



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

Permit ID: 9-0232-00003/00012

Renewal Number: 1

08/26/2019

Facility Identification Data

Name: HYLAND LANDFILL
Address: 6653 HERDMAN RD
ANGELICA, NY 14709

Owner/Firm

Name: HYLAND FACILITY ASSOCIATES
Address: 25 GREENS HILL LN
RUTLAND, VT 05702, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: DAVID S DENK
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BUFFALO, NY 14203-2915
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Division of Air Resources:

Name: CONNIE LAPORT
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270 MICHIGAN AVE
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Air Permitting Contact:

Name: SAMUEL NICOLAI
Address: CASELLA WASTE SYSTEMS INC DIRECTOR OF LANDFILL ENGINEERING
25 GREEN HILL LN
RUTLAND, VT 05701
Phone:8027722254

Permit Description

Introduction

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

Summary Description of Proposed Project

This permit action includes the Title V permit renewal Ren 1, Mod 0 and modifications as listed below.

The previous Title V permit modification Ren 0 Mod 1 (submitted 2011) was issued to allow the annual waste tonnage be increased by 49 percent. The modification was determined to be a major Prevention of



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Deterioration (PSD) project for greenhouse (GHG) emissions, only. Hyland Landfill was required to implement Best Available Control Technology (BACT) for GHG emissions. BACT included early implementation of the New Source Performance Standards for Municipal Solid Waste Landfills (NSPS-WWW) and National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills (NESHAP-AAAA). In 2014, the U.S. Supreme Court ruled that a source classified as PSD major based solely on GHG emissions will no longer require PSD permits. As such, the PSD conditions have been removed from the permit and replaced with the NSPS-WWW and NESHAP-AAAA requirements.

As part of the application for the renewal permit, an updated emission inventory was provided. The inventory included the potential-to-emit for all emission sources at the facility. Based on the updated emission inventory, the potential carbon monoxide emissions increased from 235 tons per year (tpy) after the last modification to 249 tpy. The current actual carbon monoxide emissions are 215 tpy. The primary difference in emission estimates is due to the engines increased capability to combust a total rate of landfill gas from 1,500 cfm to 1,650 cfm. As such, a facility carbon monoxide emission limit of 245 tpy was added to the permit, to ensure the PSD threshold of 250 tpy from the prior modification is not exceeded.

The updated emission inventory also included formaldehyde emissions produced from the incomplete combustion in the LFG engines. Formaldehyde is a hazardous air pollutant (HAP) and emissions from incomplete combustion were not accounted for in the original application. Formaldehyde emission data is now available from the engine manufacturer based on testing at other LFGTE facilities and other technical data. Based on the updated emission estimates, the potential total HAP emissions are 38 tpy and the formaldehyde emissions are 29 tpy. As such, the facility status was changed from a non-major Title V HAP source to a major Title V HAP facility.

40 CFR 63 Subpart ZZZZ requirements for stationary internal combustion engines were changed to the major source HAP requirements.

40 CFR 60 Subpart IIII requirements for stationary internal combustion engines were added for one of the emergency generators.

40CFR 61.154, NESHAP Subpart M requirements for Asbestos-containing waste material standard for active waste disposal sites were added to the permit.

6NYCRR Part 225-1 sulfur in fuel limits were added for the emergency generators.

A non-applicability statement to the New Source Performance Standard for Municipal Solid Waste Landfills (NSPS-XXX), which became effective on October 28, 2016, was added to the permit.

Attainment Status

HYLAND LANDFILL is located in the town of ANGELICA in the county of ALLEGANY. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT



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Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description:

Hyland Facility Associates, Inc. owns and operates the Hyland MSW Landfill located in Angelica, NY. The Landfill consists of five (5) permitted cells (76.3 acres) with an annual waste acceptance rate of 465,000 tons per year and a design capacity of approximately 14,169,300 cubic yards.

The Landfill has an active GCCS that transports the LFG to a landfill gas-to-energy (LFGTE) plant. The LFGTE plant consists of a landfill gas treatment system and three (3) Caterpillar G3520 landfill gas internal combustion engines connected to individual electricity generators. Landfill gas that is collected and used for fuel in the LFGTE plant is treated by a system that has an absolute filtration rating of 10 microns or less, lowers the water dew point of the landfill gas by at least 20 degrees Fahrenheit with a dewatering process, and compresses the landfill gas. The LFG treatment system is operated at all times when gas is routed to the engines for use. The three (3) Caterpillar G3520 landfill gas internal combustion engine/generator sets (1,600 kw each) combust together nearly 1,650 cfm. In addition, the landfill has a permitted 3,000 cfm open flare that serves as backup to the LFGTE plant. LFG that escapes the GCCS is accounted for in fugitive emissions. Exempt emissions sources include three (3) emergency generators (less than 400 hp each), two (2) degreaser units and one (1) maintenance shop heater (less than 10 MMBTU).

Permit Structure and Description of Operations

The Title V permit for HYLAND LANDFILL

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

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



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

Emission unit 1EXMPT - Emission unit 1-EXMPT includes emission sources that are exempt from permitting as allowed in accordance with 6 NYCRR Part 201-3 but are subject to other applicable requirements.

Process: EMG is located at Building ENGBLDG - Process EMG includes three (3) emergency generators including a diesel powered Caterpillar Model D100-6, 156.9 HP located at the LFGTE Plant, manufactured in 2007 and subject to 40 CFR 60 Subpart IIII; a diesel powered Perkins Model 1004-4T, 111 HP located at Cell #2 Pump House, manufactured in 2002 and subject to 40 CFR 63 Subpart ZZZZ; and, a propane powered Generac Power Systems, Inc. Model 04675, 20 HP located at the Scale House, manufactured in 2005 and subject to 40 CFR 63 Subpart ZZZZ.

Each engine is equipped with an hour meter. The actual hours of operation are used in calculating the monthly carbon monoxide emissions for the facility-wide emissions cap.

Each emergency generator must satisfy the definition of an *Emergency power generating stationary internal combustion engine*, as specified in 6 NYCRR Part 200.1(cq), to remain classified as an emergency generator.

[6 NYCRR Part 200.1(cq)]: A stationary internal combustion engine that operates as a mechanical or electrical power source only when the usual supply of power is unavailable, and operates for no more than 500 hours per year. The 500 hours of annual operation for the engine include operation during emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a week to ensure reliability). A stationary internal combustion engine used for peak shaving generation is not an emergency power generating stationary internal combustion engine.

Process: VOC is located at Building ENGBLDG - Process VOC includes two (2) degreasing units that are subject to 6NYCRR Part 226. There is a Safety-Kleen Model 30, 30-gallon drum mount cold degreaser unit in the maintenance shop and a Crystal Clean Model 1602, 30-gallon drum mount cold degreaser unit in the LFGTE Plant. The degreasers use Petroleum distillates, CAS # 64742-47-8. The degreasers do not use halogenated hazardous air pollutants and are not subject to 40 CFR 63 Subpart T.

Emission unit 1LNDFL - Emission Unit 1-LNDFL includes the landfill gas generated by Cells 1, 2, 3, 4 and 5, an active gas collection system collecting an estimated 75% of the landfill gas generated (remainder considered fugitive emissions) and operation of a 3,000 cfm open flare that serves as backup to the LFGTE Plant.

Emission unit 1LNDFL is associated with the following emission points (EP):
STK-2

Process: FLR Process FLR includes the collected landfill gas from the collection system and the operation of the 3,000 cfm open flare.

Process: FUG Process FUG includes fugitive landfill gas emissions not collected by the active gas collection system.



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Emission unit 1LFGTE - The Landfill has an active GCCS that transports the LFG to a landfill gas-to-energy (LFGTE) plant. The LFGTE plant consists of a landfill gas treatment system and three (3) Caterpillar G3520 landfill gas internal combustion engines connected to individual electricity generators. Landfill gas that is collected and used for fuel in the LFGTE plant is treated by a system that has an absolute filtration rating of 10 microns or less, lowers the water dew point of the landfill gas by at least 20 degrees Fahrenheit with a dewatering process, and compresses the landfill gas. The LFG treatment system is operated at all times when gas is routed to the engines for use. The three (3) Caterpillar G3520 landfill gas internal combustion engine/generator sets (1,600 kw each) combust together nearly 1,650 cfm.

Emission unit 1LFGTE is associated with the following emission points (EP):
ENG01, ENG02, ENG03

Process: ENG is located at Building ENGBLDG - Process ENG consists of three (3) Caterpillar G3520 landfill gas internal combustion engine generator sets. Each engine will consume landfill gas at approximately 550 cubic feet per minute.

Process: GTS is located at Building ENGBLDG - Process GTS includes the landfill gas treatment system. Landfill gas that is collected and used for fuel in the landfill gas Caterpillar G3520 engines is treated by a system that has an absolute filtration rating of 10 microns or less, lowers the water dew point of the landfill gas by at least 20 degrees Fahrenheit with a dewatering process, and compresses the landfill gas. The LFG treatment system is operated at all times when gas is routed to the engines for use.

Title V/Major Source Status

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

Hyland Landfill is a major Title V source of Carbon Monoxide emissions limited to 245 tpy. The facility status has changed from a non-major Title V, HAP source to a major source of 38 tpy Total HAP and 29 tpy single HAP, namely Formaldehyde emissions.

Program Applicability

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

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	YES
NESHAP (MACT - 40 CFR Part 63)	YES



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NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which



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specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code

Description

4911	ELECTRIC SERVICES
4953	REFUSE SYSTEMS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information.Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code

Description

2-01-008-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS Reciprocating
2-02-001-07	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL(DIESEL) RECIPROCATING: EXHAUST
4-01-002-95	ORGANIC SOLVENT EVAPORATION ORGANIC SOLVENT EVAPORATION - DEGREASING OTHER NOT CLASSIFIED - GENERAL DEGREASING UNITS
5-01-004-06	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-02-006-01	LANDFILL GAS COLLECTION SYSTEM: OTHER SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP WASTE GAS FLARES ** (USE 5-01-004-10)



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5-02-006-02

SOLID WASTE DISPOSAL -
COMMERCIAL/INSTITUTIONAL
SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL
DUMP
MUNICIPAL: FUGITIVE EMISSIONS ** (USE 5-01-
004-02)

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000079-34-5	1,1,2,2- TETRACHLOROET HANE	207			
000107-06-2	1,2- DICHLOROETHAN E	45			
000108-10-1	2-PENTANONE, 4-METHYL	208			
000071-43-2	BENZENE	166			
000106-46-7	BENZENE, 1,4- DICHLORO-	34.3			
000124-38-9	CARBON DIOXIDE	157482245			
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	379472867			
000075-15-0	CARBON DISULFIDE	49			
000630-08-0	CARBON MONOXIDE	490000			
000056-23-5	CARBON TETRACHLORIDE	0.68			
000463-58-1	CARBONYL SULFIDE	32.7			
000108-90-7	CHLOROBENZENE	31.2			
000067-66-3	CHLOROFORM	3.98			
000075-09-2	DICHLOROMETHA NE	1348			
000071-55-6	ETHANE, 1,1,1-	71			



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000075-34-3	TRICHLORO ETHANE, 1,1- DICHLORO-	258
000106-93-4	ETHANE, 1,2- DIBROMO	0.209
000075-00-3	ETHANE, CHLORO	89.5
000075-35-4	ETHENE,1,1- DICHLORO	21.5
000100-41-4	ETHYLBENZENE	543
000050-00-0	FORMALDEHYDE	58638
000110-54-3	HEXANE	628
007647-01-0	HYDROGEN CHLORIDE	6658
007439-97-6	MERCURY	0.255
000074-82-8	METHANE	8879625
0NY998-20-0	NMOC - LANDFILL USE ONLY	56928
0NY210-00-0	OXIDES OF NITROGEN	102435
0NY075-00-0	PARTICULATES	24736
000127-18-4	PERCHLOROETHY LENE	687
0NY075-02-5	PM 2.5	24736
0NY075-00-5	PM-10	24736
000078-87-5	PROPANE, 1,2- DICHLORO	22.6
000107-13-1	PROPENENITRIL E	373
007446-09-5	SULFUR DIOXIDE	52196
000108-88-3	TOLUENE	4019
0NY100-00-0	TOTAL HAP	76481
000079-01-6	TRICHLOROETHY LENE	411
000075-01-4	VINYL CHLORIDE	509
0NY998-00-0	VOC	23853
001330-20-7	XYLENE, M, O & P MIXT.	1426

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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 Part 201-6.2(a)(4)

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



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date of permit expiration for permit renewal purposes.

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



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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item 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



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effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item 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.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5



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Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	61	Powers and Duties of the Department with respect to air pollution control
1-EXMPT/-/EMG/01EMG	40CFR 60-IIII	54	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 60- WWW.752(b)(2)	28	Standards for air emissions from MSW landfills
FACILITY	40CFR 60- WWW.752(b)(2)(29	Requirements for collected gas directed to a control system
FACILITY	40CFR 60- WWW.752(b)(2)(30	Open flare designed
FACILITY	40CFR 60- WWW.752(b)(2)(31	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
FACILITY	40CFR 60-WWW.752(d)	32	Landfill Closure
FACILITY	40CFR 60-WWW.753(b)	33	Op Standards for collection/ control systems-Pressure
FACILITY	40CFR 60-WWW.753(c)	34, 35	Operational Standards for Collection and Control Systems
FACILITY	40CFR 60-WWW.753(d)	36	Operational Standards for Collection and Control Systems - Surface Methane
FACILITY	40CFR 60-WWW.755(c)	37, 38	Compliance Provisions - surface methane
FACILITY	40CFR 60-WWW.755(d)	39	Compliance Provisions - instrumentation



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FACILITY	40CFR 60-WWW.755(e)	40, 41	specifications Compliance Provisions - Start-up, shutdown, or malfunction
FACILITY	40CFR 60-WWW.758	42	Recordkeeping requirements
FACILITY	40CFR 60-WWW.759(a)	43	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759(b)	44	Specifications for active collection systems
FACILITY	40CFR 60-WWW.759(c)	45	Specifications for active collection systems
FACILITY	40CFR 61-M	46	Asbestos standards for: asbestos mills, manufacturing operations using asbestos, and other sources
FACILITY	40CFR 61-M.154	47	Standard for active waste disposal sites
FACILITY	40CFR 63-AAAA.1935	48	NESHAP for Municipal Solid Waste Landfills
1-EXMPT/-/EMG	40CFR 63-ZZZZ	53	Reciprocating Internal Combustion Engine (RICE) NESHAP
1-LFGTE/-/ENG	40CFR 63-ZZZZ	60	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	62	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 22, 49, 50	Title V Permits and the Associated Permit Conditions
1-LFGTE	6NYCRR 201-6	56, 57, 58	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Fees



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FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions -
FACILITY	6NYCRR 201-6.4(c)	3	Right to Inspect
FACILITY	6NYCRR 201-6.4(c)(2)	4	Recordkeeping and
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Reporting of
FACILITY	6NYCRR 201-6.4(d)(4)	23	Compliance Monitoring
FACILITY	6NYCRR 201-6.4(e)	6	Records of
FACILITY	6NYCRR 201-6.4(f)(6)	17	Monitoring, Sampling
FACILITY	6NYCRR 201-6.4(g)	24	and Measurement
FACILITY	6NYCRR 201-7	25	Reporting
FACILITY	6NYCRR 202-1.1	18	Requirements -
FACILITY	6NYCRR 202-2.1	7	Deviations and
FACILITY	6NYCRR 202-2.5	8	Noncompliance
FACILITY	6NYCRR 211.1	63, 64	Compliance Schedules
FACILITY	6NYCRR 211.2	27	- Progress Reports
FACILITY	6NYCRR 215.2	9	Compliance
1-EXMPT/-/EMG	6NYCRR 225-1.2(h)	51	Certification
1-EXMPT/-/VOC	6NYCRR 226	55	Off Permit Changes
1-EXMPT/-/EMG	6NYCRR 227-1.3(a)	52	Permit Shield
1-LFGTE	6NYCRR 227-1.3(a)	59	Federally Enforceable
			Emissions Caps
			Required emissions
			tests.
			Emission Statements -
			Applicability
			Emission Statements -
			record keeping
			requirements.
			General Prohibitions
			- air pollution
			prohibited
			General Prohibitions
			- visible emissions
			limited.
			Open Fires -
			Prohibitions
			Sulfur-in-Fuel
			Limitations
			SOLVENT METAL
			CLEANING PROCESSES
			Smoke Emission
			Limitations.
			Smoke Emission
			Limitations.

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

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



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6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to



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inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

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

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (f) (6)

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

6 NYCRR 201-6.4 (g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

6 NYCRR 202-1.1

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

6 NYCRR 202-2.1

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



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previous calENDar year.

6 NYCRR 202-2.5

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

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

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

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

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

40 CFR 60.752 (b) (2)

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

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

Route all the collected gas to an open flare or to a gas treatment system that complies with the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (C).

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

The open flare shall be designed and operated in accordance with §60.18 except as noted in §60.754(e).

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



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Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of §60.752(b)(2)(iii) (A) or (B).

40 CFR 60.752 (d)

After the landfill is closed, the owner of the landfill is no longer subject to the requirements of Subpart WWW if the landfill collection and control system have been in operation for at least 15 years and the calculated NMOC emission rate is less than 50 megagrams per year.

40 CFR 60.753 (b)

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

40 CFR 60.753 (c)

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

40 CFR 60.753 (d)

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

40 CFR 60.755 (c)

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

40 CFR 60.755 (d)

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

40 CFR 60.755 (e)

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

40 CFR 60.758

The recordkeeping requirements of 40 CFR 60 Subpart WWW are specified in this permit condition.

40 CFR 60.759 (a)

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



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system.

40 CFR 60.759 (b)

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

40 CFR 60.759 (c)

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

40 CFR 61.154

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

40 CFR 63.1935

This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in §63.1935 to meet the requirements of 40 CFR part 60, subpart WWW. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements.

40 CFR Part 60, Subpart IIII

Pursuant to 6 NYCRR Part 201-3.2 (c) (6) the Emergency diesel generator (EG) at the facility, which is identified as Caterpillar Model D100-6 rated at a maximum 157 BHP and 100 Kw, and with a manufacture date of 2007, is considered an exempt activity not subject to title V permitting. However, this EG is subject to NSPS IIII, and, thus, the provisions of NSPS IIII that are applicable to this EG are included in the permit.

40 CFR Part 61, Subpart M

This is the National Emission Standard for Asbestos and it includes provisions for handling and disposing of asbestos.

40 CFR Part 63, Subpart ZZZZ

The engines located at Hyland Landfill to which Subpart ZZZZ requirements apply are: three LFG engines, one EG diesel generator (Perkins Model 1004-4T, 111 BHP, manufacture date 2002), one EG propane fired (Generac Power System Model 04675), 20 BHP, manufacture date 2005. Since, Hyland Landfill is a major HAP source, the above-listed engines are subject to Subpart ZZZZ requirements that apply to engines



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located at major HAP sources.

6 NYCRR 211.1

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

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 227-1.3 (a)

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

6 NYCRR Part 226

This regulation specifies the general requirements, equipment specifications and operating requirements for open-top vapor, conveyORIZED and cold cleaning degreasers.

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40 CFR 60.760	Applicability, designation of affected source, and delegation of authority.

Reason: Hyland Landfill is not subject to the requirements of the New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills established in 40 CFR 60 Subpart XXX. The new standard became effective October 28, 2016, and applies to landfills that commenced construction, modification or reconstruction after July 17, 2014. Hyland Landfill's most recently permitted expansion included a 48-acre expansion that commenced construction in 2007. The landfill's permitted design



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capacity has not increased since 2007 (prior to July 17, 2014). As such, Hyland Landfill is not subject to 40 CFR 60 Subpart XXX.

FACILITY	40 CFR Part 64	COMPLIANCE ASSURANCE MONITORING
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Reason:

CAM Applicability:

40 CFR Part 64 "Compliance Assurance Monitoring" (CAM) requirements apply to any pollutant specific emission unit (PSEU) at a major source that is required to obtain a Part 70 permit if the unit meets a three-part test:

(1) The PSEU is subject to an emission limitation or standard for an applicable regulated air pollutant;

The PSEU at Hyland Landfill (facility) is the landfill (i.e., the landfill waste decomposition process) is subject to NSPS WWW's NMOC emission standards;

(2) The PSEU uses a control device to achieve compliance with the emission limitation or standard;

The control devices used by the facility's PSEU includes a gas treatment system and/or open flare.

(3) The pre-controlled emissions of the specific applicable regulated pollutant exceed the major facility emissions threshold for that pollutant.

The pre-controlled potential to emit of NMOC of the facility's PSEU is 113 tpy, which is greater than the major title V threshold of 100 tpy. As shown above, the PSEU at this facility meets the CAM three-part test or applicability criteria. However, the PSEU at this facility is exempt from CAM applicability for the following reason:

As stated in 40CFR64.2(b)(1)(i), the requirements of CAM shall not apply to emission limits or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act. The EPA published a proposal for regulation of new MSW landfills under section 111(b) and for existing MSW landfills under section 111(d) of the CAA in the Federal Register on May 30, 1991 (56 FR 24468). The resulting emission limits for municipal solid waste landfills became effective on March 12, 1996 under 40CFR60 Subpart WWW. The Hyland Landfill is subject to the requirements of Subpart WWW and is therefore, exempt from the CAM requirements of 40 CFR Part 64.

FACILITY	6 NYCRR Subpart 227-2	Reasonably available control technology for NOx
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Reason: Facility wide NOx PTE emissions are approximately 49 tons/yr which is less than the NOx RACT threshold of 100 tons/yr. Therefore, the combustion sources at the landfill are not subject to the NOx RACT requirements of 6NYCRR Part 227-2.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional



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and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at HYLAND LANDFILL:

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

1-EXMPT/-/EMG/01EMG	54	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	29	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
FACILITY	31	record keeping/maintenance procedures
FACILITY	32	record keeping/maintenance procedures
FACILITY	33	work practice involving specific operations
FACILITY	34	work practice involving specific operations
FACILITY	35	work practice involving specific operations
FACILITY	36	ambient air monitoring
FACILITY	37	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
1-EXMPT/-/EMG	53	record keeping/maintenance procedures
1-LFGTE/-/ENG	60	record keeping/maintenance procedures
FACILITY	22	monitoring of process or control device parameters as surrogate
1-LFGTE	56	record keeping/maintenance procedures
1-LFGTE	57	intermittent emission testing
1-LFGTE	58	intermittent emission testing
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	7	record keeping/maintenance procedures
FACILITY	64	record keeping/maintenance procedures
1-EXMPT/-/EMG	51	work practice involving specific operations
1-EXMPT/-/VOC	55	record keeping/maintenance procedures
1-EXMPT/-/EMG	52	record keeping/maintenance procedures
1-LFGTE	59	monitoring of process or control device parameters as surrogate

Basis for Monitoring



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Hyland Landfill's Title V permit renewal Ren 1, Mod 0, has been updated with all current applicable regulatory requirements. As a result, many of the PSD conditions from the previous Title V permit, Ren 0, Mod 1 (issued 2009), based on BACT for GHG emissions (i.e., carbon dioxide equivalents) have been removed. This concurs with the U.S. Supreme Court's 2014 decision that EPA may not treat GHG's as an air pollutant for purposes of solely determining whether a source is required to obtain a PSD or Title V permit under the CAA.

Condition 22 – 6 NYCRR Part 201-6: This condition requires Hyland Landfill to document the actual annual waste acceptance rate; and how to proceed with the LandGEM's model to re-evaluate the emissions if it exceeds the permitted 465,000 ton per year limit.

Condition 24 – 6 NYCRR Part 201-6.4(g): This condition includes a discussion of non-applicable regulations.

Condition 26 – 6 NYCRR Part 201-7: Facility-wide emissions of carbon monoxide (CO) shall not equal or exceed 490,000 pounds per year (lbs/yr) during any consecutive 12-month period. Hyland Landfill has accepted this emission limitation to remain below the PSD major source threshold of 500,000 lbs/yr (=250 tpy).

Condition 28 – 6 NYCRR Part 211: To address potential concerns related to fine particulate matter, Hyland Landfill shall implement a dust control plan as specified in the Facility Operation and Maintenance Manual, dated March 1, 2006, submitted as part of the Solid Waste permit application.

Condition 29 – 40 CFR 60.752(b)(2), NSPS Subpart WWW: This condition describes the active landfill gas collection system design elements and operation requirements, while requiring up-to-date readily accessible records to be kept for five years.

Condition 30 – 40 CFR 60.752(b)(2)(iii), NSPS Subpart WWW: This condition requires all the collected gas be routed to an open flare or to a gas treatment system that complies with the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (C).

Condition 31 – 40 CFR 60.752(b)(2)(iii)('A'), NSPS Subpart WWW: This condition describes the open flare design elements and operation requirements pursuant to § 60.18, while requiring up-to-date readily accessible records to be kept for five years.

Condition 32 – 40 CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW: This condition describes the design elements and operation requirements of the gas treatment system that processes the collected gas for subsequent sale or use. Hyland Landfill will monitor daily the gas treatment system by manually checking the blowers, gas cooler, and knock



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out vessels for proper operation. Daily monitoring will not be required when personnel are not required to be at the facility such as holidays or weekends.

Condition 33 – 40 CFR 60.752(d), NSPS Subpart WWW: This condition lists the requirements to cap or remove the collection and control system once Hyland Landfill is closed and no longer subject to Subpart WWW. A closure report shall be submitted to the Administrator pursuant to § 60.757(d).

Condition 34 – 40 CFR 60.753(b), NSPS Subpart WWW: This condition requires the collection system to be operated under negative pressure as measured monthly. It also lists the required action to correct any exceedances.

Condition 35 – 40 CFR 60.753(c), NSPS Subpart WWW: This condition requires the gas temperature at the wellhead to be less than 55 °C as measured monthly. It also lists the required action to correct any exceedances.

Condition 36 – 40 CFR 60.753(c), NSPS Subpart WWW: This condition requires that each interior wellhead in the collection system be operated such that the landfill gas nitrogen content is less than 20 percent and the oxygen level is less than 5 percent as measured monthly. It also lists the required action to correct any exceedances.

Condition 37 and 39 – 40 CFR 60.755(c), NSPS Subpart WWW: This condition describes the procedures to be used for demonstrating compliance with the 500 parts per million surface methane operational standard as measured quarterly. It also lists the required action to correct any exceedances.

Condition 38 – 40 CFR 60.755(c), NSPS Subpart WWW: This condition requires the facility to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

Condition 40 – 40 CFR 60.755(d), NSPS Subpart WWW: This condition specifies the instrumentation specifications and procedures for surface emission monitoring devices.

Condition 41 – 40 CFR 60.755(e), NSPS Subpart WWW: This condition applies to the start-up, shutdown and malfunction of the open flare and gas treatment system. The provisions of Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 1 hour for control devices.

Condition 42 - 40 CFR 60.755(e), NSPS Subpart WWW: This condition applies to the gas collection system start-up, shutdown and malfunction. The provisions of Subpart



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WWW—Standards of Performance for Municipal Solid Waste Landfills apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems.

Condition 43 – 40 CFR 60.758, NSPS Subpart WWW: This conditions includes all the repositing requirements of 40 CFR 60 Subpart WWW.

Condition 44, 45 and 46 – 40 CFR 60.759, NSPS Subpart WWW: These conditions describe the design and construction specifications for active gas collection systems.

Condition 47and 48 - 40 CFR 61.154, NESHAP Subpart M: This condition outlines the operational restrictions, monitoring, recordkeeping and reporting of the asbestos-containing waste materials standard for active waste disposal sites.

Condition 49 – 40 CFR 63, NESAHP Subpart AAAA: This condition includes the start-up, shutdown and malfunction requirements for the NESHAP Subpart AAAA including submitting semi-annual compliance reports.

Condition 52 – 6 NYCRR Part 225-1.2(h): This conditions contains the sulfur-in-fuel limit of 0,0015 weight percent for the emergency generators.

Condition 53 and 60 – 6 NYCRR 227-1.3(a): These conditions set the opacity requirement for the landfill engines and other combustion sources.

Condition 54 – 40 CFR 63, Subpart ZZZZ: The emergency generators at the Pump House and Scale House are exempt from permitting under 6 NYCRR Part 201-3, but are regulated federally under 40 CFR Part 63, Subpart ZZZZ for sources at a major facility.

Condition 55 - 40 CFR Part 60, Subpart IIII: The emergency generator at the LFGTE Plant is exempt from permitting under 6 NYCRR Part 201-3, but it is regulated federally under 40 CFR Part 60, Subpart IIII.

Condition 56 – 6 NYCRR Part 226: While the two degreasers are exempt from permitting under 6 NYCRR Part 201-3, they still have to comply with the equipment specifications, operating requirements and general requirements pursuant to Part 226.

Condition 57 and 58 – 6 NYCRR Part 201-6: These conditions require routine performance testing and periodic monitoring of the internal combustion engines (IC) to demonstrate compliance with the NO_x emission rate of 0.6 g/bhp-hr. Each of the three IC engines will be tested at least once during the five-year permit term.



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Condition 57 and 59 – 6 NYCRR Part 201-6: These conditions require routine performance testing and periodic monitoring of the IC engines to demonstrate compliance with the CO emission rate of 3.0 g/bhp-hr. Each of the three IC engines will be tested at least once during the five-year permit term.

Condition 61 – 40 CFR 63 Subpart ZZZZ: This condition specifies the requirements for landfill gas engines greater than 500 HP at a major source of HAP emissions.