

Facility DEC ID: 5094600049

**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 5-0946-00049/00008  
Effective Date: 01/25/2021 Expiration Date: 01/24/2026

Permit Issued To: NEW ENGLAND WASTE SERVICES OF NY INC  
25 Green Hill Ln  
Rutland, VT 05701

Contact: MICHAEL STEHMAN  
58 CLIFTON COUNTRY RD STE 200  
Clifton Park, NY 12065

Facility: CLINTON COUNTY REGIONAL LANDFILL  
286 SAND RD  
MORRISONVILLE, NY 12962

Description:  
6 NYCRR Part 360 landfill currently operating under a NYSDEC Air Facility Title V Permit No. 5-0946-00049/00008 for 28 passive candlestick flares and an active landfill gas collection and flare control system. NEWSNY is not required to operate the collection system by regulation, but elected to install and operate the system to control off-site odors and reduce emissions. NEWSNY owns a landfill gas to energy facility that is operated by a third party (Aria Energy, formally known as Innovative Energy Systems). The landfill gas to energy facility combusts scrubbed landfill gas collected from the landfill's active gas collection system to produce electrical power for sale to the open market. Combined emissions from the landfill and the LFGTE facility include NMOC, NOx, SO2, CO, PM, VOC and HAPs. The flare system will be used as a backup control device.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: ERIN L BURNS  
NYSDEC - REGION 5  
PO BOX 296  
RAY BROOK, NY 12977-0296

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

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- 4 2 Relationship of this Permit to Other Department Orders and Determinations
- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 5 5 Submission of application for permit modification or renewal-REGION 5 SUBOFFICE - WARRENSBURG

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**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

**Item 3.3**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 5**  
**SUBOFFICE - WARRENSBURG**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 5 Sub-office  
Division of Environmental Permits  
232 Golf Course Road  
Warrensburg, NY 12885-1172  
(518) 623-1281

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**Permit Under the Environmental Conservation Law (ECL)**

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NEW ENGLAND WASTE SERVICES OF NY INC  
25 Green Hill Ln  
Rutland, VT 05701

Facility: CLINTON COUNTY REGIONAL LANDFILL  
286 SAND RD  
MORRISONVILLE, NY 12962

Authorized Activity By Standard Industrial Classification Code:  
4911 - ELECTRIC SERVICES  
4953 - REFUSE SYSTEMS

Permit Effective Date: 01/25/2021

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- 50 45 40CFR 60.35f(a)(4), NSPS Subpart Cf: Compliance Certification
- 51 46 40CFR 60.35f(a)(6), NSPS Subpart Cf: Compliance Certification
- 53 47 40CFR 60.38f(c), NSPS Subpart Cf: Compliance Certification
- 54 48 40CFR 60.38f(d), NSPS Subpart Cf: Compliance Certification
- 55 49 40CFR 60.38f(f), NSPS Subpart Cf: Submittal of a Closure Notification
- 56 50 40CFR 60.38f(j), NSPS Subpart Cf: Compliance Certification
- 57 51 40CFR 60, NSPS Subpart III: Applicability
- 58 52 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
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- 64 55 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Certification
- 65 56 40CFR 60.4245(c), NSPS Subpart JJJJ: Compliance Certification
- 66 57 40CFR 61.154, NESHAP Subpart M: Asbestos-containing  
waste material standard for active waste disposal sites
- 66 58 40CFR 63, Subpart A: General Provisions
- 66 59 40CFR 63, Subpart ZZZZ: Applicability
- 66 60 40CFR 63, Subpart ZZZZ: Engines at Area sources of HAP
- Emission Unit Level**
- 67 61 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 70 62 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=1-LFGAS,Proc=005**

- 73 63 6 NYCRR 227-1.3 (a): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

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- 76 64 ECL 19-0301: Contaminant List
- 76 65 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 77 66 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 77 67 6 NYCRR 211.1: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.



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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 3/FINAL

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

- Item A: 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 B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR 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 D: Requirement to Comply With All Conditions - 6 NYCRR 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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 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

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planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: 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 G: 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 H: Severability - 6 NYCRR 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 I: Permit Shield - 6 NYCRR 201-6.4 (g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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- 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 J: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

- i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.
- 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.

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**Item K: 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 L: 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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 2: Acceptable Ambient Air Quality**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR 200.6**

**Item 2.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

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**Condition 3: Fees**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 3.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 4: Recordkeeping and Reporting of Compliance Monitoring**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**

**Item 4.1:**

The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the 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; and

(vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 5: Records of Monitoring, Sampling, and Measurement**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)**

**Item 5.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 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, and copies of all reports required by the permit.

**Condition 6: Compliance Certification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

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**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting

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requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 7: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.



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ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch  
USEPA Region 2 DECA/ACB  
290 Broadway, 21st Floor  
New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
Region 5 Suboffice  
232 Golf Course Road  
Warrensburg, NY 12885-1172

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.  
The initial report is due 1/30/2022.  
Subsequent reports are due on the same day each year

**Condition 8: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 8.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 8.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 9: Recordkeeping requirements**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 9.1:**  
(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
  - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 10: Open Fires - Prohibitions**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 10.1:**  
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item 10.2**  
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

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- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 1: Maintenance of Equipment  
Effective between the dates of 01/25/2021 and 01/24/2026**

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**Applicable Federal Requirement:6 NYCRR 200.7****Item 1.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 11: Recycling and Salvage**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-1.7****Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-1.8****Item 12.1:**

No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)****Item 13.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)****Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all

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required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 15.1:**

The owner and/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.

**Condition 16: Right to Inspect**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 16.1:**

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;
- (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.

**Condition 17: Off Permit Changes**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)**

**Item 17.1:**

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,

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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 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 18: Required Emissions Tests**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 18.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 19: Accidental release provisions.**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 19.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC

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8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 20: Recycling and Emissions Reduction**  
Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 21: Emission Unit Definition**  
Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 21.1:**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-LFGAS

Emission Unit Description:

This unit consists of landfilled waste generating landfill gas by anaerobic decomposition. The emission unit will consist of the landfill gas to energy facility with up to (5) gas engine generator sets as the primary landfill gas control device for collected gas. The main flare and 28 portable candlestick flares will be used as backup control devices. Emission points for this unit will be defined as the main flare, 28 portable candlestick flares, and the engine exhaust stacks for each of the five (5) permitted caterpillar 3520 engine generator sets. There are currently four (4) engines installed at the facility (ENG01-ENG04). Landfill gas will also be released as a fugitive emission.

**Condition 22: Progress Reports Due Semiannually**  
Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 22.1:**

Progress reports consistent with an applicable schedule of compliance 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

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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.

**Condition 23: Facility Permissible Emissions**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 23.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000630-08-0	PTE: 779,000 pounds per year
Name: CARBON MONOXIDE	
CAS No: 0NY210-00-0	PTE: 198,000 pounds per year
Name: OXIDES OF NITROGEN	
CAS No: 0NY998-00-0	PTE: 98,000 pounds per year
Name: VOC	

**Condition 24: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 24.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-7.1

**Item 24.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 24.3:**

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.

**Item 24.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This



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certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 24.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 24.6:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-LFGAS Process: 005	Emission Source: ENG02
Emission Unit: 1-LFGAS Process: 005	Emission Source: ENG03
Emission Unit: 1-LFGAS Process: 005	Emission Source: ENG04
Regulated Contaminant(s): CAS No: 000630-08-0	CARBON MONOXIDE

**Item 24.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Once per permit term, Engine 2, Engine 3, or Engine 4 shall be tested to determine appropriate CO emission factors for these three engines. The emission factors shall be established in units of grams of CO per bhp-hr. The purpose of this intermittent testing is to determine emission factors which are used to calculate emissions for any 12 consecutive months, rolled monthly.

The Department will determine 2 days prior to testing which engine shall be tested.

The performance test will consist of three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

The owner/operator must submit a copy of each performance test report within 60 days after the test has been completed.

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The Department reserves the right to require additional emission testing at its discretion.

Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 237.5 tons per year  
 Reference Test Method: EPA Reference method 10  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2021.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 25: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 25.1:**  
 Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-5.1

**Item 25.2:**  
 Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 25.3:**  
 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.

**Item 25.4:**  
 On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 25.5:**  
 The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 25.6:**





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Process: 005

Emission Source: ENG04

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Once per permit term, Engine 2, Engine 3, or Engine 4 shall be tested to determine appropriate VOC (non-methane, non-ethane) emission factors for these three engines. The emission factors shall be established in units of grams of VOC per bhp-hr. The purpose of this intermittent testing is to determine emission factors which are used to calculate emissions for any 12 consecutive months, rolled monthly.

The Department will determine 2 days prior to testing which engine shall be tested.

The performance test will consist of three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

The owner/operator of must submit a copy of each performance test report within 60 days after the test has been completed.

The Department reserves the right to require additional emission testing at its discretion.

Parameter Monitored: VOC

Upper Permit Limit: 47.5 tons per year

Reference Test Method: USEPA Method 25A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 27: Capping Monitoring Condition**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

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**Item 27.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-7.1

**Item 27.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 27.3:**

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.

**Item 27.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 27.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 27.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of PSD requirements by limiting the total carbon monoxide emissions from its flare, to 152 tons per 12 consecutive months, rolled monthly. The facility shall maintain a flare usage log, including the amount of gas burned by the flare, and use this data along with CO emissions factor supplied by the manufacturer (0.37 lb CO/MMBTU) and appropriate conversion factors to calculate emissions as tons of CO. Emission

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calculations shall be included in each capping report.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 152 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2021.  
Subsequent reports are due every 6 calendar month(s).

**Condition 28: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 28.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 227-2.1

**Item 28.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 28.3:**

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.

**Item 28.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 28.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 28.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

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**Item 28.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of NOx RACT requirements by limiting nitrogen oxides emissions, facility wide, to 99 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, flares and exempt sources. NOx emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate NOx emissions. Emission calculations shall be included in each capping report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 29: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 29.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-5.1

**Item 29.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 29.3:**

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.

**Item 29.4:**





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**Item 30.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-7.1

**Item 30.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 30.3:**

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.

**Item 30.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 30.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 30.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 30.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of PSD requirements by limiting carbon monoxide (CO) emissions, facility wide, to 389.5 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, flares and exempt sources. CO emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be

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used to calculate CO emissions. Emission calculations shall be included in each capping report.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 389.5 tons  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2021.  
Subsequent reports are due every 6 calendar month(s).

**Condition 31: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 31.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-5.1

**Item 31.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 31.3:**

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.

**Item 31.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 31.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 31.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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CAS No: 0NY998-00-0 VOC

**Item 31.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of Non-Attainment Area NSR requirements by limiting volatile organic compounds (VOC) emissions, facility wide, to 49 tons per 12 consecutive months, rolled monthly. This includes emissions from engines, flares, exempt and fugitive sources. VOC emissions for each source and the total facility shall be reported in tons per 12 consecutive months, rolled monthly. Emission factors acceptable to the Department and appropriate conversion factors shall be used to calculate VOC emissions. Emission calculations shall be included in each capping report.

Parameter Monitored: VOC

Upper Permit Limit: 49 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 32: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 32.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-5.1

**Item 32.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 32.3:**

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.

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**Item 32.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 32.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 32.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 32.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of NSR requirements by limiting the total oxides of nitrogen emissions from its five LFGTE generators, to 95 tons per 12 consecutive months, rolled monthly. The facility shall maintain monthly electricity production records for each engine, and use this data, along with the emission factor established by the most recent stack test for that engine. If no data is available for a specific engine the facility may use the highest emission factor for that engine and appropriate conversion factors, to calculate emission as tons of NO<sub>x</sub> per 12 consecutive months, rolled monthly. Emission calculations shall be included in each capping report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 95 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 33: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

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Facility DEC ID: 5094600049

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 33.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-7.1

**Item 33.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 33.3:**

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.

**Item 33.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 33.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 33.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 33.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of PSD requirements by limiting the total carbon monoxide emissions from its five LFGTE generators, to 237.5 tons per 12 consecutive months, rolled monthly. The facility shall maintain monthly electricity production records for each engine, and use this data, along with the emission factor established by

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the most recent stack test for that engine. If no data is available for a specific engine the facility may use the highest emission factor for that engine and appropriate conversion factors, to calculate emission as tons of CO per 12 consecutive months, rolled monthly. Emission calculations shall be included in each capping report.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 237.5 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2021.  
Subsequent reports are due every 6 calendar month(s).

**Condition 34: Capping Monitoring Condition**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 34.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-5.1

**Item 34.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 34.3:**

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.

**Item 34.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 34.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

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**Item 34.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 34.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility is capping out of NSR requirements by limiting the total oxides of nitrogen emissions from its flare, to 28 tons per 12 consecutive months, rolled monthly. The facility shall maintain a flare usage log, including the amount of gas burned by the flare, and use this data along with NOx emissions factor supplied by the manufacturer (0.068 lb NOx/MMBTU) and appropriate conversion factors to calculate emissions as tons of CO. Emission calculations shall be included in each capping report. The facility shall maintain flare usage log production records for each engine, and multiply the gas flow burned at the flare by the emission factor supplied by the flare manufacturer (0.068 lb NOx/MMBTU). Emission calculations shall be included in each capping report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 28 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR 202-1.1**

**Item 35.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG02

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG03

Emission Unit: 1-LFGAS



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Process: 005

Emission Source: ENG04

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

PERIODIC MONITORING(group engines 2,3,4)

1.) Stack emissions of NOx and CO from each engine shall be monitored using a portable combustion analyzer. The periodic monitoring shall begin the day of the initial performance test.

2.) Portable Combustion Analyzer - The suitability of the portable analyzer shall be approved by the Department. Portable analyzers equipped with electrochemical cells such as a Testo 350 Portable Emission Analyzer are acceptable.

3.) Sample Method - A permanent sample port shall be installed in each engine stack at a location to obtain a representative sample. The facility shall follow the ASTM D6522-00 or may follow an alternative procedure that has been approved by the Department. The emission monitoring shall be completed during normal operating conditions.

4.) Monitoring Frequency. - The frequency of monitoring shall be based on the estimated emissions, as defined by Equation 1 in Attachment 1, coming from the engines as a percentage of the emission cap for the engines, according to the table below. Monitoring will be performed for both gases CO and NOx at the more frequent interval. For example, hand held monitoring result of 190 tons per year CO and 65 tons per year NOx requires periodic monitoring to be performed every three months for both contaminants, since 190 tons is 80% of 237.5 tpy):

% of permitted emission cap	Monitoring Frequency
-----	-----
75% or less	once every six months
75 % - 90%	once every three months
90% or greater	once a month

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Equation 1) See Attachment 1

5.) Record keeping - Records shall include: (1) date and time of the measurement, (2) a log of the NOx and CO measurements in ppm, (3) conversion of the measurements into g/bhp-hr for each engine, (4) 12-month rolling total emissions using results from the hand held monitor, (5) A report for each calibration of the hand held monitor and (6) description of adjustments made to the engine (if any). These records shall be kept on site and made available for Department review upon request.

6.) Exceedance Reporting - If any exceedance of a permitted emission cap is documented during the periodic monitoring, the facility shall notify to the Department within two (2) business days. Within 30 days of the Exceedance, the facility shall submit a proposed program for correction, including a performance test protocol and a schedule for compliance.

7.) Reporting - A summary of all periodic monitoring results shall be submitted as an attachment to the “Semi-Annual Monitoring Report” to the Region 5 Division of Air Resources on a semiannual basis.

8.) Every Stack test conforming to an EPA test method for NOx or CO shall compare results to the Portable Combustion Analyzer used on site. The results and an interpretation shall be included in the stack test report.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 95 tons per year

Reference Test Method: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 36: Compliance Certification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

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Process: 005 Emission Source: ENG02

Emission Unit: 1-LFGAS  
Process: 005 Emission Source: ENG03

Emission Unit: 1-LFGAS  
Process: 005 Emission Source: ENG04

Regulated Contaminant(s):  
CAS No: 000630-08-0 CARBON MONOXIDE

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

PERIODIC MONITORING(group engines 2,3,4)

1.) Stack emissions of NOx and CO from each engine shall be monitored using a portable combustion analyzer. The periodic monitoring shall begin the day of the initial performance test.

2.) Portable Combustion Analyzer - The suitability of the portable analyzer shall be approved by the Department. Portable analyzers equipped with electrochemical cells such as a Testo 350 Portable Emission Analyzer are acceptable.

3.) Sample Method - A permanent sample port shall be installed in each engine stack at a location to obtain a representative sample. The facility shall follow the ASTM D6522-00 or may follow an alternative procedure that has been approved by the Department. The emission monitoring shall be completed during normal operating conditions.

4.) Monitoring Frequency. - The frequency of monitoring shall be based on the estimated emissions, as defined by Equation 1 in Attachment 1, coming from the engines as a percentage of the emission cap for the engines, according to the table below. Monitoring will be performed for both gases CO and NOx at the more frequent interval. For example, hand held monitoring result of 190 tons per year CO and 65 tons per year NOx, requires periodic monitoring to be performed every three months for both contaminants since 190 tons is 80% of 237.5 tpy):

% of permitted emission cap -----	Monitoring  Frequency -----
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75% or less	once every six months
75 % - 90%	once every three months
90% or greater	once a month

Equation 1) See Attachment 1

5.) Record keeping - Records shall include: (1) date and time of the measurement, (2) a log of the NOx and CO measurements in ppm, (3) conversion of the measurements into g/bhp-hr for each engine, (4) 12-month rolling total emissions using results from the hand held monitor, (5) A report for each calibration of the hand held monitor and (6) description of adjustments made to the engine (if any). These records shall be kept on site and made available for Department review upon request.

6.) Exceedance Reporting - If any exceedance of a permitted emission cap is documented during the periodic monitoring, the facility shall notify to the Department within two (2) business days. Within 30 days of the exceedance, the facility shall submit a proposed program for correction, including a performance test protocol and a schedule for compliance.

7.) Reporting - A summary of all periodic monitoring results shall be submitted as an attachment to the “Semiannual Monitoring Report” to the Region 5 Division of Air Resources on a semiannual basis.

8.) Every Stack test conforming to an EPA test method for NOx or CO shall compare results to the Portable Combustion Analyzer used on site. The results and an interpretation shall be included in the stack test report.

Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 237.5 tons per year  
 Reference Test Method: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2021.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 37: Visible Emissions Limited**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR 211.2**

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**Item 37.1:**

This Condition applies to:

Emission Unit: 1LFGAS

**Item 37.2:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 38: Applicability of Subpart A General Provisions**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart A**

**Item 38.1:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 39: EPA Region 2 address.**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 39.1:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

**Condition 40: Exemption from Standards of Performance for New MSW Landfills.**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 60.31f(b), NSPS Subpart Cf**

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**Item 40.1:**

Physical or operational changes made to an existing municipal solid waste (MSW) landfill solely to comply with 40 CFR Part 60 Subpart Cf, are not considered a modification or reconstruction and would not subject an existing MSW landfill to the requirements of a standard of performance for new MSW landfills.

**Condition 41: Compliance Certification**  
Effective between the dates of 01/25/2021 and 01/24/2026**Applicable Federal Requirement: 40CFR 60.33f(a), NSPS Subpart Cf****Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) The owner or operator of a municipal solid waste (MSW) landfill having a design capacity greater than or equal to 2.5 million megagrams by mass and 2.5 million cubic meters by volume shall collect and control MSW landfill emissions when meeting the following conditions:
- (1) The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.
  - (2) The landfill commenced construction, reconstruction, or modification on or before July 17, 2014.
  - (3) The landfill has a non-methane organic compound (NMOC) emission rate greater than or equal to 34 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.
  - (4) The landfill is in the closed landfill subcategory and has an NMOC emission rate greater than or equal to 50 megagrams per year or Tier 4 surface emissions monitoring shows a surface emission concentration of 500 parts per million methane or greater.
- (b) In meeting the conditions in items (a)(1) through (4) above, the owner or operator shall install a gas

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collection and control system meeting the requirements in items (b)(1) through (3) and paragraph (c) below:

(1) Install and start up a collection and control system that captures the gas generated within the landfill within 30 months after:

(i) The first annual report in which the NMOC emission rate equals or exceeds 34 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the NMOC emission rate is less than 34 megagrams per year, as specified in 40 CFR Part 60.38f(d)(4); or

(ii) The first annual NMOC emission rate report for a landfill in the closed landfill subcategory in which the NMOC emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the NMOC emission rate is less than 50 megagrams per year, as specified in 40 CFR Part 60.38f(d)(4); or

(iii) The most recent NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year based on Tier 2, if the Tier 4 surface emissions monitoring shows a surface methane emission concentration of 500 parts per million methane or greater as specified in 40 CFR Part 60.38f(d)(4)(iii).

(2) An Active collection system must:

(i) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control system equipment.

(ii) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years or more if active; or 2 years or more if closed or at final grade.

(iii) Collect gas at a sufficient extraction rate.

(iv) Be designed to minimize offsite migration of subsurface gas.

(3) A Passive collection system must:

(i) Comply with the provisions specified in paragraphs (b)(2)(i), (ii), and (iv) above.

(ii) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners

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must be installed as required under 40 CFR Part 258.40.

(c) The owner or operator shall control gas collected from within the landfill through the use of control devices meeting the requirements in items (1) through (4) below, except as provided in 40 CFR Part 60.24:

(1) A non-enclosed flare designed and operated in accordance with the parameters established in 40 CFR Part 60.18 except as noted in 40 CFR Part 60.37f(d); or

(2) A control system designed and operated to reduce NMOC by 98 weight percent; or when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen or less. The reduction efficiency or concentration in parts per million by volume must be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR Part 60.35f(d). The performance test is not required for boilers and process heaters with design heat input capacities equal to or greater than 44 megawatts that burn landfill gas for compliance with 40 CFR Part 60, Subpart Cf.

(i) If a boiler or process heater is used as the control device, the landfill gas stream must be introduced into the flame zone.

(ii) The control device must be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in 40 CFR Part 60.37f.

(iii) For the closed landfill subcategory, the initial or most recent performance test conducted to comply with 40 CFR Part 60, Subpart WWW; 40 CFR Part 62, Subpart GGG; or 6 NYCRR Part 208 on or before July 17, 2014 is sufficient for compliance with 40 CFR Part 60, Subpart Cf.

(3) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or beneficial use such as fuel for combustion, production of vehicle fuel, production of high Btu gas for pipeline injection, or use as a raw material in a chemical manufacturing process. Venting of treated landfill gas to the ambient air is not allowed. If the treated landfill gas cannot be routed for subsequent sale or beneficial use, then the treated landfill gas must be controlled



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according to (c)(1) or (2) above.

(4) All emissions from any atmospheric vent from the gas treatment system are subject to the requirements of paragraph (b) or (c) above. For purposes of 40 CFR Part 60, Subpart Cf, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of paragraph (b) or (c) above.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 42: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60.33f(e), NSPS Subpart Cf**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(e) The owner or operator of a municipal solid waste landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must either install a collection and control system as provided in 40 CFR Part 60.33f(b) and (c) or calculate an initial non-methane organic compound (NMOC) emission rate for the landfill using the procedures specified in 40 CFR Part 60.35f(a). The NMOC emission rate must be recalculated annually, except as provided in 40 CFR Part 60.38f(c)(3).

(1) If the calculated NMOC emission rate is less than 34 megagrams per year, the owner or operator must:

(i) Submit an annual NMOC emission rate report according to 40 CFR Part 60.38f(c), except as provided in 40 CFR Part 60.38f(c)(3); and

(ii) Recalculate the NMOC emission rate annually using the procedures specified in 40 CFR Part 60.35f(a) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, or the landfill is closed.

(A) If the calculated NMOC emission rate, upon initial calculation or annual recalculation required in item

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(e)(1)(ii) above, is equal to or greater than 34 megagrams per year, the owner or operator must either: Comply with 40 CFR Part 60.33f(b) and (c); calculate NMOC emissions using the next higher tier in 40 CFR Part 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 CFR Part 60.35f(a)(6).

(B) If the landfill is permanently closed, a closure report must be submitted to DEC as provided in 40 CFR Part 60.38f(f), except for exemption allowed under 40 CFR Part 60.31f(e)(4).

(C) For the closed landfill subcategory, if the most recently calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator must either: Submit a gas collection and control system design plan as specified in 40 CFR Part 60.38f(d), except for exemptions allowed under 40 CFR Part 60.31f(e)(3), and install a collection and control system as provided in 40 CFR Part 60.33f(b) and (c); calculate NMOC emissions using the next higher tier in 40 CFR Part 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 CFR Part 60.35f(a)(6).

(2) If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either: submit a collection and control system design plan prepared by a professional engineer to the DEC within 1 year as specified in 40 CFR Part 60.38f(d), except for exemptions allowed under 40 CFR Part 60.31f(e)(3); calculate NMOC emissions using a higher tier in 40 CFR Part 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 CFR Part 60.35f(a)(6).

(3) For the closed landfill subcategory, if the calculated NMOC emission rate is equal to or greater than 50 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either: Submit a collection and control system design plan as specified in 40 CFR Part 60.38f(d), except for exemptions allowed under 40 CFR Part 60.31f(e)(3); calculate NMOC emissions using a higher tier in 40 CFR Part 60.35f; or conduct a surface emission monitoring demonstration using the procedures specified in 40 CFR Part 60.35f(a)(6).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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**Condition 43: Compliance Certification**

Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40CFR 60.35f(a)(1), NSPS Subpart Cf**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must calculate the NMOC emission rate using either of the two equations below in paragraphs (1)(A) or (2)(A). Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in paragraph (1)(A), for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown, as specified in paragraph (2)(A), for part of the life of the landfill. The values to be used in both equations are 0.05 per year for k, 170 cubic meters per megagram for Lo, and 4,000 parts per million by volume as hexane for the CNMOC. For landfills located in geographical areas with a 30-year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site, the k value to be used is 0.02 per year.

(1)(A) This equation must be used if the actual year-to-year solid waste acceptance rate is known.

$$MNMOC = \sum_{i=1}^n 2kLoMi(e^{-kti})(CNMOC)(3.6 \times 10^{-9})$$

Where:

MNMOC = Total NMOC emission rate from the landfill, megagrams per year.

k = Methane generation rate constant, year<sup>-1</sup>.

Lo = Methane generation potential, cubic meters per megagram solid waste.

Mi = Mass of solid waste in the i<sup>th</sup> section, megagrams.

ti = Age of the i<sup>th</sup> section, years.

CNMOC = Concentration of NMOC, parts per million by volume

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as hexane.

$3.6 \times 10^{-9}$  = Conversion factor.

(B) The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for  $M_i$  if documentation of the nature and amount of such wastes is maintained.

(2)(A) This equation must be used if the actual year-to-year solid waste acceptance rate is unknown.

$MNMOC = 2LoR (e^{-kc} - e^{-kt}) \quad CNMOC (3.6 \times 10^{-9})$

Where:

$MNMOC$  = Mass emission rate of NMOC, megagrams per year.

$Lo$  = Methane generation potential, cubic meters per megagram solid waste.

$R$  = Average annual acceptance rate, megagrams per year.

$k$  = Methane generation rate constant, year<sup>-1</sup>.

$t$  = Age of landfill, years.

$CNMOC$  = Concentration of NMOC, parts per million by volume as hexane.

$c$  = Time since closure, years; for an active landfill  $c = 0$  and  $e^{-kc} = 1$ .

$3.6 \times 10^{-9}$  = Conversion factor.

(B) The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of  $R$ , if documentation of the nature and amount of such wastes is maintained.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2022.

Subsequent reports are due every 12 calendar month(s).

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**Condition 44: Compliance Certification**

Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40CFR 60.35f(a)(3), NSPS Subpart Cf****Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NMOC Calculation - Tier 2.

The landfill owner or operator must determine the site-specific NMOC concentration using the following sampling procedure:

The landfill owner or operator must install at least two sample probes per hectare, evenly distributed over the landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The probes should be evenly distributed across the sample area. The sample probes should be located to avoid known areas of nondegradable solid waste.

The owner or operator must collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25 or 25C of 40 CFR Part 60 appendix A. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If more than the required number of samples is taken, all samples must be used in the analysis.

The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C by six (6) to convert from CNMOC as carbon to CNMOC as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative

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as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe. The sample location on the common header pipe must be before any gas moving, condensate removal, or treatment system equipment. For active collection systems, a minimum of three samples must be collected from the header pipe.

(i) Within 60 days after the date of determining the NMOC concentration and corresponding NMOC emission rate, the owner or operator must submit the results according to 40 CFR Part 60.38f(j)(2).

(ii) The landfill owner or operator must recalculate the NMOC mass emission rate using Equation 1 or Equation 2 provided in paragraph 40 CFR Part 60.35f(a)(1)(i) or (ii) using the average site-specific NMOC concentration from the collected samples instead of the default value provided in 40 CFR Part 60.35f(a)(1).

(iii) If the resulting NMOC mass emission rate is less than 34 megagrams per year, then the owner or operator must submit a periodic estimate of NMOC emissions in an NMOC emission rate report according to 40 CFR Part 60.38f(c) and must recalculate the NMOC mass emission rate annually as required under 40 CFR Part 60.33f(e). The site-specific NMOC concentration must be retested every 5 years using the methods specified in this section.

(iv) If the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration is equal to or greater than 34 megagrams per year, the owner or operator must either:

(A) Submit a gas collection and control system design plan within 1 year as specified in 40 CFR Part 60.38f(d) and install and operate a gas collection and control system within 30 months according to 40 CFR Part 60.33f(b) and (c);

(B) Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the Tier 3 procedures specified in paragraph 40 CFR Part 60.35f(a)(4); or

(C) Conduct a surface emission monitoring demonstration using the Tier 4 procedures specified in paragraph 40 CFR Part 60.35f(a)(6).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2022.  
Subsequent reports are due every 12 calendar month(s).

**Condition 45: Compliance Certification**  
Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40 CFR 60.35f(a)(4), NSPS Subpart Cf**

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NMOC Calculation Tier - 3.

The site-specific methane generation rate constant (k) must be determined using the procedures provided in Method 2E of 40 CFR Part 60 appendix A. The landfill owner or operator must estimate the NMOC mass emission rate using Equation 1 or Equation 2 in 40 CFR Part 60.35f(a)(1)(i) or (ii) and using a site-specific methane generation rate constant, and the site-specific NMOC concentration as determined in 40 CFR Part 60.35f(a)(3) instead of the default values provided in 40 CFR Part 60.35f(a)(1). The landfill owner or operator must compare the resulting NMOC mass emission rate to the standard of 34 megagrams per year.

(i) If the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration and Tier 3 site-specific methane generation rate is equal to or greater than 34 megagrams per year, the owner or operator must either:

(A) Submit a gas collection and control system design plan within 1 year as specified in 40 CFR Part 60.38f(d) and install and operate a gas collection and control system within 30 months according to 40 CFR Part 60.33f(b) and (c); or

(B) Conduct a surface emission monitoring demonstration using the Tier 4 procedures specified in 40 CFR Part 60.35f(a)(6).

(ii) If the NMOC mass emission rate is less than 34 megagrams per year, then the owner or operator must recalculate the NMOC mass emission rate annually using Equation 1 or Equation 2 in 40 CFR Part 60.35f(a)(1) and

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using the site-specific Tier 2 NMOC concentration and Tier 3 methane generation rate constant and submit a periodic NMOC emission rate report as provided in 40 CFR Part 60.38f(c). The calculation of the methane generation rate constant is performed only once, and the value obtained from this test must be used in all subsequent annual NMOC emission rate calculations.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 46: Compliance Certification**  
Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40CFR 60.35f(a)(6), NSPS Subpart Cf**

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NMOC Calculation - Tier 4.

The landfill owner or operator must demonstrate that surface methane emissions are below 500 parts per million. Surface emission monitoring must be conducted on a quarterly basis using the following procedures. Tier 4 is allowed only if the landfill owner or operator can demonstrate that NMOC emissions are greater than or equal to 34 Mg/yr but less than 50 Mg/yr using Tier 1 or Tier 2. If both Tier 1 and Tier 2 indicate NMOC emissions are 50 Mg/yr or greater, then Tier 4 cannot be used. In addition, the landfill must meet the criteria in item (viii) below.

(i) The owner or operator must measure surface concentrations of methane along the entire perimeter of the landfill and along a pattern that traverses the landfill at no more than 30-meter intervals using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR Part 60.36f(d).

(ii) The background concentration must be determined by moving the probe inlet upwind and downwind at least 30 meters from the waste mass boundary of the landfill.

(iii) Surface emission monitoring must be performed in



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accordance with section 8.3.1 of Method 21 of 40 CFR Part 60 appendix A, except that the probe inlet must be placed no more than 5 centimeters above the landfill surface; the constant measurement of distance above the surface should be based on a mechanical device such as with a wheel on a pole.

(A) The owner or operator must use a wind barrier, similar to a funnel, when on-site average wind speed exceeds 4 miles per hour or 2 meters per second or gust exceeding 10 miles per hour. Average on-site wind speed must also be determined in an open area at 5-minute intervals using an on-site anemometer with a continuous recorder and data logger for the entire duration of the monitoring event. The wind barrier must surround the SEM monitor, and must be placed on the ground, to ensure wind turbulence is blocked. SEM cannot be conducted if average wind speed exceeds 25 miles per hour.

(B) Landfill surface areas where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover, and all cover penetrations must also be monitored using a device meeting the specifications provided in 40 CFR Part 60.36f(d).

(iv) Each owner or operator seeking to comply with the Tier 4 provisions in 40 CFR Part 60.35f(a)(6) must maintain records of surface emission monitoring as provided in 40 CFR Part 60.39f(g) and submit a Tier 4 surface emissions report as provided in 40 CFR Part 60.38f(d)(4)(iii).

(v) If there is any measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must submit a gas collection and control system design plan within 1 year of the first measured concentration of methane of 500 parts per million or greater from the surface of the landfill according to 40 CFR Part 60.38f(d) and install and operate a gas collection and control system according to 40 CFR Part 60.33f(b) and (c) within 30 months of the most recent NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year based on Tier 2.

(vi) If after four consecutive quarterly monitoring periods at a landfill, other than a closed landfill, there is no measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must continue quarterly surface emission monitoring using the methods specified in this

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condition.

(vii) If after four consecutive quarterly monitoring periods at a closed landfill there is no measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must conduct annual surface emission monitoring using the methods specified in this condition.

(viii) If a landfill has installed and operates a collection and control system that is not required by this subpart, then the collection and control system must meet the following criteria:

(A) The gas collection and control system must have operated for at least 6,570 out of 8,760 hours preceding the Tier 4 surface emissions monitoring demonstration.

(B) During the Tier 4 surface emissions monitoring demonstration, the gas collection and control system must operate as it normally would to collect and control as much landfill gas as possible.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 47: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60.38f(c), NSPS Subpart Cf**

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a municipal solid waste landfill subject to 40 CFR Part 60 Subpart Cf with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must submit an NMOC emission rate report following the procedure specified in 40 CFR Part 60.38f(j)(2) no later than 90 days after the effective date of EPA approval of the state's plan under section 111(d) of the Clean Air Act. The NMOC emission rate report must be submitted to the DEC annually following the procedure specified in 40 CFR Part 60.38f(j)(2), except as provided for in item (3) below. The DEC may request such additional information as may be

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necessary to verify the reported NMOC emission rate.

(1) The NMOC emission rate report must contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR Part 60.35f(a) or (b), as applicable.

(2) The NMOC emission rate report must include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

(3) If the estimated NMOC emission rate as reported in the annual report to the DEC is less than 34 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit, following the procedure specified in 40 CFR Part 60.38f(j)(2), an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate must include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based must be provided to the DEC. This estimate must be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate must be submitted to the DEC. The revised estimate must cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

(4) Each owner or operator subject to the requirements of 40 CFR Part 60, Subpart Cf, is exempted from the requirements to submit an NMOC emission rate report, after installing a collection and control system that complies with 40 CFR Part 60.33f(b) and (c), during such time as the collection and control system is in operation and in compliance with 40 CFR Part 60.34f and 40 CFR Part 60.36f.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 48: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60.38f(d), NSPS Subpart Cf**

**Item 48.1:**

The Compliance Certification activity will be performed for the Facility.

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**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a municipal solid waste landfill subject to the provisions of 40 CFR Part 60.33f must submit a collection and control system design plan to the DEC for approval according to the schedule in 40 CFR Part 60.38f(d)(4). The collection and control system design plan must be prepared and approved by a professional engineer and must meet the following requirements:

(1) The collection and control system as described in the design plan must meet the design requirements in 40 CFR Part 60.33f(b) and (c).

(2) The collection and control system design plan must include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping, or reporting provisions of 40 CFR Part 60.34f through 60.39f proposed by the owner or operator.

(3) The collection and control system design plan must either conform to specifications for active collection systems in 40 CFR Part 60.40f or include a demonstration to the DEC's satisfaction of the sufficiency of the alternative provisions to 40 CFR Part 60.40f.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 49: Submittal of a Closure Notification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 60.38f(f), NSPS Subpart Cf**

**Item 49.1:**

Each owner or operator of a controlled landfill must submit a closure report to the DEC within 30 days of ceasing waste acceptance. The DEC may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR Part 258.60. If a closure report has been submitted to the DEC, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR Part 60.7(a)(4).

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**Condition 50: Compliance Certification**

Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40CFR 60.38f(j), NSPS Subpart Cf****Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill subject to the requirements of 40 CFR Part 60, Subpart Cf, must submit reports electronically according to paragraphs (1) and (2) below.

(1) Within 60 days after the date of completing each performance test (as defined in 40 CFR Part 60.8), the owner or operator must submit the results of each performance test according to the following procedures:

(i) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site ([https://www3.epa.gov/ttn/chief/ert/ert\\_info.html](https://www3.epa.gov/ttn/chief/ert/ert_info.html)) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternative file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site, once the XML schema is available.

If the facility owner or operator claims that some of the performance test information being submitted is confidential business information (CBI), the facility owner or operator must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to:

U.S. EPA/OAQPS/CORE CBI Office  
Attention: Group Leader, Measurement Policy Group

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MD C40402  
 4930 Old Page Rd.  
 Durham, NC 27703

The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described above.

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in 40 CFR Part 60.4.

(2) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI Web site (<https://www3.epa.gov/ttn/chief/cedri/index.html>).

If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator must submit the report to the Administrator at the appropriate address listed in 40 CFR Part 60.4. Once the form has been available in CEDRI for 90 calendar days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2022.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 51: Applicability**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60, NSPS Subpart IIII**

**Item 51.1:**  
 Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

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**Condition 52: Compliance Certification**

Effective between the dates of 01/25/2021 and 01/24/2026

**Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ****Item 52.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

60.4233

(e) Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for oxides of Nitrogen 3.0 g/HP-hr for their stationary SI ICE.

60.4244

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (d) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO<sub>x</sub> mass per unit

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output emission limitation, convert the concentration of NO<sub>x</sub> in the engine exhaust using Equation 1 of this section:

$$ER = (Cd \times 1.912 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 1})$$

Where:

ER = Emission rate of NO<sub>x</sub> in g/HP-hr.

Cd = Measured NO<sub>x</sub> concentration in parts per million by volume (ppmv).

1.912 x10<sup>-3</sup> = Conversion constant for ppm NO<sub>x</sub> to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

60.4243(b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

60.4245

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

227-2.4

Compliance with this condition assures compliance with 6 NYCRR 227-2.4 (f)(2)(iii) for Engines 1 & 5

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 3.0 grams per brake horsepower-hour

Reference Test Method: see permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2021.

Subsequent reports are due every 6 calendar month(s).





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load and last at least 1 hour.

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = (Cd \times 1.164 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 2})$$

Where:

ER = Emission rate of CO in g/HP-hr.

Cd = Measured CO concentration in ppmv.

$1.164 \times 10^{-3}$  = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

60.4243(b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

60.4245

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

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 5.0 grams per brake horsepower-hour

Reference Test Method: See Permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2021.

Subsequent reports are due every 6 calendar month(s).



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load and last at least 1 hour.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = (Cd \times 1.833 \times 10^{-3} \times Q \times T) / (HP \text{ hr}) \quad (\text{Eq. 3})$$

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd = VOC concentration measured as propane in ppmv.

$1.833 \times 10^{-3}$  = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = C_{Mi}/C_{Ai} \quad (\text{Eq. 4})$$

Where:

RF<sub>i</sub> = Response factor of compound i when measured with EPA Method 25A.

C<sub>Mi</sub> = Measured concentration of compound i in ppmv as carbon.

C<sub>Ai</sub> = True concentration of compound i in ppmv as carbon.

$$C_i \text{ corr} = RF_i \times C_i \text{ meas} \quad (\text{Eq. 5})$$

Where:

C<sub>i</sub> corr = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A,

ppmv as carbon.

C<sub>i</sub> meas = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

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$$C_{Peq} = 0.6098 \times C_i \text{ corr} \quad (\text{Eq. 6})$$

Where:

$C_{Peq}$  = Concentration of compound i in mg of propane equivalent per DSCM.

60.4243 (b)(2)

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

60.4245

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

Parameter Monitored: VOC

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: See Permit Monitoring Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 60 days after the reporting period.

The initial report is due 8/29/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 55: Compliance Certification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60.4245(a), NSPS Subpart JJJJ**

**Item 55.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

**Item 55.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

60.4245

Owners or operators of stationary spark ignition Internal combustion engine (SI ICE) must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary spark ignition Internal combustion engine (SI ICE) must keep records of the information in paragraphs (a)(1), (2), and (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(4) If the stationary SI internal combustion engine is not a certified engine documentation that the engine meets the emission standards.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 56: Compliance Certification**

**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 40CFR 60.4245(c), NSPS Subpart JJJJ**

**Item 56.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG01

Emission Unit: 1-LFGAS

Process: 005

Emission Source: ENG05

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

60.4245

(c) Owners and operators of stationary spark ignition Internal combustion engine (SI ICE) greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in §

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- 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.
- (1) Name and address of the owner or operator;
  - (2) The address of the affected source;
  - (3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
  - (4) Emission control equipment; and
  - (5) Fuel used.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2021.

Subsequent reports are due every 6 calendar month(s).

**Condition 57: Asbestos-containing waste material standard for active waste disposal sites**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 61.154, NESHAP Subpart M**

**Item 57.1:**

Owner or operator shall comply with the requirements of 40 CFR Part 61.154 when accepting asbestos-containing waste material from any source required to comply with 40 CFR Part 61.149, 61.150, or 61.155.

**Condition 58: General Provisions**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 63, Subpart A**

**Item 58.1:**

This emission source is subject to the applicable provisions of 40 CFR 63 Subpart A. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 59: Applicability**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 59.1:**

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

**Condition 60: Engines at Area sources of HAP**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

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**Item 60.1:**

Internal combustion engines, constructed or re-constructed on or after June 12, 2006, that meet the requirements of 40 CFR 60 Subpart IIII or Subpart JJJJ meet the requirements of 40 CFR 63 Subpart ZZZZ.

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 61: Emission Point Definition By Emission Unit  
Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 61.1:**

The following emission points are included in this permit for the cited Emission Unit:

- Emission Unit: 1-LFGAS
- Emission Point: 00001
  - Height (ft.): 34 Diameter (in.): 10
  - NYTMN (km.): 4949.64 NYTME (km.): 611.342
- Emission Point: 00002
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00003
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00004
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00005
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00006
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00007
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502
- Emission Point: 00008
  - Height (ft.): 10 Diameter (in.): 8
  - NYTMN (km.): 4948.364 NYTME (km.): 610.502



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Emission Point: 00009  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00010  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00011  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00012  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00013  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00014  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00015  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00016  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00017  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00018  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00019  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00020  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00021  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

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Emission Point: 00022  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00023  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00024  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00025  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00026  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00027  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00028  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00029  
 Height (ft.): 10 Diameter (in.): 8  
 NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00032  
 Height (ft.): 35 Diameter (in.): 16  
 NYTMN (km.): 4950.798 NYTME (km.): 611.057

Emission Point: 00033  
 Height (ft.): 35 Diameter (in.): 16  
 NYTMN (km.): 4950.791 NYTME (km.): 611.064

Emission Point: 00034  
 Height (ft.): 35 Diameter (in.): 16  
 NYTMN (km.): 4950.795 NYTME (km.): 611.061

Emission Point: 00035  
 Height (ft.): 35 Diameter (in.): 16  
 NYTMN (km.): 4950.788 NYTME (km.): 611.068

Emission Point: 00036  
 Height (ft.): 35 Diameter (in.): 16  
 NYTMN (km.): 4950.805 NYTME (km.): 611.053

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**Condition 62: Process Definition By Emission Unit**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 62.1:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGAS  
Process: 001 Source Classification Code: 5-01-004-06

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the collection and control of the landfill gas emissions by flaring gas collected from the unlined landfill, West Side Development Area, East Side Development Area, Overlay Development Area, and Phase V expansion area. All collected gas will be routed to the LFGTE facility. Flaring of gas will be used as a backup control device only.

Emission Source/Control: F0002 - Control  
Control Type: FLARING

Emission Source/Control: F0003 - Control  
Control Type: FLARING

Emission Source/Control: F0004 - Control  
Control Type: FLARING

Emission Source/Control: F0005 - Control  
Control Type: FLARING

Emission Source/Control: F0006 - Control  
Control Type: FLARING

Emission Source/Control: F0007 - Control  
Control Type: FLARING

Emission Source/Control: F0008 - Control  
Control Type: FLARING

Emission Source/Control: F0009 - Control  
Control Type: FLARING

Emission Source/Control: F0010 - Control  
Control Type: FLARING

Emission Source/Control: F0011 - Control  
Control Type: FLARING

Emission Source/Control: F0012 - Control

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Control Type: FLARING

Emission Source/Control: F0013 - Control  
Control Type: FLARING

Emission Source/Control: F0014 - Control  
Control Type: FLARING

Emission Source/Control: F0015 - Control  
Control Type: FLARING

Emission Source/Control: F0016 - Control  
Control Type: FLARING

Emission Source/Control: F0017 - Control  
Control Type: FLARING

Emission Source/Control: F0018 - Control  
Control Type: FLARING

Emission Source/Control: F0019 - Control  
Control Type: FLARING

Emission Source/Control: F0020 - Control  
Control Type: FLARING

Emission Source/Control: F0021 - Control  
Control Type: FLARING

Emission Source/Control: F0022 - Control  
Control Type: FLARING

Emission Source/Control: F0023 - Control  
Control Type: FLARING

Emission Source/Control: F0024 - Control  
Control Type: FLARING

Emission Source/Control: F0025 - Control  
Control Type: FLARING

Emission Source/Control: F0026 - Control  
Control Type: FLARING

Emission Source/Control: F0027 - Control  
Control Type: FLARING

Emission Source/Control: F0028 - Control  
Control Type: FLARING

Emission Source/Control: F0029 - Control  
Control Type: FLARING

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Emission Source/Control: FLARE - Control  
Control Type: FLARING

Emission Source/Control: LFGCE - Process

Emission Source/Control: OLA&B - Process  
Design Capacity: 1,875,000 cubic yards

Emission Source/Control: PH1&2 - Process  
Design Capacity: 743,719 tons

Emission Source/Control: PH3ES - Process  
Design Capacity: 349,959 tons

Emission Source/Control: PHSE5 - Process  
Design Capacity: 7,124,100 cubic yards

Emission Source/Control: ULPH0 - Process  
Design Capacity: 1,190,618 tons

**Item 62.2:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGAS  
Process: 002 Source Classification Code: 5-01-004-02  
Process Description:  
This process consists of landfill waste generating landfill gas by decomposition and the fugitive emission of landfill gas to the atmosphere.

Emission Source/Control: LFGFE - Process

**Item 62.3:**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGAS  
Process: 005 Source Classification Code: 2-01-008-02  
Process Description:  
This process consists of landfill waste generating landfill gas by decomposition and the collection of landfill gas for combustion. Collected landfill gas is combusted in up to five (5) Caterpillar G3520 gas engine generator sets consuming up to 531 cubic feet per minute of landfill gas each. LFGTE Facility will be the primary landfill gas control device consuming all collected gas generated at the site.

Emission Source/Control: ENG01 - Combustion  
Design Capacity: 1.6 megawatt

Emission Source/Control: ENG02 - Combustion

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Design Capacity: 1.6 megawatt

Emission Source/Control: ENG03 - Combustion  
Design Capacity: 1.6 megawatt

Emission Source/Control: ENG04 - Combustion  
Design Capacity: 1.6 megawatt

Emission Source/Control: ENG05 - Combustion  
Design Capacity: 1.6 megawatt

Emission Source/Control: OLA&B - Process  
Design Capacity: 1,875,000 cubic yards

Emission Source/Control: PH1&2 - Process  
Design Capacity: 743,719 tons

Emission Source/Control: PH3ES - Process  
Design Capacity: 349,959 tons

Emission Source/Control: PHSE5 - Process  
Design Capacity: 7,124,100 cubic yards

Emission Source/Control: ULPH0 - Process  
Design Capacity: 1,190,618 tons

**Condition 63: Compliance Certification**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS  
Process: 005

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.  
The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which

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this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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**STATE ONLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**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: 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



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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.

#### STATE ONLY APPLICABLE REQUIREMENTS

**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 64: Contaminant List**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable State Requirement:ECL 19-0301**

**Item 64.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000630-08-0  
Name: CARBON MONOXIDE

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 65: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable State Requirement:6 NYCRR 201-1.4**

**Item 65.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in

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an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 66: CLCPA Applicability**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable State Requirement:6 NYCRR 201-6.5 (a)**

**Item 66.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 67: Air pollution prohibited**  
**Effective between the dates of 01/25/2021 and 01/24/2026**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 67.1:**

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. Notwithstanding the existence of specific air quality standards or emission limits, this

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prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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