68	Specifications for active collection systems
FACILITY	40CFR 61-M.154	69	Standard for active waste disposal sites
FACILITY	40CFR 63-AAAA.1955 (b)	70	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 63-AAAA.1980 (a)	71	Recordkeeping and Reports
P-00001	40CFR 63-ZZZZ	1 -28	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	21	Chemical accident prevention provisions

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FACILITY	40CFR 82-F	22		Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.3	23		False Statement.
FACILITY	6NYCRR 200.6	1		Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10		Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	1	-29, 1 -30	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	1	-2	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12		Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	1	-3	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	1	-4	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	24, 72, 73, 1	-5	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	1	-6	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	1	-7	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	1	-8	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	1	-9	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	1	-11	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	1	-12	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	1	-13	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)(6)	1	-14	Off Permit Changes
FACILITY	6NYCRR 201-7.1	1	-17	Emission Capping in Facility Permits
P-00001	6NYCRR 201-7.1	1	-25, 1 -26	Emission Capping in Facility Permits
P-00001	6NYCRR 202-1	1	-27	Emission Testing, Sampling and Analytical Determinations
FACILITY	6NYCRR 202-1.1	19		Required emissions tests.
FACILITY	6NYCRR 202-2.1	7		Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8		Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	1	-15	General Prohibitions - air pollution



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FACILITY	6NYCRR 211.2	1	-31	prohibited General Prohibitions - visible emissions limited.
M-00001	6NYCRR 212.4 (c)	81		General Process Emission Sources - emissions from new processes and/or modifications
M-00001/-/PSB	6NYCRR 212.4 (c)	85		General Process Emission Sources - emissions from new processes and/or modifications
M-00001/-/PSB	6NYCRR 212.5 (b)	86		Applicable emission standards
M-00001	6NYCRR 212.6 (a)	1	-24	General Process Emission Sources - opacity of emissions limited
FACILITY	6NYCRR 215.2	1	-1	Open Fires - Prohibitions
L-00001	6NYCRR 227-1.3 (a)	1	-18	Smoke Emission Limitations.
P-00001	6NYCRR 227-2.4 (f) (2)	1	-33	Emission limit for engines running on landfill gas.
L-00001	6NYCRR 227-2.4 (g)	1	-32	Other combustion installations.
M-00001	6NYCRR 228-1.10	84		Handling, storage and disposal of VOCs
M-00001	6NYCRR 228-1.7	82		Table 1
M-00001	6NYCRR 228-1.8	83		Table 2
P-00001	6NYCRR 231-2	1	-25, 1 -26	New Source Review in Nonattainment Areas and Ozone Transport Region

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

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

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment



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maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

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

6 NYCRR 201-6.4 (c)



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

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

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

6 NYCRR 201-6.4 (d) (5)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (f) (6)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.1

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

6 NYCRR 202-2.5

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

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except



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for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

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

40 CFR 60.11 (d)

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

40 CFR 60.12

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

40 CFR 60.18 (c)

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

40 CFR 60.18 (d)

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

40 CFR 60.18 (e)

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



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40 CFR 60.18 (f)

Required flares used to comply with the provisions in this subpart shall comply with the following:

1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

3) The net heating value of the gas being combusted in a flare shall be calculated using the equation found in 40CFR 60.18(f)(3).

4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

5) The maximum permitted velocity, V_{max} , for flares complying with 40CFR 60.18(c)(4)(iii) shall be determined by the equation given in 40CFR 60.18(f)(5).

6) The maximum permitted velocity, V_{max} , for air assisted flares shall be determined by the equation given in 40CFR 60.18(f)(6).

40 CFR 60.4

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

40 CFR 60.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40 CFR 60.7 (d)

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

40 CFR 60.7 (f)

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



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40 CFR 60.752 (b) (2)

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

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

In accordance with 40 CFR §60.752(b)(2)(iii)(C), landfill gas collected from a MSW landfill may be either combusted in an appropriate control device or routed to a treatment system that processes the collected gas for subsequent sale or use.

Treatment is defined by EPA and the Department as compression, dewatering and filtering of particulate. Waste Management has installed the following treatment system:

Filtration: At a minimum, the system will filter landfill gas using a dry filter or similar device (e.g., impaction, interception or diffusion device). The filter shall reduce particulate matter in the gas stream to a size of at least 10 microns.

Dewatering: Landfill gas is de-watered by cooling the superheated gas from the blower in the cooler. Landfill gas is cooled in the cooler, lowering the gas temperature to below the dew point and causing the water in the gas to condense. The condensed water is then trapped in the filters after the cooler. The cooled gas is then reheated prior to entering the gas plant. The system will de-water landfill gas using chillers, air-to-air coolers, dehumidification devices or other dehydration equipment as approved by the Department.

Compression: Landfill gas is extracted from the landfill under vacuum and compressed in a rotary blower. The gas is compressed in the blower such that it is approximately 5 to 7 psi coming out of the blower. The system will compress landfill gas using gas blowers or similar devices approved by the Department.

WMNY shall operate the treatment system at all times according to manufacturer's specifications when gas is routed for subsequent sale or use. WMNY submitted an acceptable monitoring plan to the Department for the treatment system. The plan describes the monitoring for the filtering, dewatering and compression of the landfill gas to assure that the treatment system operates as designed. This monitoring plan shall be followed at all times during operation of the treatment system.

40 CFR 60.753 (a)

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

40 CFR 60.753 (b)

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

40 CFR 60.753 (c)

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



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40 CFR 60.753 (d)

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

40 CFR 60.753 (e)

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

40 CFR 60.753 (f)

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

40 CFR 60.753 (g)

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

40 CFR 60.754 (b)

After the installation of a collection and control system in compliance with 40 CFR Part 60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in 40 CFR Part 60.752(b)(2)(v).

40 CFR 60.754 (d)

This condition requires that Method 18 or 25C be used to determine the destruction efficiency of the control system. An efficiency of 98% must be achieved, or the outlet NMOC concentration must be less than 20 ppm.

40 CFR 60.755 (b)

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

40 CFR 60.755 (c)

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

40 CFR 60.755 (d)

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

40 CFR 60.755 (e)

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

40 CFR 60.756 (a)

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



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40 CFR 60.756 (b)

This condition sets forth the monitoring requirements for an enclosed combustor used to control landfill gas. Flow rate and temperature must be monitored.

40 CFR 60.756 (f)

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

40 CFR 60.757 (d)

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

40 CFR 60.757 (e)

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

40 CFR 60.757 (f)

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

40 CFR 60.757 (g)

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

40 CFR 60.758 (a)

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

40 CFR 60.758 (b)

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

40 CFR 60.758 (c)

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

40 CFR 60.758 (d)

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

40 CFR 60.758 (e)

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

40 CFR 60.759 (a)

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



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system.

40 CFR 60.759 (b)

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

40 CFR 60.759 (c)

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

40 CFR 60.8 (b)

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

40 CFR 60.8 (d)

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

40 CFR 60.8 (e)

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

40 CFR 60.8 (f)

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

40 CFR 60.9

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

40 CFR 61.154

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

40 CFR 63.1955 (b)

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

40 CFR 63.1980 (a)

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

- any time the monitoring of wellhead parameters showed exceedances of temperature, pressure and nitrogen or 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



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- date of installation and location of any additional wells for the collection system.

40 CFR Part 63, Subpart ZZZZ

WMNY shall submit a compliance and monitoring plan to the department no later than two (2) months following the issue date of the Title V Permit to document the requirements of 40 CFR 63 Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). The plan shall include, for each affected RICE, the applicable: (1) compliance date, (2) emission and operating limitations, (3) testing and initial compliance requirements, (4) continuous compliance requirements, and (5) notifications, reports and records.

6 NYCRR 200.3

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

6 NYCRR 201-6.4 (a) (4)

The owner or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

6 NYCRR 201-6.4 (a) (7)

The owner or operator of a facility shall pay fees to the department consistent with the fee schedule authorized by Subpart 482-2 of this Title.

6 NYCRR 201-6.4 (a) (8)

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;



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- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

6 NYCRR 201-6.4 (c)

Permit conditions for recordkeeping and reporting of compliance monitoring.

- (1) The following information must be included in records and reports:
 - (i) the date, place as defined in the permit, and time of any required sampling or measurements;
 - (ii) the date(s) any required analyses were performed;
 - (iii) the company or entity that performed any required analyses;
 - (iv) the analytical techniques or methods used including quality assurance and quality control procedures if required;
 - (v) the results of such analyses including quality assurance data where required;
 - (vi) the operating conditions as existing at the time of any required sampling or measurement;
 - (vii) any deviation from permit requirements must be clearly identified; and
 - (viii) reports must be certified by a responsible official, consistent with section 201-6.2 of this Subpart.

6 NYCRR 201-6.4 (c) (2)

Records of all monitoring data and support information must be retained for a period of at least five years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, all quality assurance information and copies of all reports required by the permit.



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6 NYCRR 201-6.4 (d) (4)

Progress reports consistent with an applicable schedule of compliance and are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

6 NYCRR 201-6.4 (f) (6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

- (i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (ii) The permit shield described in section 201-6.4 of this Subpart shall not apply to any change made pursuant to this paragraph.

6 NYCRR 201-7.1

The owner or operator of a facility subject to this Part may elect to accept federally enforceable permit conditions which restrict or cap emissions from the facility or an emission source below one or more applicable requirements or where needed to establish an emission reduction credit as defined in Part 231 of this Title.



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6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 212.4 (c)

This rule requires existing sources (in operation after July 1, 1973) of solid particulates with environmental rating of B or C which are not subject to Table 5 "Processes for which Permissible Emission Rate is Based on Process Weight", to be limited to an particulate emission rate not to exceed 0.05 grains per dry standard cubic foot.

6 NYCRR 212.5 (b)

This section establishes emission rates for a single control device that exits to the atmosphere through more than one emission point.

6 NYCRR 212.6 (a)

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

6 NYCRR 227-1.3 (a)

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

6 NYCRR 227-2.4 (f) (2)

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

6 NYCRR 227-2.4 (g)

This subdivision establishes NO_x RACT for emission sources that are subject to this rule but not specifically regulated under the other source categories of this rule.

6 NYCRR 228-1.10

This citation specifies the procedures and protocols for the handling, storage and disposal of volatile organic compounds.

6 NYCRR 228-1.7

Table 1 lists the processes and a description of products that are regulated by Part 228 and the maximum permitted pounds of volatile organic compounds per gallon of coating at application.



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6 NYCRR 228-1.8

Table 2 lists the processes and a description of products that are regulated by Part 228 and the maximum permitted pounds of volatile organic compounds per gallon of coating at application.

6 NYCRR Subpart 202-1

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

6 NYCRR Subpart 231-2

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

Compliance Certification

Summary of monitoring activities at CHAFFEE LANDFILL:

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

FACILITY	1-16	record keeping/maintenance procedures
FACILITY	40	work practice involving specific operations
FACILITY	41	work practice involving specific operations
FACILITY	42	work practice involving specific operations
FACILITY	43	ambient air monitoring
FACILITY	44	work practice involving specific operations
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	56	ambient air monitoring
FACILITY	59	record keeping/maintenance procedures
FACILITY	61	record keeping/maintenance procedures
FACILITY	62	record keeping/maintenance procedures
FACILITY	63	record keeping/maintenance procedures
L-00001/-/LGF/OLGF1	1-19	monitoring of process or control device parameters as surrogate
FACILITY	64	record keeping/maintenance procedures
FACILITY	65	record keeping/maintenance procedures
FACILITY	70	record keeping/maintenance procedures
FACILITY	71	record keeping/maintenance procedures
P-00001	1-28	record keeping/maintenance procedures
FACILITY	1-5	monitoring of process or control device parameters as surrogate
FACILITY	1-11	record keeping/maintenance procedures
FACILITY	1-13	record keeping/maintenance procedures
P-00001	1-25	monitoring of process or control device parameters as surrogate
P-00001	1-26	monitoring of process or control device parameters as surrogate



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P-00001	1-27	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
M-00001	81	intermittent emission testing
M-00001/-/PSB	85	record keeping/maintenance procedures
M-00001	1-24	monitoring of process or control device parameters as surrogate
L-00001	1-18	monitoring of process or control device parameters as surrogate
P-00001	1-33	intermittent emission testing
L-00001	1-32	record keeping/maintenance procedures
M-00001	84	record keeping/maintenance procedures
M-00001	82	work practice involving specific operations
M-00001	83	work practice involving specific operations

Basis for Monitoring

6NYCRR 201-7: WMNY must prove the emissions of Oxides of Nitrogen (NOx) will meet a 12-month rolling total of less than 100 tons/year for the original six (6) engines and meet a 12-month rolling total of less than 40 tons/year for the additional two (2) engines.

40CFR 60-WWW 752(b)(2)(iii)(‘B’): The owner or operator of the landfill shall test the control device to verify that the outlet concentration of NMOC from the device is less than 20 parts per million by volume (dry, as hexane, at 3% oxygen), or the owner or operator of the landfill shall test the emissions from the control device to determine that the device is reducing the emissions of NMOC by 98% (by weight).

40CFR 60-WWW 752(b)(2)(iii)(‘C’): In accordance with 40 CFR §60.752(b)(2)(iii)(C), landfill gas collected from a MSW landfill may be either combusted in an appropriate control device or routed to a “treatment system that processes the collected gas for subsequent sale or use.” Treatment is defined by EPA and the Department as compression, dewatering and filtering of particulate.

6NYCRR 227-1.3(a): No person shall operate a stationary combustion installation which exhibits greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

6NYCRR 227-2.6 (c): In order to show compliance with the NOx RACT standard of sources firing landfill gas of 2.0 grams per brake horsepower-hour, the facility is required to conduct an emission test under 6NYCRR Part 227-2.6(a)(7).