

Facility DEC ID: 6225200018

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

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
 Permit ID: 6-2252-00018/00001
 Effective Date:

Expiration Date:

Permit Issued To: INNOVATIVE/DANC LLC
 2999 JUDGE RD
 OAKFIELD, NY 14125

Contact: JOHN MCNEIL
 ARCHAEA ENERGY
 4444 WESTHEIMER RD STE G450
 HOUSTON, TX 77027
 (404) 862-3782

Facility: INNOVATIVE DANC
 23400 ST RTE 177
 RODMAN, NY 13682

Description:

The Department has received a request for a renewal to a permit to operate air pollution emission sources and has drafted, pursuant to Article 19 (Air Pollution Control) of the Environmental Conservation Law, a Title V Facility Permit, for the facility located at Innovative/DANC LLC, Town of Rodman, Jefferson County, New York. This facility, Innovative/DANC LLC (DEC ID: 6-2252-00018), is engaged in the generation of electricity from the combustion of landfill gas captured at the Development Authority of the North Country (DANC) Solid Waste Management Facility (DEC ID: 6-2252-00007). These facilities will be operating under one capped emission limit of 245 tons per year of Carbon Monoxide in order to remain a PSD minor facility. The Standard Industrial Classification representative of this Landfill Gas to Energy Facility is 4911, Electric Services.

Permitted equipment at Innovative/DANC LLC consists of four (4) existing Caterpillar G3520C landfill gas engine generator sets, one (1) 1,100 scfm candlestick flare, and one (1) 1200 scfm enclosed flame thermal oxidizer for the handling of off-gas operations from the siloxane removal system regeneration cycle.

Emissions of carbon monoxide from the 4 engines at the Innovative/DANC LFGTE facility and the Solid Waste Management Facility will be capped at 245 tons per year which is less than the PSD major project threshold. A siloxane removal system was installed prior to startup of engine 4 (emission source: 04ENG). Engines 1 through 4 (emission sources: 01ENG-04ENG), which are

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currently installed, operate with a CO emission limit of 2.5 g/bhp-hr while running the siloxane removal system.

The Innovative/DANC LLC plant and DANC SWMF shall be considered a single facility for all air pollution control regulations applicability determinations. The PTE of any air pollutant from this single facility shall be based on the maximum landfill gas flow rate which has been reduced to 3368 scfm (expressed as 50% methane). This was done by capping the annual waste placement to 250,000 tons per year. Therefore, emissions of carbon monoxide from the DANC SWMF and Innovative/DANC LLC plant were able to be capped at 245 tons per year.

The draft permit with conditions is available for review in the Region 6 NYSDEC office in Watertown, NY.

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: JESSICA J HART
NYSDEC - REGION 6
317 WASHINGTON ST
WATERTOWN, NY 13601

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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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

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submitted prior to actual transfer of ownership.

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 6
HEADQUARTERS
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 6 Headquarters
Division of Environmental Permits
State Office Building, 317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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Permit Issued To: INNOVATIVE/DANC LLC
2999 JUDGE RD
OAKFIELD, NY 14125

Facility: INNOVATIVE DANC
23400 ST RTE 177
RODMAN, NY 13682

Authorized Activity By Standard Industrial Classification Code:
3519 - MANUFACTURE OF INTERNAL COMBUSTION ENGINES
4911 - ELECTRIC SERVICES

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- 51 44 40CFR 60.4211(c), NSPS Subpart IIII: Compliance Certification
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- 54 47 40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ:
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- 55 50 40CFR 60.762(b)(2), NSPS Subpart XXX: Compliance Certification
- 56 51 40CFR 63.6590(a)(2), Subpart ZZZZ: Applicability of
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- 57 52 40CFR 63.6600(c), Subpart ZZZZ: Exemption for
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- 57 53 40CFR 63.6625(e), Subpart ZZZZ: Compliance Certification
- 58 54 40CFR 63.6655(c), Subpart ZZZZ: Compliance Certification
- 59 55 40CFR 63.6665, Subpart ZZZZ: General provisions
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- 59 56 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 60 57 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-DLFGE,Proc=001

- 63 58 40CFR 63.6590(b)(2), Subpart ZZZZ: Requirements for
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- 63 59 40CFR 63.6625(c), Subpart ZZZZ: Compliance Certification
- 64 60 40CFR 63.6650(g), Subpart ZZZZ: Compliance Certification
- 64 61 40CFR 63.6625(h), Subpart ZZZZ: Compliance Certification
- 65 62 40CFR 63.6655(e), Subpart ZZZZ: Compliance Certification

EU=1-DLFGE,Proc=001,ES=04ENG

- 66 63 40CFR 60.4243(a)(1), NSPS Subpart JJJJ: Compliance Certification
- 67 64 40CFR 60.4207(b), NSPS Subpart IIII: Compliance Certification

EU=1-DLFGE,Proc=E01,ES=EMGEN

- 68 65 40CFR 60.4209(a), NSPS Subpart IIII: Compliance Certification
- 68 66 40CFR 60.4211(a), NSPS Subpart IIII: Compliance Certification
- 69 67 40CFR 63.6590(c), Subpart ZZZZ: Stationary RICE
subject to regulations under 40 CFR Part 60

EU=1-DLFGE,EP=EMGEN

- 70 68 40CFR 60.4202(a)(2), NSPS Subpart IIII: Compliance Certification

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- 72 69 ECL 19-0301: Contaminant List
- 72 70 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 73 71 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 74 72 6 NYCRR 211.1: Air pollution prohibited
- 74 73 6 NYCRR 212-2.3 (b): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/DRAFT

**** 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

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reissuance, or termination, or of a notification of 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

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facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item 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

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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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 1: Acceptable Ambient Air Quality
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 200.6****Item 1.1:**

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

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reports required by the permit.

**Condition 5: Compliance Certification
Effective for entire length of Permit**

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

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,

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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting 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

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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

Condition 6: Compliance Certification
Effective for entire length of Permit

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

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:

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;

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and

- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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
State Office Building
317 Washington Street
Watertown, NY 13601-3787

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway

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Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2023.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.1

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:

Emission statements are to be electronically submitted and are required by any new or renewed Title V permits issued after January 1, 2021. The first reporting year under this provision will be the reporting year in which the permit was issued or reporting year 2025 (emission statements due in 2026), whichever is earlier.

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

Condition 8: Recordkeeping requirements
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

(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 9: Open Fires - Prohibitions
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 215.2

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Item 9.1:

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 9.2

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

- (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**

Permit ID: 6-2252-00018/00001

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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 10: Maintenance of Equipment
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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 for entire length of Permit**

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 for entire length of Permit**

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 for entire length of Permit**

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

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them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit**

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 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 for entire length of Permit**

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 for entire length of Permit**

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.

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Condition 17: Required Emissions Tests
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 17.1:

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 18: Accidental release provisions.
Effective for entire length of Permit

Applicable Federal Requirement:40 CFR Part 68

Item 18.1:

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
8400 Corporate Dr
Carrollton, Md. 20785

Condition 19: Recycling and Emissions Reduction
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 82, Subpart F

Item 19.1:

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

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

**Condition 20: Emission Unit Definition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 20.1:

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

Emission Unit: 1-DLFG

Emission Unit Description:

This emission unit includes: four (4) lean-burn Caterpillar, Inc. Model G3520C internal combustion (IC) engines (ES: ENG01-ENG04) and related exempt ancillary equipment for electricity generation, a gas conditioning and siloxane removal system with one (1) 1,200 scfm enclosed flare thermal oxidizer to control off gases generated during the siloxane removal system regeneration cycle and one (1) 1,100 scfm open candlestick flare to assist in controlling LFG. A like-kind replacement of Engine No. 02ENG, due to a main bearing failure, installed in September 2018. Original S/N of 02ENG GZJ00189 manufactured in 2005. Replacement S/N GZJ00194 manufactured in 2005. The make and model are identical and there is no impact to PSD/NSR, NSPS, NESHAP.

Building(s): ENGBLDG

**Condition 21: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 21.1:

The Compliance Certification activity will be performed for the Facility.

Item 21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Innovative/DANC plant shall separately operate and maintain devices that continuously measure the flow of landfill gas to the 1,100 cfm open candlestick flare (Emission source: F0010) and the enclosed flare thermal oxidizer (emission source: F0011)

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 22: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Innovative/DANC LLC plant (DEC Permit ID: 6-2252-00018/00001) and DANC SWMF (DEC Permit ID: 6-2252-00007/00015) plants shall be considered a single facility for all air pollution control regulations applicability determinations. This being the case if a modification occurs at either plant both permits will require a modification to address the impact on emissions from the facility as a whole.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Progress Reports Due Semiannually
Effective for entire length of Permit

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

Item 23.1:

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 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 24: Operational Flexibility
Effective for entire length of Permit

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

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Item 24.1:

A permit modification is not required for changes that are provided for in the permit. Such changes include approved alternate operating scenarios and changes that have been submitted and approved pursuant to an established operational flexibility protocol and the requirements of this section. Each such change cannot be a modification under any provision of Title I of the Clean Air Act or exceed, or cause the facility to exceed, an emissions cap or limitation in the permit. The facility owner or operator must incorporate all changes into any compliance certifications, record keeping, and/or reporting required by the permit.

**Condition 25: Compliance Certification
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 201-6.4 (f) (2)****Item 25.1:**

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Protocol

Per the provisions as outlined in 6 NYCRR Part 201-6.4(f), certain physical and operational changes that do not need a permit modification can be made if those changes are part of an approved Operational Flexibility Protocol (OFP) incorporated into the Title V permit. Changes implemented under the approved OFP are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.6 unless required by the Department pursuant to 6 NYCRR Part 201-6.4(f)(4).

I. Protocol Criteria

Each operational flexibility change implemented under this OFP will be evaluated for the following criteria:

- a. Any new or changed emission source shall not be part of a source project that results in a significant net emission increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231.
- b. Any new or changed emission source shall not result in a change in the pollutants emitted
- c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable emissions cap. Such changes must be addressed via the significant permit modification provisions.
- d. All underlying federal and state requirements

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with which the new or changed operation or emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed operation or emission source and any related information, and/or subject to the Department's approval, new conditions proposed, to provide the appropriate monitoring parameters.

The following list consists of operational flexibility changes allowed under this OFP for the facility:

1. Replacing an emission or process unit with an identical unit for which operation of the new unit will not violate any applicable requirement including those in the existing Title V permit.
2. Adding an emission source to a process with existing permitted equipment, which are operating under an emission limitation or cap, where the addition of an emission source will not require a new or modified federally enforceable emissions cap
3. Installing a new piece of equipment or process provided the change:
 - Does not make the facility a major source or, in itself constitute a major modification under Title I of the CAA
 - The change does not make the source subject to a New Source Performance Standard (NSPS) or National Emission Standard for Hazardous Air Pollutants (NESHAP), each of which would constitute a modification under Title I of the CAA.
4. Increasing operating hours or increasing or changing fuels/materials provided that associated emissions do not increase beyond any existing permitted emission limit.
5. Installing emission control equipment or limiting emissions from an existing unit provided the action does not avoid an otherwise applicable requirement.

II. Notification Requirements

The facility provide notification of the change to the Department in writing with a Responsible Official Certification, at least 15-days prior to implementing any change. The following information will be contained in the notification:

1. Identification of the emission units, processes, emission sources, and/or emission points that are affected by the proposed change, as well as any revisions to the existing emission unit structure within the permit;

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2. A description of the proposed change, including any operating parameters that are affected;
3. Identification and description of any emission control device or technology that will be used;
4. Documentation demonstrating the proposed change's compliance with all applicable requirements, including calculations demonstrating the emission rate potential and maximum projected annual actual emission rates for all contaminants affected by the change
5. Documentation the change is not subject to the requirements of 6 NYCRR Part 231;
6. Identification and evaluation of all applicable state and federal regulations;
7. A description of any additional operating, record keeping, or reporting procedures necessary to demonstrate compliance with applicable requirements; and
8. Any other relevant information used for the evaluation of the proposed change under the operational flexibility protocol in the facility's permit.

III. Review and Approval

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification required by Section II of this protocol.
2. The Department may require a permit modification in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to the notification do not meet the criteria under Section II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).
3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall include a listing of information required for further review, if necessary.

IV. Additional Compliance Obligations

1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with I.d above.
2. The facility shall provide with the semiannual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the

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compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

3. The facility shall include each change made pursuant to this protocol in the next application for permit modification or renewal, whichever is first. Changes made pursuant to this protocol are not subject to the permit shield provisions described in 6 NYCRR 201-6.4(g) until they are incorporated into the Title V permit.

4. The facility shall maintain a record of each change made pursuant to this protocol at the facility and shall make such records available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Facility Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 26.1:

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: 480,000 pounds per year
Name: CARBON MONOXIDE	

CAS No: 0NY210-00-0	PTE: 190,000 pounds per year
Name: OXIDES OF NITROGEN	

**Condition 27: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

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 Subpart 231-7

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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:

Landfill gas to energy (LFGTE) plant shall install and maintain a device that continuously monitors kilowatt-hours (kWh) and keep records of the monthly megawatt-hours (MWh) generated by each of the internal combustion engines (emission sources 01ENG - 04ENG) listed above.

The monthly MWh generated by each of the emission sources 01ENG - 04ENG will be added to the MWh generated by each engine during the previous 11 months to generate an annual generation rate for each of the emission sources 01ENG - 04ENG. The combined MWh generated by all four internal combustion engines during any 12-month period must remain less than 55,223 MWh.

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Parameter Monitored: ENGINE OPERATION
Upper Permit Limit: 55223 megawatt-hours per year
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Capping Monitoring Condition
Effective for entire length of Permit

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 Subpart 231-7

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: 000630-08-0 CARBON MONOXIDE

Permit ID: 6-2252-00018/00001

Facility DEC ID: 6225200018

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:

Innovative DANC Landfill gas to energy (LFGTE) plant shall keep records of the monthly hours of operation and actual monthly gross electrical output for each of the internal combustion (IC) engines (emission sources 01ENG - 04ENG) listed above. LFGTE plant will use this information and the carbon monoxide (CO) emission rate from the most recent acceptable emission test to calculate the monthly emissions of CO from each IC engine as well as the total from all IC engines.

Additionally LFGTE plant shall keep records of the monthly amount of landfill gas combusted in the open candlestick flare (emission source F0010) and enclosed flare thermal oxidizer(emission source: F0011) as detailed elsewhere in this permit. This information and the CO emission factor of 374.4 lb/million standard cubic feet (scf) methane combusted for the open candlestick flare and the CO emission factor of 202.4 lb/million scf methane combusted for the enclosed flare thermal oxidizer will be used to calculate the total monthly emissions of CO from these sources.

The monthly CO emissions from all emission sources listed above will be added to the CO emissions from the previous 11 months to generate an annual CO emission rate for the LFGTE plant. The CO emission rate during any 12-month period must remain less than 240 tons. The 240 ton CO limit is based on a 12 month rolling totalized landfill gas flow of 1,405,454,400 standard cubic feet per year (expressed as 50% methane).

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 240 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 29: Capping Monitoring Condition
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR Subpart 201-7**

Permit ID: 6-2252-00018/00001

Facility DEC ID: 6225200018

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 Subpart 231-5

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:

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 29.5:

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 29.6:

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

Emission Unit: 1-DLFGE

Regulated Contaminant(s):

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to maintain facility emissions of NO_x below the Non-attainment New Source Review (NSR) major source threshold each of the four stationary internal combustion engines (emission sources 01ENG - 04ENG) must operate at a maximum NO_x emission rate of 0.60 g/bhp-hr.

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Compliance with the emission rate of 0.60 g/bhp-hr shall be demonstrated by an initial performance test as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department and allow for collection of the following information during the test:

- Operating rate for each engine during the test period (BHP);
- Total flow rate of the landfill gas to each engine (scfm, dry basis);
- Concentrations (dry basis) of oxygen (O₂) and methane (CH₄) in the landfill gas burned in the engines (percent by volume or ppmv);
- High heating value for the landfill gas (BTU/scf);
- Heat input rate to each engine averaged over the test period (BTU/hour);
- Exhaust gas flow rate from each engine (scfm, dry basis);
- Concentrations (dry basis) of NO_x, CH₄, and O₂ in the exhaust gas from each engine (ppmv or percent by volume);
- NO_x concentrations corrected to 15% O₂ in the exhaust gas from each engine (ppmv);
- NO_x emission rates from each engine (g/BHP-hr);

2. The facility must utilize the procedures set forth in 40 CFR part 60, Appendix A, Method 7, 7E, or 19, or any other method acceptable to the department for determining compliance with the NO_x limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.

3. The facility must submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

An initial performance test must be completed within 180 days of commencement of operation of emission sources 04ENG. Subsequent performance tests must be performed at least once during the term of the permit. Performance testing of emission sources 01ENG, 02ENG & 03ENG must be performed at least once during the term of the permit. Since all four stationary internal combustion devices at

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this facility are identical Innovative/DANC LLC may request that performance tests conducted following the current permit term be performed on only two of the four internal combustion engines described above.

If performance testing demonstrates non-compliance with the NOx emission limit, the permittee must shut down the engine(s) that exceed the emission limit, take corrective action, and retest the engine(s) within 60 days of restart. In this case subsequent performance testing shall be conducted on the engine(s) in question within 6 months of retest. If at this time engine(s) emissions demonstrate compliance with the NOx emission limit the permittee can resume testing per the schedule outlined above.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.60 grams per brake horsepower-hour

Reference Test Method: EPA RM 7, 7E or 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 30: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

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 Subpart 231-5

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

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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 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: 0NY210-00-0 OXIDES OF NITROGEN

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:

LFGTE plant shall perform the following periodic monitoring for oxides of nitrogen (NO_x) emissions in the exhaust stacks of the four internal combustion (IC) engines (emission sources 01ENG - 04ENG) listed above:

1. NO_x emissions shall be measured monthly, at a stack location acceptable to the Department, while the engine is operating at base load (base load is a normal operating load) using a properly calibrated portable gas analyzer approved for use by the Department.
2. The NO_x measurement will consist of the average of three instantaneous concentration readings that are obtained over a 3 minute period.
3. The first of the three NO_x concentration readings will start after the portable analyzer has sampled engine exhaust for at least 1 minute.
4. The second and third NO_x concentration readings will occur at consecutive 1 minute intervals.
5. The three NO_x concentration readings will be recorded and their average calculated.
6. The calculate average will be the NO_x measurement for that month and must not exceed 47 ppmvd (corrected to 15% O₂).

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If the concentration limit contained in this condition is exceeded the permittee shall take corrective action as soon as possible, but not later than 24 hours after detection, and shall retake the NO_x measurement as outlined above within 24 hours of taking corrective action.

If corrective actions are taken as specified, the monitored exceedance is not a violation of the permit operational requirements; however the permittee shall report these episodes as deviations on the annual compliance certification and semi-annual monitoring report that cover the monitoring period when the deviations occurred.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 47 parts per million by volume (dry, corrected to 15% O₂)

Reference Test Method: Handheld NO_x monitor

Monitoring Frequency: MONTHLY

Averaging Method: 3-MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 31: Capping Monitoring Condition
Effective for entire length of Permit

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 Subpart 231-7

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

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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):

CAS No: 000630-08-0 CARBON MONOXIDE

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 permittee shall install, maintain, and operate a device to continuously monitor and record the temperature in the combustion zone of the enclosed flare thermal oxidizer (Emission Source: F0011) during flare operation. The flare must be maintained and operated at all times per the manufacturer's instructions and recommendations. Any 3-hour block average combustion zone temperature in the enclosed flare thermal oxidizer (emission source: F0011) that is more than 50 degrees Fahrenheit below the manufacturer's design specification of 1650 degrees shall be investigated. The event will be noted with the time/date/cause/corrective action. These events shall be reported to the Department as deviations in the semiannual monitoring reports.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1650 degrees Fahrenheit

Monitoring Frequency: BI-MONTHLY (ONCE EVERY 2 MONTHS)

Averaging Method: 3-HOUR BLOCK AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 32: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 32.1:

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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 Subpart 231-5

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.

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:

Landfill gas to energy (LFGTE) plant shall keep records of the monthly hours of operation and monthly average horsepower for each of the internal combustion (IC) engines (emission sources 01ENG - 04ENG) listed above. LFGTE plant will use this information and the oxides of nitrogen (NOx) emission rate from the most recent acceptable emission test to calculate the monthly emissions of NOx from each IC engine as well as the total

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from all IC engines.

Additionally LFGTE plant shall keep records of the monthly amount of landfill gas combusted in the open candlestick flare (emission source F0010) as detailed elsewhere in this permit. This information and the NO_x emission factor of 68.8 lb/million standard cubic feet (scf) methane combusted will be used to calculate the monthly emissions of NO_x from the open candlestick flare.

The monthly NO_x emissions from all emission sources listed above will be added to the NO_x emissions from the previous 11 months to generate an annual NO_x emission rate for the LFGTE plant. The NO_x emission rate during any 12-month period must remain less than 95 tons.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 95 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Capping Monitoring Condition
Effective for entire length of Permit

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 Subpart 231-7

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

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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 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:

LFGTE plant shall perform the following periodic monitoring for carbon monoxide (CO) emissions in the exhaust stack of the internal combustion (IC) engine listed above:

1. CO emissions shall be measured weekly, at a stack location acceptable to the Department, while the engine is operating at base load (base load is a normal operating load) using a properly calibrated portable gas analyzer approved for use by the Department.
2. The CO measurement will consist of the average of three instantaneous concentration readings that are obtained over a 3 minute period.
3. The first of the three CO concentration readings will start after the portable analyzer has sampled engine exhaust for at least 1 minute.
4. The second and third CO concentration readings will occur at consecutive 1 minute intervals.
5. The three CO concentration readings will be recorded and their average calculated.
6. The calculate average will be the CO measurement for that week and must not exceed 323 ppmvd (corrected to 15% O₂).

If the concentration limit contained in this condition is

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exceeded the permittee shall take corrective action as soon as possible, but not later than 24 hours after detection, and shall retake the CO measurement as outlined above within 24 hours of taking corrective action.

If after corrective action and taking another round of CO measurements the concentration limit in this condition is still being exceeded permittee must: (1) shut down the engine with excessive CO concentration; (2) take necessary corrective action (i.e. tune the engine); and (3) conduct a stack test, as soon as practical, to determine that the engine is operating in compliance with the applicable CO (g/bhp-hr) limit contained elsewhere in this permit.

If corrective actions are taken as specified, the monitored exceedance is not a violation of the permit operational requirements; however the permittee shall report these episodes as deviations on the annual compliance certification and semi-annual monitoring report that cover the monitoring period when the deviations occurred.

LFGTE plant may request the Department to reduce the CO monitoring frequency if it can be demonstrated that a reduced monitoring frequency will continue to ensure compliance with the concentration limit contained above.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 323 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: Handheld CO monitor
Monitoring Frequency: WEEKLY
Averaging Method: 3-MINUTE AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Capping Monitoring Condition
Effective for entire length of Permit

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 Subpart 231-7

Item 34.2:

Operation of this facility shall take place in accordance with the approved criteria, emission

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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.

Item 34.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

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:

Innovative/DANC LLC shall operate and maintain a device that continuously measures the flow of landfill gas to the four landfill gas engines (Emission sources: 01ENG - 04ENG). The monthly quantity of landfill gas combusted by the four engines shall be totalized by the monitoring device and added to the quantity of landfill gas combusted during the previous 11 months to generate the total quantity of landfill gas combusted during the most recent consecutive 12 month period. The quantity of landfill gas combusted in the four engines shall not exceed 1,116,374,400 standard cubic feet (expressed as 50% methane) during any consecutive 12 month period.

Parameter Monitored: LANDFILL GAS

Upper Permit Limit: 1,116,374,400 standard cubic feet
 per year

Monitoring Frequency: MONTHLY

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Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 6 calendar month(s).

**Condition 35: Capping Monitoring Condition
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 35.1:

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 Subpart 231-7

Item 35.2:

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

Item 35.3:

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 35.4:

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 35.5:

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 35.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 35.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility (DANC SWMF Permit ID# 6-2252-00007/00015 & Innovative DANC LLC plant Permit ID# 6-2252-00018/00001) emissions of carbon monoxide (CO) shall not exceed 245 tons during any consecutive 12 month period and shall represent the total emissions from the following emission sources: F0001-F0008 & F0999 (DANC SWMF) and 01ENG-04ENG & F0010- F0011 (Innovative/DANC LLC plant). To demonstrate compliance with this limit the facility shall perform the following:

The DANC SWMF (Permit ID# 6-2252-00007/00015) shall maintain records of the estimated quantity of landfill gas combusted in eight (8) portable passive open flares (emission sources: F0001-F0008) and the metered landfill gas combusted in the active open flare (emission source: F0999) on a monthly basis. At the end of each month DANC SWMF shall calculate the monthly emissions of CO from landfill gas combustion at the DANC SWMF.

The Innovative/DANC LLC plant (Permit ID# 6-2252-00018/00001) shall maintain records of the metered landfill gas combusted in the open flare (emission source: F0010) and enclosed flare thermal oxidizer (emission source: F0011) on a monthly basis. Additionally, the plant shall install and maintain a device that continuously measures and provides a monthly total of the actual gross electrical output from each engine (emission sources: 01ENG-04ENG) in kilowatt-hours (kWh). At the end of each month Innovative/DANC LLC shall calculate the monthly emissions of CO from landfill gas combustion at the Innovative/DANC LLC plant.

Flared emissions shall be calculated utilizing the open flare emission factor provided in the permit application (374.4 lb CO/million scf methane) multiplied by the monthly quantity of landfill gas combusted in all open flares (emission sources: F0001-F0008, F099 and F0010), and shall be calculated utilizing the enclosed flare thermal oxidizer emission factor provided in the permit application (202.4 lb CO/million SCF Methane) multiplied by the monthly quantity of landfill gas combusted in the enclosed flare thermal oxidizer (emission source:F0011). As required elsewhere in the permit, the emissions factor of 374.4 lbs CO/MMscf of methane applies to the 1100 cfm open flare (emissions source F0010), until it is replaced with a LFG enclosed flare or similar LFG control device with a lower emission factor.

Engine emissions shall be calculated as

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follows:

Monthly CO emission from engine = [(actual monthly gross electrical output, in kWh) x (1.341 bhp/kW) x (engine CO emission factor from most recent performance test, in g/bhp-hr)] / [453.6 g/lb]

If no data is available for a specific engine the facility shall use the highest emission factor from the engines on-site.

The monthly CO emissions from each engine will be summed to give the total for all engines operating during each month.

The combined engine and flare monthly CO emissions shall be added to the previous 11 months of CO emissions to give a total CO emission rate over the most recent consecutive 12 month period. The CO emissions over any consecutive 12 month period shall not exceed 245 tons.

Records of all monitoring data and support information shall be retained by the respective emission source operator. The DANC SWMF and Innovative/DANC LLC plant shall each submit a combined facility CO emission cap certification report semi-annually.

When sufficient new evidence becomes available to substantiate changing any of the emission factors used to calculate the monthly CO emissions the Department will discuss utilizing the new emission factors with the applicant prior to the applicant using the revised emission factors.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 245 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 36: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 36.1:

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:

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6 NYCRR Subpart 231-7

Item 36.2:

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

Item 36.3:

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 36.4:

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 36.5:

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 36.6:

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

Emission Unit: 1-DLFGE

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

Item 36.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to maintain project emissions of carbon monoxide (CO) below the Prevention of Significant Deterioration (PSD) significant source project threshold each of the stationary internal combustion engine shown above (emission sources 01ENG, 02ENG, 03ENG, 04ENG) must operate at a maximum CO emission rate of 2.5 g/bhp-hr while the landfill gas siloxane removal system (process 006) is operating to manufacturers gaurantees. (reduction to 5 ppm siloxanes in the landfill gas)

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Compliance with the emission rate of 2.5 g/bhp-hr shall be demonstrated by an initial performance test as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department and allow for collection of the following information during the test:

- Operating rate for the engine during the test period (BHP);
- Total flow rate of the landfill gas to the engine (scfm, dry basis);
- Concentrations (dry basis) of oxygen (O₂) and methane (CH₄) in the landfill gas burned in the engine (percent by volume or ppmv);
- High heating value for the landfill gas (BTU/scf);
- Heat input rate to the engine averaged over the test period (BTU/hour);
- Exhaust gas flow rate from the engine (scfm, dry basis);
- Concentrations (dry basis) of CO, CH₄, and O₂ in the exhaust gas from the engine (ppmv or percent by volume);
- CO concentrations corrected to 15% O₂ in the exhaust gas from the engine (ppmv);
- CO emission rates from the engine (g/BHP-hr);
- The key oxidation catalyst operating parameter(s) once it has been established.

2. The facility must utilize the procedure set forth in 40 CFR part 60, Appendix A, Method 10, or any other method acceptable to the department for determining compliance with the CO limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.

3. The facility must submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

The initial performance test must be completed within 180 days of installation and startup of the siloxane removal system. Subsequent performance tests must be performed at least once during the term of the permit.

If performance testing demonstrates non-compliance with

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the CO emission limit, the permittee must shut down the engine, take corrective action, and retest the engine within 60 days of restart. In this case subsequent performance testing shall be conducted on the engine within 6 months of retest. If at this time engine emissions demonstrate compliance with the CO emission limit the permittee can resume testing per the schedule outlined above.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 2.5 grams per brake horsepower-hour

Reference Test Method: EPA RM 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTIONAveraging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 37: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 37.1:

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 Subpart 231-7

Item 37.2:

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

Item 37.3:

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 37.4:

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 37.5:

The emission of pollutants that exceed the applicability thresholds for an applicable

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requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 37.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 37.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Landfill gas to energy (LFGTE) plant shall keep records of the monthly amount of landfill gas combusted in the open candlestick flare (emission source F0010) and enclosed flare thermal oxidizer (emission source: F0011) listed above. LFGTE plant will use the totalized flow measurements from its landfill gas continuous flow meters for each flare and the average weekly landfill gas methane concentrations to determine the total monthly quantity of landfill gas (corrected to 50% methane) combusted in emission sources F0010 and F0011.

The total monthly amount of landfill gas combusted in emission sources F0010 and F0011 will be added to the landfill gas combusted during the previous 11 months to generate a total combined annual quantity of landfill gas combusted in the open candlestick flare (emission source F0010) and enclosed flare (emission source F0011). The total combined landfill gas combustion quantity during any 12-month period must remain less than 289.08 million standard cubic feet (MMscf).

Once the annual calendar actual amount of landfill gas combusted by the 4 existing LFG engines and the existing LFG flares, combined, reaches , 1,208,709,180 scf, (corrected to 50% methane) the open candlestick flare (emissions source F0010) will be replaced with an enclosed flare or other control device with approved emission factors. The factory certified emission factors must be less 202.4 lbs CO/ MMscf of methane. An application for the replacement is to be submitted to the Department within 180 days of the 85% mark. Due to conservatism built into the landfill gas production model, the gas production may never reach this threshold.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: LANDFILL GAS

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Upper Permit Limit: 289.08 million standard cubic feet
per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 38: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 38.1:

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 Subpart 231-13

Item 38.2:

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

Item 38.3:

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 38.4:

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 38.5:

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 38.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

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Item 38.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Title V renewal for the LFGTE (landfill gas to energy) plant allows for the installation and operation of four internal combustion engines (emission sources 01ENG, 02ENG & 03 ENG, 04ENG), a landfill gas siloxane removal system (emission source SILOX), and an open candlestick flare (emission source F0010), and an enclosed flare thermal oxidizer (emission source F0011) and a diesel emergency generator. This project will involve multiple steps with carbon monoxide (CO) emission limits that change during the different phases of the project on emission sources 01ENG, 02ENG, 03ENG, 04ENG, F0010 & F0011. The phases of the project with the associated CO emission limits are outlined below:

1. The Siloxane Removal System was placed into operation in March 23, 2012

2. LFGTE plant is allowed to optimize performance of the siloxane removal system following construction. The siloxane removal system trial period is ongoing as the facility is still evaluating the performance of the siloxane removal system. During this period the CO emission rate of engines 01ENG, 02ENG, 03ENG & 04ENG will remain limited to 2.5 g/bhp-hr. Also during this time the open candlestick flare (emission source F0010) and enclosed flare thermal oxidizer (emission source F0011) are limited to combusting a combined 289.08 million standard cubic feet (MMscf) during any 12-month period (the monitoring requirements of which are detailed elsewhere in this permit). Also during this time period operation of engines 01ENG-04ENG shall be limited to 98.5% cumulative runtime during any 12-month period based on actual gross electrical output from each engine, in kilowatt-hours, as detailed elsewhere in this permit.

3. 180 days after such time as the annual calendar actual landfill gas combusted by the existing 4 LFG engines and the existing LFG flares, combined, reaches 1,208,709,180 scf (corrected to 50% methane), an application shall be submitted for the replacement of the open candlestick flare (emission source F0010) with a new enclosed flare (or equivalent control device) with a CO emission factor certified by the manufacturer to be equal or less than, 202.4 lbsCO/MMscf of methane. Due to conservatism built into the landfill gas production model, the facility may

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never reach this threshold.

4. At no time during any phase of operation at the LFGTE plant shall emissions of CO exceed 240 tons during any 12-month period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 39: Visible Emissions Limited
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 211.2

Item 39.1:

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 40: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 225-1.2 (d)

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: SULFUR CONTENT

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Upper Permit Limit: 0.0015 percent by weight
 Monitoring Frequency: PER DELIVERY
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
 TIME (INSTANTANEOUS/DISCRETE OR GRAB)
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 12 calendar month(s).

Condition 41: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-1.4 (a)

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: MONITORING OF PROCESS OR CONTROL
 DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility will conduct observations of visible emissions from each of the internal combustion engines, daily when in operation. Any instance where there is cause to believe the visible emissions are above those that are normal and in compliance for the source will be immediately investigated. If visible emissions are above those that are normal and continue to be present after corrections are made, the permittee will immediately notify the Department and conduct a USEPA Method 9 assessment within 24-hrs to determine the degree of opacity.

The Department reserves the right to perform or require the completion of an USEPA Method 9 opacity evaluation from applicable sources at any time while the source is in operation.

Records of observations, investigations, and corrective actions will be kept on site in a format acceptable to the Department and be reported upon semi annually.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Monitoring Frequency: DAILY
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 6 calendar month(s).

Condition 42: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-3.5 (b)

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Item 42.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the purposes of Subparts 231-7 and 231-8 of 6 NYCRR Part 231 only, at such time that a particular facility becomes a major facility, or a modification becomes a NSR major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the facility or modification otherwise to emit a regulated NSR contaminant, such as a restriction on hours of operation, then the requirements of Subparts 231-7 and 231-8 of this Part, as applicable, apply to the facility as though construction had not yet commenced on the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 43: Compliance Certification
 Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.18(c), NSPS Subpart A

Item 43.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-DLFGE
 Process: 006

Emission Unit: 1-DLFGE
 Process: 007 Emission Source: F0011

Regulated Contaminant(s):
 CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All waste flush gas generated by desorption of the

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siloxanes removal system (Process 006) shall be vented to the enclosed flare thermal oxidizer (Emission Source F0011). The flare shall be continuously operated during any time the waste flush is being vented to this flare. This permit does not authorize the use of landfill gas for desorption of the siloxanes removal system. Only air can be used. The flare shall meet the following minimum requirements in accordance with 40 CFR 60.18:

- 1) be designed for and operated with no visible emissions as determined by the methods specified in 40 CFR 60.18(f) (Method 22), except for periods not to exceed 5 minutes during any 2 consecutive hours;
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in 40 CFR 60.18(f) (Method 22);
- 3) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 60.18(c)(3)(ii) and the maximum tip velocity specifications in 40 CFR 60.18(c)(4), or adhering to the requirements in 40 CFR 60.18(c)(3)(i).
- 4) Steam assisted and non assisted flares shall be designed for and operate with an exit velocity, as determined by the methods specified in 40 CFR 60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in 40 CFR 60.18(c)(4)(ii) and (iii).
- 5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{MAX} , as determined by the method specified in 40 CFR 60.18(f)(6).
- 6) Flares used to comply with 40 CFR 60.18(c) shall be steam-assisted, air-assisted or non-assisted.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 44: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4211(c), NSPS Subpart IIII

Item 44.1:

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

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Emission Unit: 1-DLFGE
Process: E01

Emission Source: EGEN2

Emission Unit: 1-DLFGE
Process: E01

Emission Source: EMGEN

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power.

The engine must be installed and configured according to the manufacturer's specifications.

The manufacturer's certification of compliance with the emission standards specified in 40 CFR 60 Subpart IIII for major pollutants will be sent to the Department prior to commencement of operation of the engines.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 45: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.4211(f), NSPS Subpart IIII

Item 45.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-DLFGE
Process: E01

Emission Source: EGEN2

Emission Unit: 1-DLFGE
Process: E01

Emission Source: EMGEN

Regulated Contaminant(s):

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

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Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility owns or operates an emergency stationary ICE, the facility must operate the emergency stationary ICE according to the requirements in 40 CFR Part 60.4211(f)(1)-(3). In order for the engine to be considered an emergency stationary ICE, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR Part 60.4211(f)(1)-(3), is prohibited. If the facility does not operate the engine according to the requirements in 40 CFR Part 60.4211(f)(1)-(3), the engine will not be considered an emergency engine under this condition and must meet all requirements in 40 CFR Part 60, Subpart IIII for non-emergency engines.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 46: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.4214(b), NSPS Subpart IIII

Item 46.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-DLFGE

Process: E01

Emission Source: EGEN2

Emission Unit: 1-DLFGE

Process: E01

Emission Source: EMGEN

Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For stationary CI internal combustion engines that are emergency stationary internal combustion engines, the owner or operator is not required to submit an initial notification.

Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable

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model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter.

The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 47: Applicability of facilities subject to Subpart JJJJ
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ

Item 47.1:

The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006, and where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

**Condition 48: Compliance Certification
Effective for entire length of Permit**

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

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of stationary SI ICE that are subject to the provisions of 40 CFR Subpart JJJJ must meet the following notification, reporting and recordkeeping requirements.

- (1) All notifications submitted to comply with this subpart and all documentation supporting any notification.
- (2) Maintenance conducted on the engine.
- (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and

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information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 49: Subpart A provisions that apply to facilities subject to Subpart JJJJ Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.4246, NSPS Subpart JJJJ

Item 49.1:

The following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

Condition 50: Compliance Certification Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.762(b)(2), NSPS Subpart XXX

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:

Route all the collected gas to a control system that complies with the requirements in either paragraph (b)(2)(iii)(A), (B), or (C) of this section.

(A) A non-enclosed flare designed and operated in accordance with the parameters established in § 60.18 except as noted in § 60.764(e); or

(B) 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. The reduction efficiency or parts per million by volume must be established by an initial performance test to be completed no later than 180

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days after the initial startup of the approved control system using the test methods specified in § 60.764(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 this subpart.

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

(2) 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 § 60.766;

(C) 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 according to either paragraph (b)(2)(iii)(A) or (B) of this section.

(D) All emissions from any atmospheric vent from the gas treatment system are subject to the requirements of paragraph (b)(2)(iii)(A) or (B) of this section. For purposes of this subpart, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of paragraph (b)(2)(iii)(A) or (B) of this section.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 51: Applicability of new RICE greater than 500 hp at a HAP major facility
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6590(a)(2), Subpart ZZZZ

Item 51.1:

An affected source is any new stationary reciprocating internal combustion engine (RICE) with a site-rating of more than 500 brake horsepower located at a major source of HAP emissions,

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excluding stationary RICE being tested at a stationary RICE test cell/stand.

A stationary RICE is new if construction or reconstruction commenced on or after December 19, 2002.

**Condition 52: Exemption for certain existing stationary reciprocating internal combustion engines (RICE)
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.6600(c), Subpart ZZZZ

Item 52.1:

Facilities that own or operate any of the following stationary RICE with a site rating of more than 500 brake horsepower located at a major source of HAP emissions: An existing two-stroke lean burn (2SLB) stationary RICE, an existing four-stroke lean burn (4SLB) stationary RICE, a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an emergency stationary RICE, or a limited use stationary RICE; do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d of 40 CFR 63 Subpart ZZZZ or operating limitations in Tables 1b and 2b of 40 CFR 63 Subpart ZZZZ.

**Condition 53: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.6625(e), Subpart ZZZZ

Item 53.1:

The Compliance Certification activity will be performed for the Facility.

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any of the following stationary RICE must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

- (1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions;
- (2) An existing emergency or black start stationary RICE

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with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary compression ignition RICE with a site rating less than or equal to 300 brake horsepower located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2 stroke lean burn stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(7) An existing non-emergency, non-black start 4 stroke lean burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4 stroke lean burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 54: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6655(c), Subpart ZZZZ

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Item 54.1:

The Compliance Certification activity will be performed for the Facility.

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A facility operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must keep the records of your daily fuel usage monitors.

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 55: General provisions
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.6665, Subpart ZZZZ

Item 55.1:

Table 8 of 40 CFR 63 Subpart ZZZZ shows which parts of the General Provisions 40 CFR 63.1 through 40 CFR 63.15 apply to this facility. Facility is responsible for ensuring they comply with all General Provisions contained in Table 8.

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

**Condition 56: Emission Point Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 56.1:

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

Emission Unit: 1-DLFG

Emission Point: 00010

Height (ft.): 30

Diameter (in.): 6

NYTMN (km.): 4852.532 NYTME (km.): 426.002

Emission Point: 00011

Height (ft.): 20

Diameter (in.): 48

NYTMN (km.): 4852.532 NYTME (km.): 426.002

Emission Point: EMG02

Height (ft.): Length (in.): Width (in.):

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NYTMN (km.): 4852.532 NYTME (km.): 425.954 Building: ENGBLDG

Emission Point: EMGEN
 Height (ft.): Length (in.): Width (in.):
 NYTMN (km.): 4852.532 NYTME (km.): 426.002

Emission Point: ENG01
 Height (ft.): 35 Diameter (in.): 15
 NYTMN (km.): 4852.552 NYTME (km.): 425.954 Building: ENGBLDG

Emission Point: ENG02
 Height (ft.): 35 Diameter (in.): 15
 NYTMN (km.): 4852.543 NYTME (km.): 425.959 Building: ENGBLDG

Emission Point: ENG03
 Height (ft.): 35 Diameter (in.): 15
 NYTMN (km.): 4852.56 NYTME (km.): 425.965 Building: ENGBLDG

Emission Point: ENG04
 Height (ft.): 35 Diameter (in.): 15
 NYTMN (km.): 4852.551 NYTME (km.): 425.969 Building: ENGBLDG

**Condition 57: Process Definition By Emission Unit
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 57.1:

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

Emission Unit: 1-DLFG
 Process: 001 Source Classification Code: 2-01-008-02

Process Description:
 Process 001 consists of four (4) Caterpillar G3520C landfill gas fired internal combustion (IC) engine generator sets. Treated landfill gas from the DANC SWMF is combusted at a rate of approximately 531 standard cubic feet (scfm) at 50 percent methane per engine for a total combined landfill gas utilization rate of 2,124 scfm at 50 percent methane for the four (4) IC engines.

Emission Source/Control: 01ENG - Combustion
 Design Capacity: 1,600 kilowatts

Emission Source/Control: 02ENG - Combustion
 Design Capacity: 1,600 kilowatts

Emission Source/Control: 03ENG - Combustion
 Design Capacity: 1,600 kilowatts

Emission Source/Control: 04ENG - Combustion
 Design Capacity: 1,600 kilowatts

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Emission Source/Control: SILOX - Process
 Design Capacity: 3,000 cubic feet per minute (standard conditions)

Item 57.2:

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

Emission Unit: 1-DLFG
 Process: 002 Source Classification Code: 4-03-010-97
 Process Description:
 Process 002 consists of engine lube oil storage tanks. There are two (2) tanks. One tank having a capacity of 8000 gallons stores new lube oil; the other tank having a capacity of 2000 gallons stores used lube oil. 6 NYCRR part 201-3.1 (b) exempt.

Emission Source/Control: TANK1 - Process
 Design Capacity: 8,000 gallons

Emission Source/Control: TANK2 - Process
 Design Capacity: 2,000 gallons

Item 57.3:

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

Emission Unit: 1-DLFG
 Process: 004 Source Classification Code: 2-02-001-02
 Process Description:
 Process 004 consists of one (1) 100 kW (157hp) and one (1) 20 kW (33hp) internal combustion emergency generator sets. These gen sets operate utilizing one (1) 200 gallon and one (1) 46 gallon diesel fuel storage tanks exempt pursuant 6 NYCRR part 201-3 (b) exempt.

Emission Source/Control: EGEN2 - Combustion
 Design Capacity: 33 brake horsepower

Emission Source/Control: EMGEN - Combustion
 Design Capacity: 156.9 brake horsepower

Item 57.4:

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

Emission Unit: 1-DLFG
 Process: 005 Source Classification Code: 5-01-004-10
 Process Description:
 Process 005 consists of one (1) open candlestick flare with the capacity to combust up to 1,100 scfm of landfill gas.

Emission Source/Control: F0010 - Combustion
 Design Capacity: 1,100 cubic feet per minute (standard conditions)

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Item 57.5:

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

Emission Unit: 1-DLFG

Process: 006

Source Classification Code: 5-01-004-31

Process Description:

Process 006 consists of a siloxane removal system for the LFGTE plant inlet landfill gas stream. Treated landfill gas will be sent to the engines, open flare and enclosed flare thermal oxidizer. The system will remove NMOCs including siloxanes, and hydrogen sulfide in the landfill gas stream prior to combustion. Off-gases from the regeneration of the siloxane removal system will be flared in the enclosed flare thermal oxidizer. Emissions associated with this process are included in the enclosed flare thermal oxidizer PTE emission estimates.

Emission Source/Control: F0011 - Combustion

Design Capacity: 1,200 cubic feet per minute (standard conditions)

Emission Source/Control: SILOX - Process

Design Capacity: 3,000 cubic feet per minute (standard conditions)

Item 57.6:

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

Emission Unit: 1-DLFG

Process: 007

Source Classification Code: 5-01-004-10

Process Description:

Process 007 will consist of one (1) enclosed flare thermal oxidizer utilized to control 1200 scfm waste off-gas from the siloxane removal system regeneration cycle. The enclosed flare thermal oxidizer utilizes a nominal landfill gas usage of 126 scfm at 50% methane. The maximum design capacity for the enclosed flare thermal oxidizer will be 3.28 mmBTU/hr based on 50% methane in the landfill gas.

Emission Source/Control: F0011 - Combustion

Design Capacity: 1,200 cubic feet per minute (standard conditions)

Item 57.7:

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

Emission Unit: 1-DLFG

Process: E01

Source Classification Code: 4-03-010-97

Process Description:

Exempt sources including an emergency diesel generator rated at 157 hp installed 6-23-2008.

Emission Source/Control: EGEN2 - Combustion

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Design Capacity: 33 brake horsepower

Emission Source/Control: EMGEN - Combustion

Design Capacity: 156.9 brake horsepower

**Condition 58: Requirements for engines burning landfill or digester gas
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6590(b)(2), Subpart ZZZZ

Item 58.1:

This Condition applies to Emission Unit: 1-DLFGE
Process: 001

Item 58.2:

A new or reconstructed RICE with a site rating of more than 500 brake horsepower located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10% or more of the gross heat input on an annual basis must meet the initial notification requirements of 40 CFR 63.6645(f) and the requirements listed in 40 CFR 63.6625(c), 40 CFR 63.6650(g), and 40 CFR 63.6655(c). These stationary RICE do not have to meet the emission limits and operating limits in Subpart ZZZZ.

**Condition 59: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6625(c), Subpart ZZZZ

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFGE
Process: 001

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, he/she must operate the stationary RICE in a manner which reasonably minimizes HAP emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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Condition 60: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6650(g), Subpart ZZZZ

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFG E

Process: 001

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility is operating as a new or reconstructed stationary RICE which fires landfill or digester gas equivalent to 10% or more of the gross heat input on an annual basis, the facility must submit an annual report according to Table 7 of subpart ZZZZ by the date specified in §63.6650(b)(1)-(5). The report must contain the following information:

1- Fuel flow rate of each fuel and the heating values that were used in the calculations. The facility must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10% or more of the total fuel consumption on an annual basis.

2- The operating limits provided in the federally enforceable permit, and any deviations from these limits.

3- Any problems or errors suspected with the meters.

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 61: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6625(h), Subpart ZZZZ

Item 61.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

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Emission Unit: 1-DLFGE
Process: 001

Emission Source: 03ENG

Emission Unit: 1-DLFGE
Process: 001

Emission Source: 04ENG

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that he/she operated and maintained the stationary RICE and after-treatment control device (if any) according to the maintenance plan for the following stationary RICE;

- (1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions.
- (2) An existing stationary emergency RICE.
- (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to subpart ZZZZ.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 63: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.4243(a)(1), NSPS Subpart JJJJ

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFGE
Process: 001

Emission Source: 04ENG

Regulated Contaminant(s):

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

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If you are an owner or operator of a stationary SI

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internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance. In addition, you must meet one of the requirements specified below:

If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 64: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4207(b), NSPS Subpart IIII

Item 64.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-DLFG

Process: E01

Emission Source: EMGEN

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a stationary compression ignition internal combustion engine with a displacement of less than 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel above a maximum aromatic content of 35 percent per gallon as referenced in 40 CFR Part 80.510(b) except that any diesel fuel purchased or otherwise

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obtained prior to October 1, 2010 may be used until depleted. Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the aromatic content for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: AROMATIC CONTENT

Upper Permit Limit: 35 percent

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 65: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4209(a), NSPS Subpart IIII

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFGE

Process: E01

Emission Source: EMGEN

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an emergency stationary compression ignition IC engine must install and maintain a non-resettable hour meter prior to startup to monitor engine usage

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 66: Compliance Certification
Effective for entire length of Permit

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Applicable Federal Requirement:40CFR 60.4211(a), NSPS Subpart IIII

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFGE

Process: E01

Emission Source: EMGEN

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary CI internal combustion engine must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must do all of the following:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to the facility

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 67: Stationary RICE subject to regulations under 40 CFR Part 60

Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63.6590(c), Subpart ZZZZ

Item 67.1:

This Condition applies to Emission Unit: 1-DLFGE

Process: E01

Emission Source:

EMGEN

Item 67.2:

An affected source that meets any of the criteria listed below must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

- new or reconstructed stationary RICE located at an area source,
- new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,

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- new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake horsepower located at a major source of HAP emissions,
- new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,
- new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis,
- new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,
- new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions.

Condition 68: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4202(a)(2), NSPS Subpart IIII

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-DLFG

Emission Point: EMGEN

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The emergency generator is subject to the following:
 Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section. For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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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 in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction 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

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criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

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 69: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 69.1:

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: 073138-87-1
Name: SILOXANES

CAS No: 0NY100-00-0
Name: TOTAL HAP

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

CAS No: 0NY998-20-0
Name: NMOC - LANDFILL USE ONLY

Condition 70: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

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Item 70.1:

(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 maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, 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 monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall 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. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. 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, the air contaminants emitted, and the resulting emission rates and/or opacity.

(d) The department may also require the facility 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 71: CLCPA Applicability
Effective for entire length of Permit

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

Item 71.1:

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

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gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 72: Air pollution prohibited
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 211.1

Item 72.1:

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 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.

**Condition 73: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 73.1:

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

Emission Unit: 1-DLFG Process: 001	Emission Source: 01ENG
Emission Unit: 1-DLFG Process: 001	Emission Source: 02ENG
Emission Unit: 1-DLFG Process: 001	Emission Source: 03ENG
Emission Unit: 1-DLFG Process: 001	Emission Source: 04ENG
Emission Unit: 1-DLFG Process: 001	Emission Source: SILOX
Regulated Contaminant(s): CAS No: 073138-87-1	SILOXANES

Item 73.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No later than 60 days prior to the initiation of

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operation of the siloxanes removal system (Emission Source: SILOX), the permittee shall submit to the Department a monitoring plan identifying how they propose to demonstrate compliance with the siloxanes removal system manufacturer specification of a siloxanes content of 5 milligrams per cubic meter in landfill gas fired in all 4 landfill gas engines (Emission Sources: 01ENG - 04ENG).

Following the interim siloxane removal system test period and confirmation of system performance, the requirement to monitor the siloxane removal system will no longer be required. Weekly emissions monitoring of CO and NO_x shall continue to be conducted in accordance with conditions contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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