Facility Identification Data
Name: MODERN LANDFILL INC
Address: PLETCHER RD
MODEL CITY, NY 14107

Owner/Firm
Name: MODERN LANDFILL INC
Address: PO BOX 209
MODEL CITY, NY 14107-0209, USA
Owner Classification: Corporation/Partnership

Permit Contacts
Division of Environmental Permits:
Name: DAVID S DENK
Address: 270 MICHIGAN AVE
BUFFALO, NY 14203-2999
Phone:7168517165

Division of Air Resources:
Name: LAWRENCE F STILLER
Address: 270 MICHIGAN AVENUE
BUFFALO, NY 14203-2999

Air Permitting Facility Owner Contact:
Name: MARK G MARSACK
Address: MODERN LANDFILL INC
PO BOX 209
MODEL CITY, NY 14107-0209

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
MODERN LANDFILL INC is located in the town of LEWISTON in the county of NIAGARA.
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

Modern Landfill Inc.
Title V Permit
Site Description

Modern operates a solid waste landfill facility located at Pletcher and Harold Roads in Model City, New York. The landfill is permitted by the New York State Department of Environmental Conservation (NYSDEC) under 6 NYCRR Part 360, Solid Waste Management Facilities Regulations. The facility accepts municipal solid waste (MSW) and certain permitted non-hazardous industrial or special wastes. The landfill operations at the facility cover 232 acres and include: waste handling, tipping, covering, compacting, hauling, recyclable material sorting, construction & demolition (C&D) debris processing, tire shredding, leachate storage as well as equipment maintenance operations. The landfill has a landfill gas collection system which conveys collected LFG primarily to a separately owned and permitted landfill gas utilization facility. An enclosed flare is maintained on-site for contingencies. The Standard Industrial Classification (SIC) for Modern landfill facility is 4953.

Modern Landfill is permitted to burn a small quantity of clean landfill gas for comfort heat in heaters in the maintenance garage.

This permit is a renewal of the existing Title V permit which does not entail an increase in annual air emissions and will allow an annual placement rate of waste into the landfill of 815,000 tons per year. Also, facility volatile organic carbon (VOC) and oxides of nitrogen (NOx) emissions are capped below 50 tons per year and 100 tons per year, respectively, to avoid applicability of New Source Review (NSR) under 6NYCRR Part 231-2. In addition, facility carbon monoxide (CO) emissions are capped below 250 tons per year to avoid applicability of Prevention of Significant Deterioration (PSD) under 40CFR52.21, Subpart A.

There are four emission units at the facility as follows:

1-LFGAS - described as landfilling activities which includes an existing enclosed flare to combust landfill gas (LFG), when necessary.

2-LEACH - described as leachate storage and handling.

3-CDDEB - described as construction and demolition debris processing.

4-TIRES - described as tire processing, shredding and reclamation.

The facility operation is permitted primarily under the following regulations:

1.) 40 CFR 60 Subpart WWW New Source Performance Standards for Municipal Solid Waste Landfills.
2.) 6NYCRR Part 201-6 requires the facility to obtain a Title V permit .

Permit Structure and Description of Operations
The Title V permit for MODERN LANDFILL INC 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.

MODERN LANDFILL INC is defined by the following emission unit(s):
Emission unit 1LFGAS - THIS UNIT CONSISTS OF THE LANDFILL AREA THAT GENERATES LANDFILL GAS (LFG), AN ACTIVE COLLECTION SYSTEM, A 1,500-CFM ENCLOSED FLARE TO COMBUST THE LFG AND PROVISIONS FOR FUTURE INSTALLATION/OPERATION OF A 3,000 CFM ENCLOSED FLARE. THIS UNIT ALSO CONTAINS SIX SPACE HEATERS (WHICH DISCHARGE TO SEVEN EMISSION POINTS) IN THE MAINTENANCE GARAGE WHICH ARE BEING CONVERTED FROM BURNING PROPANE GAS TO LFG.
Emission unit 1LFGAS is associated with the following emission points (EP):
00001, F0002, MH001, MH002, MH003, MH004, MH005, MH006, MH007
It is further defined by the following process(es):
Process: FUGFUGITIVE LFG EMISSIONS (BEYOND THE COLLECTION EFFICIENCY OF THE GAS COLLECTION SYSTEM).
Process: GASLANDFILL GAS IS COLLECTED AND COMBUSTED IN A 1500 CFM FLARE. ADDITIONALLY, MODERN INTENDS TO INSTALL A 3,000 CFM FLARE WHEN LFG COLLECTION RATES APPROACH THE CAPACITY OF THE EXISTING FLARE (PROJECTED BY LFG MODELING TO OCCUR BY APPROXIMATELY 2005). THIS PROCESS ALSO INCLUDES COMBUSTION OF LFG IN THE MAINTENANCE GARAGE SPACE HEATERS ONCE EMISSION TESTING HAS DETERMINED

COMPLIANCE WITH SUBPART WWW EMISSION STANDARDS FOR NON-METHANE ORGANIC COMPOUNDS (NMOCs),IE: 98% THERMAL DESTRUCTION EFFICIENCY OR 20 PPM EMISSION AS STATED IN 40CFR60.752.

Emission unit 2LEACH - THIS UNIT CONSISTS OF ONE 1.1 MILLION-GALLON, ABOVE-GROUND, VERTICAL FIXED ROOF LEACHATE STORAGE TANK AND ONE WATER TRUCK USED TO SPRAY LEACHATE BACK ONTO THE ACTIVE LANDFILL AREA IN THE LEACHATE RECIRCULATION PROCESS.
Emission unit 2LEACH is associated with the following emission points (EP):
00003
It is further defined by the following process(es):
Process: EVPA 1.1 MILLION GALLON, ABOVE GROUND, VERTICAL FIXED ROOF STORAGE TANK IS USED TO STORE LEACHATE FROM THE LANDFILL. THE TANK IS VENTED TO PREVENT PRESSURIZATION. EMISSIONS CONSIST OF EVAPORATIVE LOSS OF LEACHATE.
Process: RECIN THIS PROCESS A WATER TRUCK FILLS UP WITH LEACHATE FROM THE ON-SITE STORAGE TANK AND THE OPERATOR SPRAYS THE LEACHATE THROUGH A NOZZLE MOUNTED ON THE TRUCK ONTO THE ACTIVE LANDFILL SURFACE.

Emission unit 3CDDEB - THIS UNIT CONSISTS OF A RUBBLE PROCESSING PLANT FOR CRUSHING CONSTRUCTION AND DEMOLITION MATERIAL, A VIBRATING SCREEN TO SORT MATERIAL BY SIZE AND A WATER SPRAY BAR TO DECREASE DUST EMISSIONS.
Emission unit 3CDDEB is associated with the following emission points (EP):
CD001, CD002
It is further defined by the following process(es):
Process: PRCCONSTRUCTION AND DEMOLITION MATERIALS ARE FED INTO THE RUBBLE PROCESSING PLANT AND CRUSHED. A WATER SPRAY BAR IS USED TO CONTROL DUST EMISSIONS.
Process: SCSAFTER PRIMARY CRUSHING THE DEBRIS IS RUN THROUGH A VIBRATORY SCREEN TO SEGREGATE PARTICLES OVER THREE INCHES WHICH ARE REPROCESSED. A WATER SPRAY BAR IS USED TO CONTROL DUST EMISSIONS.

Emission unit 4TIRES - THIS UNIT CONSISTS OF A TIRE SHREDDER POWERED BY A 350 KILOWATT DIESEL GENERATOR AND TROMMEL SCREEN WHICH IS POWERED BY A 100 HP DIESEL ENGINE. THE SHAKER TABLE IS EQUIPPED WITH CYCLONES AND BAG FILTERS TO CONTROL DUST EMISSIONS. THESE UNITS VENT WITHIN AN ENCLOSURE.
Emission unit 4TIRES is associated with the following emission points (EP):
CE001, CE002, CE003, CE004, D0001, D0002, D0003
It is further defined by the following process(es):
Process: ICEAFTER RIMS, TREADS AND STEEL CHORDS ARE REMOVED FROM THE TIRES, THEY ARE SHREDDED. EMISSIONS FROM THIS PROCESS ARE FROM THE DIESEL ENGINE USED TO POWER THE SHREDDER. SINCE NO EMISSIONS COME FROM THE SHREDDER, IT IS NOT REQUIRED TO BE LISTED AS A SOURCE.
Process: RUBAFTER SHREDDING THE TIRES ARE RUN THROUGH A MAGNETIZED SHAKER TABLE WHICH SORTS ANY UNDESIRABLE MATERIAL SUCH AS METAL PARTS. THE RUBBER THEN GOES THROUGH THE GRANULATOR WHICH FURTHER REDUCES PARTICLE SIZE. EMISSIONS FROM THIS PROCESS ARE PARTICULATE MATTER FROM THE SHAKER TABLE AND GRANULATOR WHICH ARE
CONTROLLED BY CYCLONES AND BAG FILTERS. ALSO, THERE ARE COMBUSTION EMISSIONS FROM THE DIESEL GENERATORS. SHOULD FUGITIVE EMISSIONS BE OBSERVED OF EQUIPMENT DURING THE WORK SHIFT, APPROPRIATE ACTION BY MODERN PERSONNEL IS REQUIRED TO ADDRESS THE SITUATION.

Title V/Major Source Status
MODERN LANDFILL INC is subject to Title V requirements. This determination is based on the following information:
This facility is not a major source of emissions but is required to obtain a Title V permit since it is subject to 40 CFR 60 WWW.

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

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

NOTES:
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
4953	REFUSE SYSTEMS
5093	SCRAP AND WASTE MATERIALS

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
2-02-001-02	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL(DIESEL) Reciprocating
3-05-020-01	MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS) Primary Crushing
3-05-020-02	MINERAL PRODUCTS STONE QUARRYING-PROCESSING (SEE ALSO 3-05-320 FOR DIFFERENT UNITS) Secondary Crushing/Screening
4-07-999-97	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - MISCELLANEOUS Specify in Comments
4-07-999-98	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - MISCELLANEOUS Specify in Comments
3-08-001-99	RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS - TIRE MANUFACTURE Other Not Classified
5-02-006-02	SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP MUNICIPAL: FUGITIVE EMISSIONS ** (USE 5-01-004-02)
5-02-006-01	SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP WASTE GAS FLARES ** (USE 5-01-004-10)

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
000071-43-2	BENZENE	pteyear	Y
000108-67-8	BENZENE, 1,3,5-TRIMETHYL-	pteyear	A
000106-46-7	BENZENE, 1,4-DICHLORO-	pteyear	Y

025551-13-7	BENZENE, TRIMETHYL- C9H12		pteyear		A
000095-47-6	BENZENE,1,2-DIMETHYL	pteyear		Y	
000630-08-0	CARBON MONOXIDE	pteyear		G	
000110-82-7	CYCLOHEXANE	pteyear		A	
000100-41-4	ETHYLBENZENE	pteyear		Y	
0NY100-00-0	HAP	pteyear		A	
000110-54-3	HEXANE	pteyear		Y	
007647-01-0	HYDROGEN CHLORIDE	pteyear		Y	
000074-82-8	METHANE	pteyear		H	
000078-93-3	METHYL ETHYL KETONE	pteyear		Y	
0NY210-00-0	OXIDES OF NITROGEN	pteyear		F	
0NY075-00-0	PARTICULATES	pteyear		F	
0NY075-00-5	PM-10	pteyear		F	
000100-42-5	STYRENE	pteyear		Y	
007446-09-5	SULFUR DIOXIDE	pteyear		B	
000108-88-3	TOLUENE	pteyear		Y	
000075-01-4	VINYL CHLORIDE	pteyear		Y	
0NY998-00-0	VOC	pteyear		A	
001330-20-7	XYLENE, M, O & P MIXT.	pteyear		Y	

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		74	Powers and Duties of the Department with respect to air pollution control
1-LFGAS	40CFR 52-A.21	69	Prevention of Significant Deterioration
FACILITY	40CFR 60-A	24	
FACILITY	40CFR 60-A.12	33	General provisions - Circumvention
1-LFGAS	40CFR 60-A.18(c)	70	Control Device Requirements (Flares)
1-LFGAS	40CFR 60-A.18(d)	71	Control Device Requirements (Flares)
1-LFGAS	40CFR 60-A.18(e)	72	Control Device Requirements (Flares)

1-LFGAS	40CFR 60-A.18(f)	73	Control Device Requirements (Flares)
FACILITY	40CFR 60-A.4	25	General provisions - Address
FACILITY	40CFR 60-A.7(c)	26	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(d)	27	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(f)	28	Notification and Recordkeeping
FACILITY	40CFR 60-A.8(d)	29	
FACILITY	40CFR 60-A.8(e)	30	
FACILITY	40CFR 60-A.8(f)	31	
FACILITY	40CFR 60-A.9	32	General provisions - Availability of information
FACILITY	40CFR 60-WWW.752(b)(2)	35	Standards for air emissions from MSW landfills
FACILITY	40CFR 60-WWW.753(a)	36	Operational standards for collection and control systems
FACILITY	40CFR 60-WWW.753(b)	37	Op Standards for collection/ control systems-Pressure
FACILITY	40CFR 60-WWW.753(c)	38, 39	Operational Standards for Collection and Control Systems
FACILITY	40CFR 60-WWW.753(d)	40	Operational Standards for Collection and Control Systems - Surface Methane
FACILITY	40CFR 60-WWW.753(e)	41	Operational Standards for Collection and Control Systems - Collected Gases to Control System
FACILITY	40CFR 60-WWW.753(f)	42	Operational Standards for Collection and Control Systems - Control Systems
FACILITY	40CFR 60-WWW.753(g)	43	Operational Standards for Collection and Control Systems - Corrective Action
FACILITY	40CFR 60-WWW.754(b)	44	Test Methods and Procedures
FACILITY	40CFR 60-WWW.754(d)	45	
FACILITY	40CFR 60-WWW.755(a)	46	Compliance Provisions - collection system
FACILITY	40CFR 60-WWW.755(b)	47	Compliance Provisions - wells
FACILITY	40CFR 60-WWW.755(e)	48	Compliance Provisions - Start-up, shutdown, or malfunction
FACILITY	40CFR 60-WWW.756(a)	49	
FACILITY	40CFR 60-WWW.756(f)	50	Monitoring of Operations - Surface Methane
FACILITY	40CFR 60-WWW.757(d)	51	Reporting Requirements - Closure Report
FACILITY	40CFR 60-WWW.757(e)	52	Reporting Requirements - Control Equipment Removal
FACILITY	40CFR 60-WWW.757(f)	53	Reporting requirements - Annual Reports
FACILITY	40CFR 60-WWW.757(g)	54	Reporting requirements - Collection and control system
FACILITY	40CFR 60-WWW.758(a)	55	Recordkeeping requirements - waste
FACILITY	40CFR 60-WWW.758(b)	34	Recordkeeping requirements - control equipment
FACILITY	40CFR 60-WWW.758(c)	56	Recordkeeping

			requirements - operating parameters
FACILITY	40CFR 60-WWW.758(d)	57	Recordkeeping requirements - collectors
FACILITY	40CFR 60-WWW.758(e)	58	Recordkeeping requirements - exceedances of operational standards
FACILITY	40CFR 60-WWW.759(c)	59	Specifications for active collection systems
FACILITY	40CFR 61-M.154	60	Standard for active waste disposal sites
FACILITY	40CFR 63-A	61	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-AAAA.1955(b)	62	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 63-AAAA.1980(a)	63	
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	75	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, 64, 65	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 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 211.2	76	General Prohibitions - air pollution prohibited.
FACILITY	6NYCRR 211.3	20	General Prohibitions - visible emissions limited

FACILITY	6NYCRR 215	9	
1-LFGAS	6NYCRR 231-2	66, 67, 68	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 19-301.
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 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, MODERN LANDFILL INC has been determined to be subject to the following regulations:

40CFR 52-A.21
This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions;
ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40CFR 60-A
This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40CFR 60-A.12
This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40CFR 60-A.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).

40CFR 60-A.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).

40CFR 60-A.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).

40CFR 60-A.18 (f)
This regulation specifies that Method 22 shall be used to determine compliance with the visible emission provisions

of this subpart.

40CFR 60-A.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).

40CFR 60-A.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.

40CFR 60-A.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.

40CFR 60-A.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.

40CFR 60-A.8 (d)
This regulation contains the requirements for advance notification of Performance (stack) testing.

40CFR 60-A.8 (e)
This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.

40CFR 60-A.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.

40CFR 60-A.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.

40CFR 60-WWW.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.

40CFR 60-WWW.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 degreed Celsius; and with an oxygen content less than 5% or a nitrogen content less than 20%

40CFR 60-WWW.753 (b)
This condition requires that the collection system be operated under negative pressure.

40CFR 60-WWW.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 o C and with a nitrogen content less than 20% or an oxygen content less than 5%.

40CFR 60-WWW.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).

40CFR 60-WWW.753 (e)
This condition requires that all collected gases be sent to a control system when the collection system is operating.

40CFR 60-WWW.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.

40CFR 60-WWW.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.

40CFR 60-WWW.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).

40CFR 60-WWW.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.

40CFR 60-WWW.755 (a)
This condition sets forth the complaince provisions for the collection system at an MSW landfill.

40CFR 60-WWW.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.

40CFR 60-WWW.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

40CFR 60-WWW.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.

40CFR 60-WWW.756 (f)
This condition requires that monitoring of surface methane concentrations be done according to the requirements of 40 CFR 60.755(d).

40CFR 60-WWW.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.

40CFR 60-WWW.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

40CFR 60-WWW.757 (f)
This condition sets forth the requirements for the annual report from the MSW landfill.

40CFR 60-WWW.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.

40CFR 60-WWW.758 (a)
This condition requires that 5 years if up-to-date records be kept of the current amount of waste in place at the landfill.

40CFR 60-WWW.758 (b)
This condition specifies the records to be kept regarding the control equipment at the landfill.

40CFR 60-WWW.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.

40CFR 60-WWW.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.

40CFR 60-WWW.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

40CFR 60-WWW.759 (c)
This condition provides the specifications for the construction and installation of the active collection system

40CFR 61-M.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.

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

Section 63.1 relates to general applicability considerations both before and after promulgation of standards for a source category. Section 63.2 contains definitions common to the MACT rules. Section 63.3 contains units and abbreviations used in the MACT rules. Section 63.4 outlines generally prohibited activities such as operating in

noncompliance with applicable standards and circumventing the rules. Section 63.5 describes how construction or reconstruction trigger requirements for preconstruction review.

Section 63.6 covers compliance issues such as how default new source and existing source compliance dates are calculated for each MACT rule; operation and maintenance requirements; startup, shutdown, and malfunction plan requirements; methods for determining compliance; alternative emission standards; compliance extensions; and compliance exemptions.

Section 63.7 covers performance testing requirements such as default notification and test deadlines; qualty assurance programs: site-specific test plans; test facilities; general test conduct requirements; use of alternative test methods; data analysis, recordkeeping, and reporting; and performance test waivers.

Section 63.8 covers default monitoring requirements for continuous or periodic parameter monitoring, continuous opacity monitoring, and continuous emission monitoring.

Section 63.9 contains default notification requirements and deadlines for initial notifications, requests for extension of compliance, notification that a source is subject to special compliance requirements, continuous monitoring related notifications, and notifications of compliance status (also refered to as initial compliance reports).

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

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.

6NYCRR 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 MODERN LANDFILL INC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
1-LFGAS	69	intermittent emission testing
1-LFGAS	71	record keeping/maintenance procedures
1-LFGAS	72	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	37	work practice involving specific operations
FACILITY	38	work practice involving specific operations
FACILITY	39	work practice involving specific operations
FACILITY	40	ambient air monitoring
FACILITY	41	work practice involving specific operations
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	ambient air monitoring
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	34	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
FACILITY	57	record keeping/maintenance procedures
FACILITY	58	record keeping/maintenance procedures
FACILITY	59	record keeping/maintenance procedures
FACILITY	62	record keeping/maintenance procedures
FACILITY	63	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
1-LFGAS	66	work practice involving specific operations
1-LFGAS	67	monitoring of process or control device parameters as surrogate
1-LFGAS	68	intermittent emission testing

Basis for Monitoring
Monitoring is required as per 40 CFR 60.WWW