

Facility DEC ID: 7039900027

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-0399-00027/00009
Effective Date:

Expiration Date:

Permit Issued To: BROOME COUNTY
GOVERNMENT PLZ
PO BOX 1766
BINGHAMTON, NY 13902

Contact: Aaron Balles
60 Hawley St
Binghamton, NY 13901
(607) 778-2932

Facility: BROOME COUNTY LANDFILL
286 KNAPP RD
BINGHAMTON, NY 13905

Description:

The proposed action necessitating a Title V Permit Modification includes the construction of a new landfill section with a total design capacity of 8.0 million cubic yards of airspace, and construction and/or relocation of certain landfill infrastructure (Section V). The proposed section V area will be located in the former Old Landfill Mound area following the completion of Waste Reclamation project previously approved by the NYSDEC. The reuse of these areas for new landfilling extends the permitted life of the facility, while beneficially reusing existing landfill space.

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: JONATHAN J STERCHO
NYS DEC Region 7
5786 WIDEWATERS PKWY
SYRACUSE, NY 13214-1867

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 7
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 7 Headquarters
Division of Environmental Permits
5786 Widewaters Parkway
Syracuse, NY 13214-1867
(315) 426-7400

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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BROOME COUNTY
GOVERNMENT PLZ
PO BOX 1766
BINGHAMTON, NY 13902

Facility: BROOME COUNTY LANDFILL
286 KNAPP RD
BINGHAMTON, NY 13905

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

Permit Effective Date:

Permit Expiration Date:

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- 75 85 40CFR 63.11116, NESHAP Subpart CCCCCC: Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline
- 76 86 40CFR 63, Subpart ZZZZ: Engines at Area sources of HAP
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- 76 87 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

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- 81 89 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 82 90 6 NYCRR 201-6.5 (a): Compliance Demonstration
- 83 91 6 NYCRR 211.1: Air pollution prohibited
- 84 92 6 NYCRR 212-2.1: Compliance Demonstration
- 84 93 6 NYCRR 217-3.2: Prohibitions

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 4/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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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees
Effective for entire length of Permit**

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

Item 2.1:

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

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring
Effective for entire length of Permit**

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

Item 3.1:

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

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii)The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

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

**Condition 4: Records of Monitoring, Sampling, and Measurement
Effective for entire length of Permit**

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all

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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
 NYSDEC Region 7 Headquarters
 5786 Widewaters Parkway
 Syracuse, NY 13214-1867

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 1/30/2025.
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 shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 0 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

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

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Applicable Federal Requirement: 6 NYCRR 215.2**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

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SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

**Condition 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-LNDFL

Emission Unit Description:

Emission Unit 1-LNDFL consists of landfill Sections I-III, including vertical expansion, and the Valley Fill Area.

Item 20.2:

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

Emission Unit: 2-LNDFL

Emission Unit Description:

Emission unit 2-LNDFL is the active area and expanded area of the Landfill (Section IV).

Item 20.3:

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

Emission Unit: 3-LNDFL

Emission Unit Description:

Emission Unit 3-LNDFL is the original landfill which has been closed and capped since 1993. Landfill gas (LFG) has been collected through surface collectors and vents and sent to a blower/flare station. A 500 scfm open flare is permitted and installed for LFG control. An additional solar spark flare is permitted. The waste in this landfill area is being moved to the Valley Fill and Section I areas as part of the reclamation project.

Item 20.4:

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

Emission Unit: 4-LEACH

Emission Unit Description:

Five leachate storage tanks associated with the leachate treatment systems. The unit consists of: two influent storage tanks (process 401, emission points 40001 and 40002) that serve landfill Section IV; two influent storage tanks located at the leachate treatment plant (process 402, emission points 40003 and 40004), serving the Old Landfill and Sections I-III; and one effluent storage tank (process 402, emission point 40005).

Building(s): 3L

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4L

Item 20.5:

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

Emission Unit: 5-LNDFL

Emission Unit Description:

Emission Unit 5-LNDFL is proposed landfill Section V located in the area of the reclaimed Old Landfill Mound (EU 3-LNDFL). This unit will consist of landfilled waste generating landfill gas (LFG) by decomposition. LFG will be transferred to a flare or a separately owned, operated, and permitted landfill gas to energy (LFGTE) facility, as well as fugitive emissions of landfill gas if it bypasses the collection and control system.

**Condition 21: Progress Reports Due Semiannually
Effective for entire length of Permit**

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

Item 21.1:

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 22: Operational Flexibility
Effective for entire length of Permit**

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

Item 22.1:

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 23: Notification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 202-1.2

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Item 23.1:

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 24: Statement dates for emissions statements.
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 202-2.4 (a) (3)

Item 24.1:

This facility is required to submit an annual emission statement electronically and these emissions statements must be submitted to the department as per the following schedule:

- (i) March 15th of each year for facilities with three or fewer processes listed in their Title V permit:
- (ii) March 31st of each year for facilities with four to six processes listed in their Title V permit:
- (iii) April 15th of each year for facilities with 7 to 12 processes listed in their Title V permit:
- (iv) April 30th of each year for facilities with 13 or more processes listed in their Title V permit.

**Condition 25: Visible Emissions Limited
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 211.2

Item 25.1:

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 26: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 212-1.6 (a)

Item 26.1:

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

Emission Unit: 3-LNDFL

Emission Point: FLR-1

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Emission Unit: 3-LNDFL

Emission Point: FLR-2

Emission Unit: 5-LNDFL

Emission Point: FLR-3

Item 26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the old landfill mound flare on a weekly basis. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal are being emitted from a process source. Normal shall be defined as visible emissions which are typically emitted from the process during routine operation. In no case shall visible emissions above 20 percent opacity be considered normal.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal continue to be present after corrections are made, the permittee will promptly notify The Department and conduct a Method 9 assessment to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: See Monitoring Description

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Monitoring Frequency: WEEKLY
Averaging Method: 6 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 27: EPA Region 2 address.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 27.1:

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

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

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

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

**Condition 28: Recordkeeping requirements.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A

Item 28.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 29: Facility files for subject sources.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.7(f), NSPS Subpart A

Item 29.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems

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or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 30: Performance Test Methods - Waiver
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.8(b), NSPS Subpart A

Item 30.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 31: Required performance test information.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.8(c), NSPS Subpart A

Item 31.1:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

**Condition 32: Prior notice.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.8(d), NSPS Subpart A

Item 32.1:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

**Condition 33: Performance testing facilities.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.8(e), NSPS Subpart A

Item 33.1:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and

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4) utilities for sampling and testing equipment.

**Condition 34: Availability of information.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 34.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 35: Compliance with Standards and Maintenance Requirements
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.11(d), NSPS Subpart A

Item 35.1:

At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

**Condition 36: Circumvention.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 36.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 37: Applicability
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 37.1:

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

**Condition 38: Asbestos-containing waste material standard for active
waste disposal sites**

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Effective for entire length of Permit**Applicable Federal Requirement:40CFR 61.154, NESHAP Subpart M****Item 38.1:**

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

**Condition 39: General Provisions
Effective for entire length of Permit****Applicable Federal Requirement:40CFR 63, Subpart A****Item 39.1:**

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

**Condition 40: Operations during startup, shutdown, and malfunction
Effective for entire length of Permit****Applicable Federal Requirement:40CFR 63.6(e)(1), Subpart A****Item 40.1:**

At all times, including during periods of startup, shutdown, and malfunction, the owner/operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner/operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner/operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner/operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the NYSDEC which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in 40 CFR 63.6(e)(3)), review of operation and maintenance records, and inspection of the source.

Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner/operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.

Operation and maintenance requirements established pursuant to section 112 of the Clean Air Act are enforceable independent of emissions limitations or other requirements in relevant standards.

Condition 41: Compliance Certification

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Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63.6(f)(1), Subpart 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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The nonopacity emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.

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:40CFR 63.6(f)(2)(i), Subpart A

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in 40 CFR 63.7, unless otherwise specified in an applicable subpart of 40 CFR 63.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 43: 63.10(b) General Recordkeeping Requirements
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.10, Subpart A

Item 43.1:

The owner or operator of an affected source subject to the provisions of this part shall maintain

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files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or record. At a minimum the most recent 2 years of data shall be retained on site. The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source as described in 40 CFR 63.10 (b)(2).

**Condition 44: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40 CFR 63.11(b), Subpart A

Item 44.1:

The Compliance Certification activity will be performed for the Facility.

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Flares used to comply with the requirements of 40 CFR 63.11 shall meet the following requirements:

- 1) Owners or operators using flares to comply with the provisions of 40 CFR 63.11 shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.
- 2) Flares shall be steam-assisted, air-assisted, or non-assisted.
- 3) Flares shall be operated at all times when emissions may be vented to them.
- 4) Flares shall be designed for and operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in 40 CFR 60 Appendix A shall be used to determine the compliance of flares with the visible emission provisions of this 40 CFR 63.11. The observation period is 2 hours and shall be used according to Method 22.
- 5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be

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monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

6) An owner/operator has the choice of adhering to either the heat content specifications in 40 CFR 63.11(b)(6) and the maximum tip velocity specifications in 40 CFR 63.11(b)(7) or (b)(8) , or adhering to the requirements in 40 CFR 63.11(b)(6)(i).

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 45: Gas Collection and Control System Installation and Removal Requirements
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.1957, Subpart AAAA

Item 45.1:

(a) Operation. The owner or operator of a municipal solid waste landfill must operate the collection and control device in accordance with the provisions of 40 CFR Part 63.1958, 63.1960, and 63.1961.

(b) Removal criteria. The collection and control system may be capped, removed, or decommissioned if the following criteria are met:

(1) The landfill is a closed landfill (as defined in 40 CFR Part 63.1990). A closure report must be submitted to the Department as provided in 40 CFR Part 63.1981(f);

(2) The gas collection and control system has been in operation a minimum of 15 years or the landfill owner or operator demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flow; and

(3) Following the procedures specified in 40 CFR Part 63.1959(c), the calculated NMOC emission rate at the landfill is less than 50 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

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

Applicable Federal Requirement:40CFR 63.1958(a), Subpart AAAA

Item 46.1:

The Compliance Certification activity will be performed for the Facility.

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Item 46.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of 40 CFR Part 63.1957 must operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:

- (1) 5 years or more if active; or
- (2) 2 years or more if closed or at final grade;

The owner or operator shall operate the control system at all times when the collected gas is routed to the system and ensure that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 63.1959(b)(2)(iii).

In the event the collection or control system is not operating, the gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating. Efforts to repair the collection or control system must be initiated and completed in a manner such that downtime is kept to a minimum, and the collection and control system must be returned to operation.

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 47: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1958(b), Subpart AAAAA

Item 47.1:

The Compliance Certification activity will be performed for the Facility.

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

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Monitoring Description:

Each owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of 40 CFR 63.1957 must operate the collection system with negative pressure at each wellhead except under the following conditions:

- (1) A fire or increased well temperature. The owner or operator must record instances when positive pressure occurs in efforts to avoid a fire. These records must be submitted with the semi-annual reports as provided in 40 CFR 63.1981(h);
- (2) Use of a geomembrane or synthetic cover. The owner or operator must develop acceptable pressure limits in the design plan;
- (3) A decommissioned well. A well may experience a static positive pressure after shut-down to accommodate for declining flows. All design changes must be approved by DEC as specified in 40 CFR 63.1981(d)(2).

If monitoring demonstrates that the operational requirements described above are not met, corrective action must be taken as specified in 40 CFR 63.1960(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 CFR 63.1960, the monitored exceedence is not a deviation of the operational requirements in 40 CFR 63.1958.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
 Process Material: LANDFILL GAS
 Parameter Monitored: PRESSURE
 Upper Permit Limit: 0 pounds per square inch gauge
 Monitoring Frequency: MONTHLY
 Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
 SEE 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 48: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1958(c), Subpart AAAAA

Item 48.1:
 The Compliance Certification activity will be performed for the Facility.

Item 48.2:
 Compliance Certification shall include the following monitoring:

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Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of 40 CFR 63.1957 must operate each interior wellhead in the collection system with a landfill gas temperature less than 62.8 degrees Celsius (145 degrees Fahrenheit).

The owner or operator may establish a higher operating temperature value at a particular well. A higher operating value demonstration must be submitted to DEC for approval and must include supporting data demonstrating that the elevated parameter neither causes fires nor significantly inhibits anaerobic decomposition by killing methanogens. The demonstration must satisfy both criteria in order to be approved (i.e., neither causing fires nor killing methanogens is acceptable).

If monitoring demonstrates that the operational requirements describe above are not met, corrective action must be taken as specified in 40 CFR 63.1960(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 CFR 63.1960, the monitored exceedence is not a deviation of the operational requirements in 40 CFR 63.1958.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 62.8 degrees Centigrade (or Celsius)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE 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 49: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1958(d), Subpart AAAAA

Item 49.1:

The Compliance Certification activity will be performed for the Facility.

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

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Each owner or operator of a municipal solid waste landfill with a gas collection and control system used to comply with the provisions of 40 CFR 63.1957 must operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill.

To determine if this level is exceeded, the owner or operator must conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at no more than 30-meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage.

A surface monitoring design plan must be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30-meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing. The owner or operator must:

- (i) Conduct surface testing using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 63.1960(d).
- (ii) Conduct surface testing at all cover penetrations. Thus, the owner or operator must monitor any cover penetrations that are within an area of the landfill where waste has been placed and a gas collection system is required.
- (iii) Determine the latitude and longitude coordinates of each exceedence using an instrument with an accuracy of at least 4 meters. The coordinates must be in decimal degrees with at least five decimal places.

If monitoring demonstrates that the operational requirements described above are not met, corrective action must be taken as specified in 40 CFR 63.1960(a)(3) and (5) or (c). If corrective actions are taken as specified in 40 CFR 63.1960, the monitored exceedence is not a deviation of the operational requirements in 40 CFR 63.1958.

Parameter Monitored: METHANE

Upper Permit Limit: 499 parts per million (by volume)
above background measurements

Monitoring Frequency: QUARTERLY

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Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE 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 50: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40 CFR 63.1959(b), Subpart AAAAA

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:

(b) The owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagram and 2.5 million cubic meters must either comply with item (b)(2) below or calculate an NMOC emission rate for the landfill using the procedures specified in 40 CFR 63.1959(a). The NMOC emission rate must be recalculated annually, except as provided in 40 CFR 63.1981(c)(1)(ii)(A).

(1) If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator must:

(i) Submit an annual NMOC emission rate emission report to the Department, except as provided for in 40 CFR 63.1981(c)(1)(ii); and

(ii) Recalculate the NMOC emission rate annually using the procedures specified in 40 CFR 63.1959(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

(A) If the calculated NMOC emission rate, upon initial calculation or annual recalculation required in item (b)(1) above, is equal to or greater than 50 megagrams per year, the owner or operator must either: comply with item (b)(2) below or calculate NMOC emissions using the next higher tier in 40 CFR 63.1959(a).

(B) If the landfill is permanently closed, a closure report must be submitted to the Department as provided for in 40 CFR 63.1981(f).

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(2) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either:

(i) Submit a collection and control system design plan prepared by a professional engineer to the Department within 1 year as specified in 40 CFR 63.1981(d) or calculate NMOC emissions using the next higher tier in 40 CFR 63.1959(a). The collection and control system must meet the requirements in items (b)(2)(ii) and (iii) below.

(ii) Collection system. Install and start up a collection and control system that captures the gas generated within the landfill as required by items (b)(2)(ii)(B) or (C) and (b)(2)(iii) within 30 months after:

(A) The first annual report in which the NMOC emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the NMOC emission rate is less than 50 megagrams.

(B) An active collection system must:

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

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

(3) Collect gas at a sufficient extraction rate;
and

(4) Be designed to minimize off-site migration of subsurface gas.

(C) A passive collection system must:

(1) Comply with the provisions specified in items (b)(2)(ii)(B)(1), (2), and (3) above; and

(2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners must be installed as required under 40 CFR Part 258.40.

(iii) Control system. Route all the collected gas to a control system that complies with the requirements in

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either items (b)(2)(iii)(A), (B), or (C) below.

(A) A non-enclosed flare designed and operated in accordance with the parameters established in 40 CFR 63.11(b) except as noted in 40 CFR 63.1959(f); 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 days after the initial start-up of the approved control system using the test methods specified in 40 CFR 63.1959(e). The performance test is not required for boilers and process heaters with design heat input capacities equal to or greater than 44 megawatts that burn landfill gas for compliance with 40 CFR Part 63, Subpart AAAA.

(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 40 CFR 63.1961(b) through (e);

(C) 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-British thermal unit (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 items (b)(2)(iii)(A) or (B) above.

(D) All emissions from any atmospheric vent from the gas treatment system are subject to the requirements of items (b)(2)(iii)(A) or (B) above. For purposes of 40 CFR Part 63, Subpart AAAA, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of items (b)(2)(iii)(A) or (B) above.

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1959(c), Subpart AAAAA

Item 51.1:

The Compliance Certification activity will be performed for the Facility.

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

After the installation and start-up of a collection and control system in compliance with 40 CFR Part 63, Subpart AAAAA, the owner or operator must calculate the NMOC emission rate for purposes of determining when the system can be capped, removed, or decommissioned as provided in 40 CFR 63.1957(b)(3), using the following equation:

$$MNMOC = 1.89 \times 10^{-3} (QLFG)(CNMOC)$$

Where:

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

QLFG = Flow rate of landfill gas, cubic meters per minute.

CNMOC = Average NMOC concentration, parts per million by volume as hexane.

1.89×10^{-3} = Conversion factor

(1) The flow rate of landfill gas, QLFG, must be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control system using a gas flow measuring device calibrated according to the provisions of section 10 of EPA Method 2E of 40 CFR Part 60 appendix A-1.

(2) The average NMOC concentration, CNMOC, must be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in EPA Method 25 or Method 25C of 40 CFR Part 60 appendix

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A-7. The sample location on the common header pipe must be before any condensate removal or other gas refining units. The landfill owner or operator must divide the NMOC concentration from EPA Method 25 or Method 25C by six to convert from CNMOC as carbon to CNMOC as hexane.

(3) The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the DEC.

(i) Within 60 days after the date of completing each performance test (as defined in 40 CFR 63.7) the owner or operator must submit the results of the performance test, including any associated fuel analyses, according to 40 CFR 63.1981(i).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 52: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1959(d), Subpart AAAA

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must use the following test methods and procedures for the performance test required in 40 CFR 63.1959(b)(2)(iii)(B):

(1) EPA Method 25 or 25C (40 CFR Part 60, appendix A-7, may be used at the inlet only) of 40 CFR Part 60, appendix A, must be used to determine compliance with the 98 weight-percent efficiency or the 20 parts per million by volume outlet NMOC concentration level, unless another method to demonstrate compliance has been approved by the DEC as provided by 40 CFR Part 63.1981(d)(2).

(2) EPA Method 3, 3A, or 3C of 40 CFR Part 60, appendix A-7, must be used to determine oxygen for correcting the NMOC concentration as hexane to 3 percent. In cases where the outlet concentration is less than 50 parts per million NMOC as carbon (8 parts per million NMOC as hexane), EPA Method 25A should be used in place of EPA Method 25. EPA

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Method 18 may be used in conjunction with EPA Method 25A on a limited basis (compound specific, e.g., methane) or EPA Method 3C may be used to determine methane. The methane as carbon should be subtracted from the EPA Method 25A total hydrocarbon value as carbon to give NMOC concentration as carbon. The landfill owner or operator must divide the NMOC concentration as carbon by 6 to convert from the CNMOC as carbon to CNMOC as hexane.

The following equation must be used to calculate efficiency:

$$\text{Control Efficiency} = (\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}) / (\text{NMOC}_{\text{in}})$$

Where:

NMOC_{in} = Mass of NMOC entering control device.

NMOC_{out} = Mass of NMOC exiting control device.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 53: Compliance Determination Methods
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1960(a), Subpart AAAA

Item 53.1:

Except as provided in 40 CFR 63.1981(d)(2), the specified methods in items (1) through (5) below must be used to determine whether the gas collection system is in compliance with 40 CFR 63.1959(b)(2)(ii).

(1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR 63.1959(b)(2)(ii)(C)(1), either Equation (i) or Equation (ii) must be used. The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Department. The methane generation rate constant (k) and methane generation potential (L₀) kinetic factors used should be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42) or other site-specific values demonstrated to be appropriate and approved by the Department. If k has been determined as specified in 40 CFR 63.1959(a)(4), the value of k determined from the test must be used. A value of no more than 15 years must be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

(i) For sites with unknown year-to-year solid waste acceptance rate:

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$$Q_m = 2LoR (e^{-kc} - e^{-kt})$$

Where:

Q_m = Maximum expected gas generation flow rate, cubic meters per year.

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

R = Average annual acceptance rate, megagrams per year.

k = Methane generation rate constant, year⁻¹.

t = Age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure, t is the age of the landfill at installation, years.

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

2 = Constant.

(ii) For sites with known year-to-year solid waste acceptance rate:

$$QM = \sum_{i=1}^n 2kLoM_i(e^{-k t_i})$$

Where:

QM = Maximum expected gas generation flow rate, cubic meters per year.

k = Methane generation rate constant, year⁻¹.

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

M_i = Mass of solid waste in the i th section, megagrams.

t_i = Age of the i th section, years.

(iii) If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, Equation (i) or Equation (ii) above. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using Equation (i) or Equation (ii) above or other methods must be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

(2) For the purposes of determining sufficient density of gas collectors for compliance with 40 CFR 63.1959(b)(2)(ii)(B)(2), the owner or operator must design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Department, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

(3) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR 63.1959(b)(2)(ii)(B)(3), the owner or operator must

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measure gauge pressure in the gas collection header applied to each individual well monthly. Any attempted corrective measure must not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Department for approval. If a positive pressure exists, follow the procedures as specified in 40 CFR 60.755(a)(3), except:

(i) If a positive pressure exists, action must be initiated to correct the exceedance within 5 days, except for the three conditions allowed under 40 CFR 63.1958(b).

(A) If negative pressure cannot be achieved without excess air infiltration within 15 days of the first measurement of positive pressure, the owner or operator must conduct a root cause analysis and correct the exceedance as soon as practicable, but no later than 60 days after positive pressure was first measured. The owner or operator must keep records according to 40 CFR 63.1983(e)(3).

(B) If corrective actions cannot be fully implemented within 60 days following the positive pressure measurement for which the root cause analysis was required, the owner or operator must also conduct a corrective action analysis and develop an implementation schedule to complete the corrective action(s) as soon as practicable, but no more than 120 days following the positive pressure measurement. The owner or operator must submit the items listed in 40 CFR 63.1981(h)(7) as part of the next semi-annual report. The owner or operator must keep records according to 40 CFR 63.1983(e)(4).

(C) If corrective action is expected to take longer than 120 days to complete after the initial exceedance, the owner or operator must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Department, according to 40 CFR 63.1981(j). The owner or operator must keep records according to 40 CFR 63.1983(e)(5).

(4) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, seeks to demonstrate compliance with the temperature and nitrogen or oxygen operational standards in 40 CFR 63.1958(c), for the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator must follow the procedures as specified in 40 CFR 60.755(a)(5), except:

(i) Once an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, seeks to demonstrate compliance with the operational standard for temperature in 40 CFR 63.1958(c)(1), the owner or operator must monitor each well monthly for temperature. If a well exceeds the operating parameter for temperature as provided in 40 CFR 63.1958(c)(1), action must be initiated to correct the exceedance within 5 days. Any attempted corrective measure must not cause exceedances of other operational or performance standards.

(A) If a landfill gas temperature less than or equal to 62.8 degrees Celsius (145 degrees Fahrenheit) cannot be achieved within 15 days of the first measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit), the owner or operator must conduct a root cause analysis and correct the exceedance as soon as Practicable, but no later than 60 days after a landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit) was first measured. The owner or operator must keep records according to 40 CFR 63.1983(e)(3).

(B) If corrective actions cannot be fully implemented within 60 days following the temperature measurement for which the root cause analysis was required, the owner or operator must also conduct a corrective action analysis and develop an implementation schedule to complete the

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corrective action(s) as soon as practicable, but no more than 120 days following the measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit). The owner or operator must submit the items listed in 40 CFR 63.1981(h)(7) as part of the next semi-annual report. The owner or operator must keep records according to 40 CFR 63.1983(e)(4).

(C) If corrective action is expected to take longer than 120 days to complete after the initial exceedance, the owner or operator must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Department, according to 40 CFR 63.1981(h)(7) and (j). The owner or operator must keep records according to 40 CFR 63.1983(e)(5).

(D) If a landfill gas temperature measured at either the wellhead or at any point in the well is greater than or equal to 76.7 degrees Celsius (170 degrees Fahrenheit) and the carbon monoxide concentration measured, according to the procedures in 40 CFR 63.1961(a)(5)(vi) is greater than or equal to 1,000 parts per million by volume the corrective action(s) for the wellhead temperature standard (62.8 degrees Celsius or 145 degrees Fahrenheit) must be completed within 15 days.

(5) An owner or operator seeking to demonstrate compliance with 40 CFR 63.1959(b)(2)(ii)(B)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR 63.1962 must provide information satisfactory to the Department as specified in 40 CFR 63.1981(d)(3) demonstrating that off-site migration is being controlled.

Condition 54: Well Installation Schedule
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1960(b), Subpart AAAA

Item 54.1:

In order to demonstrate compliance with 40 CFR 63.1958(a), each owner or operator of a controlled landfill must place each well or design component as specified in the approved design plan as provided in 40 CFR 63.1981(b). Each well must be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

- (1) Five (5) years or more if active; or
- (2) Two (2) years or more if closed or at final grade.

Condition 55: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1960(c), Subpart AAAA

Item 55.1:

The Compliance Certification activity will be performed for the Facility.

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Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must use the following procedures to demonstrate compliance with the surface methane operational standard as provided in 40 CFR 63.1958(d).

(1) After installation and start-up of the gas collection system, the owner or operator must monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 63.1960(d).

(2) The background concentration must be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

(3) Surface emission monitoring must be performed in accordance with section 8.3.1 of EPA Method 21 of 40 CFR Part 60, appendix A-7, except that the probe inlet must be placed within 5 to 10 centimeters of the ground. Monitoring must be performed during typical meteorological conditions.

(4) Any reading of 500 parts per million or more above background at any location must be recorded as a monitored exceedance and the actions specified in items (i) through (v) below must be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR 63.1958(d).

(i) The location of each monitored exceedance must be marked and the location and concentration recorded. The location must be recorded using an instrument with an accuracy of at least 4 meters. The coordinates must be in decimal degrees with at least five decimal places.

(ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance must be made and the location must be re-monitored within 10 days of detecting the exceedance.

(iii) If the re-monitoring of the location shows a second

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exceedance, additional corrective action must be taken and the location must be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in item (v) below must be taken, and no further monitoring of that location is required until the action specified in item (v) below has been taken.

(iv) Any location that initially showed an exceedance but has a methane concentration less than 500 parts per million above background at the 10-day re-monitoring specified in item (ii) or (iii) above must be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month re-monitoring shows an exceedance, the actions specified in item (iii) or (v) must be taken.

(v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device must be installed within 120 days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding time line for installation may be submitted to the Department for approval.

(5) The owner or operator must implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

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 56: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1960(d), Subpart AAAAA

Item 56.1:

The Compliance Certification activity will be performed for the Facility.

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

The owner or operator of a municipal solid waste landfill seeking to comply with the provisions of 40 CFR 63.1960(c) must comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

- (1) The portable analyzer must meet the instrument specifications provided in section 6 of Method 21 of 40 CFR Part 60 appendix A, except that “methane” replaces all references to “VOC”.
- (2) The calibration gas must be methane, diluted to a nominal concentration of 500 parts per million in air.
- (3) To meet the performance evaluation requirements in section 8.1 of EPA Method 21 of 40 CFR Part 60 appendix A, the instrument evaluation procedures of section 8.1 of EPA Method 21 of 40 CFR Part 60 appendix A must be used.
- (4) The calibration procedures provided in sections 8 and 10 of EPA Method 21 of 40 CFR Part 60 appendix A must be followed immediately before commencing a surface monitoring survey.

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 57: Provisions Apply at All Times
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1960(e), Subpart AAAAA

Item 57.1:

Once an owner or operator of a municipal solid waste landfill is subject to the provisions of 40 CFR Part 63, Subpart AAAAA seeks to demonstrate compliance with the operational standard in 40 CFR 63.1958(e)(1), the provisions of 40 CFR Part 63, Subpart AAAAA apply at all times, including periods of startup, shutdown, or malfunction. During periods of startup, shutdown, or malfunction, the owner or operator must comply with the work practice requirement specified in 40 CFR 63.1958(e) in lieu of the compliance provisions in 40 CFR 63.1960.

**Condition 58: Compliance Certification
Effective for entire length of Permit**

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Facility DEC ID: 7039900027

Applicable Federal Requirement: 40CFR 63.1961(a), Subpart AAAAA**Item 58.1:**

The Compliance Certification activity will be performed for the Facility.

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) The owner or operator of a municipal solid waste landfill seeking to comply with 40 CFR 63.1959(b)(2)(ii)(B) for an active gas collection system must install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

(1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR 63.1960(a)(3); and

(2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as follows:

(i) The nitrogen level must be determined using EPA Method 3C of 40 CFR Part 60, appendix A-2, unless an alternative test method is established as allowed by 40 CFR 63.1981(d)(2).

(ii) Unless an alternative test method is established as allowed by 40 CFR 63.1981(d)(2), the oxygen level must be determined by an oxygen meter using EPA Method 3A or 3C of 40 CFR Part 60, appendix A-2 or ASTM D6522-11 (incorporated by reference, see 40 CFR 63.14). Determine the oxygen level by an oxygen meter using EPA Method 3A or 3C of 40 CFR Part 60, appendix A-2 or ASTM D6522-11 (if sample location is prior to combustion) except that:

(A) The span must be set between 10- and 12-percent oxygen;

(B) A data recorder is not required;

(C) Only two calibration gases are required, a zero and span;

(D) A calibration error check is not required; and

(E) The allowable sample bias, zero drift, and calibration drift are ± 10 percent.

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(iii) A portable gas composition analyzer may be used to monitor the oxygen levels provided:

(A) The analyzer is calibrated; and

(B) The analyzer meets all quality assurance and quality control requirements for EPA Method 3A of 40 CFR Part 60, appendix A-2 or ASTM D6522-11 (incorporated by reference, see 40 CFR 63.14).

(3) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA, seeks to demonstrate compliance with the temperature and nitrogen or oxygen operational standards in 40 CFR 63.1958(c), the owner or operator must follow the procedures as specified in 40 CFR 60.756(a)(2) and (3). Monitor temperature of the landfill gas on a monthly basis as provided in 40 CFR 63.1960(a)(4). The temperature measuring device must be calibrated annually using the procedure in Section 10.3 of EPA Method 2 of 40 CFR Part 60, appendix A-1.

(4) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA, seeks to demonstrate compliance with the operational standard for temperature in 40 CFR 63.1958(c)(1), monitor temperature of the landfill gas on a monthly basis as provided in 40 CFR 63.1960(a)(4). The temperature measuring device must be calibrated annually using the procedure in Section 10.3 of EPA Method 2 of 40 CFR Part 60, appendix A-1. Keep records specified in 40 CFR 63.1983(e).

(5) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA seeks to demonstrate compliance with the operational standard for temperature in 40 CFR 63.1958(c)(1), unless a higher operating temperature value has been approved by the Department under 40 CFR Part 63, Subpart AAAAA or under 40 CFR Part 60, Subpart WWW; 40 CFR Part 60, Subpart XXX; or a federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR Part 60, Subpart Cc or 40 CFR Part 60, Subpart Cf, the owner or operator must initiate enhanced monitoring at each well with a measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit) as follows:

(i) Visual observations for subsurface oxidation events (smoke, smoldering ash, damage to well) within the radius of influence of the well.

(ii) Monitor oxygen concentration as provided in 40 CFR

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63.1961(a)(2);

(iii) Monitor temperature of the landfill gas at the wellhead as provided in 40 CFR 63.1961(a)(4).

(iv) Monitor temperature of the landfill gas every 10 vertical feet of the well as provided in 40 CFR 63.1961(a)(6).

(v) Monitor the methane concentration with a methane meter using EPA Method 3C of 40 CFR Part 60, appendix A-6, EPA Method 18 of 40 CFR Part 60, appendix A-6, or a portable gas composition analyzer to monitor the methane levels provided that the analyzer is calibrated and the analyzer meets all quality assurance and quality control requirements for EPA Method 3C or EPA Method 18.

(vi) Monitor carbon monoxide concentrations, as follows:

(A) Collect the sample from the wellhead sampling port in a passivated canister or multilayer foil gas sampling bag (such as the Cali-5-Bond Bag) and analyze that sample using EPA Method 10 of 40 CFR Part 60, appendix A-4, or an equivalent method with a detection limit of at least 100 parts per million by volume of carbon monoxide in high concentrations of methane; and

(B) Collect and analyze the sample from the wellhead using EPA Method 10 of 40 CFR Part 60, appendix A-4 to measure carbon monoxide concentrations.

(vii) The enhanced monitoring in item (a)(5) above must begin 7 days after the first measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit); and

(viii) The enhanced monitoring in item (a)(5) above must be conducted on a weekly basis. If four consecutive weekly carbon monoxide readings are under 100 parts per million by volume, then enhanced monitoring may be decreased to monthly. However, if carbon monoxide readings exceed 100 parts per million by volume again, the landfill must return to weekly monitoring.

(ix) The enhanced monitoring in item (a)(5) above can be stopped once a higher operating value is approved, at which time the monitoring provisions issued with the higher operating value should be followed, or once the measurement of landfill gas temperature at the wellhead is less than or equal to 62.8 degrees Celsius (145 degrees Fahrenheit).

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(6) For each wellhead with a measurement of landfill gas temperature greater than or equal to 73.9 degrees Celsius (165 degrees Fahrenheit), annually monitor temperature of the landfill gas every 10 vertical feet of the well. This temperature can be monitored either with a removable thermometer, or using temporary or permanent thermocouples installed in the well.

The monitoring requirements of this condition apply at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The owner or operator is required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA, seeks to demonstrate compliance with the temperature and nitrogen or oxygen operational standards in 40 CFR 63.1958(c)(1), (d)(2), and (e)(1), the standards apply at all times.

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 59: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1961(c), Subpart AAAAA

Item 59.1:

The Compliance Certification activity will be performed for the Facility.

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill seeking to comply with 40 CFR 63.1959(b)(2)(iii) using a non-enclosed flare must install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

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- (1) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.
- (2) A device that records flow to the flare and bypass of the flare (if applicable). The owner or operator must:
 - (i) Install, calibrate, and maintain a gas flow rate measuring device that records the flow to the control device at least every 15 minutes; and
 - (ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism must be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

The monitoring requirements of this condition apply at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The owner or operator is required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA seeks to demonstrate compliance with the temperature and nitrogen or oxygen operational standards in 40 CFR 63.1958(c)(1), (d)(2), and (e)(1), the standards apply at all times.

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 60: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1961(f), Subpart AAAAA

Item 60.1:

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The Compliance Certification activity will be performed for the Facility.

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The owner or operator seeking to demonstrate compliance with the 500 parts per million (ppm) surface methane operational standard in 40 CFR 63.1958(d) must monitor surface concentrations of methane according to the procedures in 40 CFR 63.1960(c) and the instrument specifications in 40 CFR 63.1960(d).

If the owner or operator is complying with the 500 ppm surface methane operational standard in 40 CFR 63.1958(d)(2), for location, you must determine the latitude and longitude coordinates of each exceedance using an instrument with an accuracy of at least 4 meters and the coordinates must be in decimal degrees with at least five decimal places. In the semiannual report required by 40 CFR 63.1981(h), the owner or operator must report the location of each exceedance of the 500 ppm methane concentration as provided in 40 CFR 63.1958(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may switch to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

Parameter Monitored: METHANE

Upper Permit Limit: 500 parts per million (by volume)
above background measurements

Reference Test Method: Method 21 of 40 CFR Part 60, appendix A-7

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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 61: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1962(a), Subpart AAAAA

Item 61.1:

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The Compliance Certification activity will be performed for the Facility.

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with 40 CFR 63.1959(b)(2)(i) must site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Department as provided in 40 CFR 63.1981(d)(2) and (3).

(1) The collection devices within the interior must be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues must be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, resistance to the refuse decomposition heat, and ability to isolate individual components or sections for repair or troubleshooting without shutting down entire collection system.

(2) The sufficient density of gas collection devices determined in paragraph (1) above must address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

(3) The placement of gas collection devices determined in paragraph (1) above must control all gas producing areas, except as provided by paragraphs (i) and (ii) below.

(i) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40 CFR 63.1983(d). The documentation must provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area and must be provided to the Department upon request.

(ii) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1

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percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material must be documented and provided to the Department upon request. A separate NMOC emissions estimate must be made for each section proposed for exclusion, and the sum of all such sections must be compared to the NMOC emissions estimate for the entire landfill.

(A) The NMOC emissions from each section proposed for exclusion must be computed using the following equation:

$$Q_i = 2k L_o M_i (e^{-k t_i}) (C_{NMOC}) (3.6 \times 10^{-9})$$

Where:

Q_i = NMOC emission rate from the i th section, megagrams per year.

k = Methane generation rate constant, year⁻¹.

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

M_i = Mass of the degradable solid waste in the i th section, megagram.

t_i = Age of the solid waste in the i th section, years.

C_{NMOC} = Concentration of NMOC, parts per million by volume.

3.6×10^{-9} = Conversion factor.

(B) If the owner or operator is proposing to exclude, or cease gas collection and control from, nonproductive physically separated (e.g., separately lined) closed areas that already have gas collection systems, NMOC emissions from each physically separated closed area must be computed using either Equation 3 in 40 CFR 63.1959(c) or the equation in item (3)(ii)(A) above.

(iii) The values for k and C_{NMOC} determined in field testing must be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k , L_o , and C_{NMOC} provided in 40 CFR 63.1959(a)(1) or the alternative values from 40 CFR 63.1959(a)(5) must be used. The mass of

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nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in item (3)(i) above.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 62: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1962(b), Subpart AAAA

Item 62.1:

The Compliance Certification activity will be performed for the Facility.

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator seeking to comply with 40 CFR 63.1959(b)(2)(ii) must construct the gas collection devices using the following equipment or procedures:

(1) The landfill gas extraction components must be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: Convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system must extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors must be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations must be situated with regard to the need to prevent excessive air infiltration.

(2) Vertical wells must be placed so as not to endanger underlying liners and must address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors must be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices must be designed so as not to allow indirect short circuiting of air into the cover or refuse

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into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

(3) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly must include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices must be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Applicable Federal Requirement: 40CFR 63.1962(c), Subpart AAAA

Item 63.1:

The Compliance Certification activity will be performed for the Facility.

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a municipal solid waste landfill seeking to comply with 40 CFR 63.1959(b)(2)(iii) must convey the landfill gas to a control system in compliance with 40 CFR 63.1959(b)(2)(iii) through the collection header pipe(s). The gas mover equipment must be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

(1) For existing collection systems, the flow data must be used to project the maximum flow rate. If no flow data exist, the procedures in item (2) below must be used.

(2) For new collection systems, the maximum flow rate must be in accordance with 40 CFR 63.1960(a)(1).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 64: Compliance Certification

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Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63.1965, Subpart AAAAA

Item 64.1:

The Compliance Certification activity will be performed for the Facility.

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the purposes of the landfill monitoring requirements, deviations include the following items:

(a) When the control device operating parameter boundaries described in § 63.1983(c)(1) are exceeded.

(b) When 1 hour or more of the hours during the 3-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour

Written notification must be submitted to the department when a deviation is documented. All deviations must be listed in the annual and semi annual report.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Required Reports
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.1981, Subpart AAAAA

Item 65.1:

Each owner or operator of a municipal solid waste landfill must submit the reports specified in 40 CFR Part 63.1981 and the reports specified in Table 1 to 40 CFR Part 63, Subpart AAAAA. If the owner or operator has previously submitted a design capacity report, amended design capacity report, initial NMOC emission rate report, initial or revised collection and control system design plan, closure report, equipment removal report, or initial performance test under 40 CFR Part 60, Subpart WWW; 40 CFR Part 60, Subpart XXX; or a federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR Part 60, Subpart Cc or 40 CFR Part 60, Subpart Cf, then that submission constitutes compliance with the design capacity report in 40 CFR 63.1981(a), the amended design capacity report in 40 CFR 63.1981(b), the initial NMOC emission rate report in 40 CFR 63.1981(c), the initial collection and control system design plan in 40 CFR 63.1981(d), the revised design plan in 40 CFR

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63.1981(e), the closure report in 40 CFR 63.1981(f), the equipment removal report in 40 CFR 63.1981(g), and the initial performance test report in 40 CFR 63.1981(i). The owner or operator does not need to resubmit the report(s). However, the owner or operator must include a statement certifying prior submission of the respective report(s) and the date of submittal in the first semi-annual report required by 40 CFR 63.1981(h).

**Condition 66: Reporting Requirements – Initial Design Capacity Report
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1981(a), Subpart AAAA

Item 66.1:

Each owner or operator of a municipal solid waste landfill subject to 40 CFR Part 63, Subpart AAAA, must submit an initial design capacity report containing the information specified in 40 CFR 60.757(a)(2) in addition to the following information:

(1) A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by the Department.

(2) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by the Department, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity must be calculated using good engineering practices. The calculations must be provided, along with the relevant parameters as part of the report. The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site-specific density, which must be recalculated annually. Any density conversions must be documented and submitted with the design capacity report. The Department may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

**Condition 67: Reporting Requirements – Amended Design Capacity Report
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1981(b), Subpart AAAA

Item 67.1:

The owner or operator of a municipal solid waste landfill must submit an amended design capacity report to the Department providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to meet or exceed 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in 40 CFR 63.1983(f).

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**Condition 68: Reporting Requirements – NMOC Emission Rate Report
Effective for entire length of Permit****Applicable Federal Requirement: 40 CFR 63.1981(c), Subpart AAAAA****Item 68.1:**

Each owner or operator of a municipal solid waste landfill subject to the requirements of 40 CFR Part 63, Subpart AAAAA, must submit a copy of the latest NMOC emission rate report that was submitted according to 40 CFR 60.757(b) or submit an NMOC emission rate report to the Department initially and annually thereafter, except as provided for in item (1)(ii)(A) below. The Department may request such additional information as may be necessary to verify the reported NMOC emission rate. If the owner or operator has submitted an annual report under 40 CFR Part 60, Subpart WWW; 40 CFR Part 60, Subpart XXX; or a federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR Part 60, Subpart Cc or 40 CFR Part 60, Subpart Cf, then that submission constitutes compliance with the annual NMOC emission rate report in 40 CFR 63.1981(c). The owner or operator does not need to re-submit the annual report for the current year. The report must meet the following requirements:

- (1) The NMOC emission rate report must contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 63.1959(a) or (b), as applicable.
 - (i) The initial NMOC emission rate report must be submitted no later than 90 days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996.
 - (ii) Subsequent NMOC emission rate reports must be submitted annually thereafter, except as provided for in item (A) below.
 - (A) If the estimated NMOC emission rate as reported in the annual report to the Department is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate must include the current amount of solid waste in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based must be provided to the Department. This estimate must be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate must be submitted to the Department. The revised estimate must cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.
 - (B) The report must be submitted following the procedure specified in 40 CFR 63.1981(l)(2).
- (2) The NMOC emission rate report must include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.
- (3) Each owner or operator subject to the requirements of 40 CFR Part 63, Subpart AAAAA, is exempted from the requirements to submit an NMOC emission rate report, after installing a

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collection and control system that complies with 40 CFR 63.1959(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR 63.1958 and 63.1960.

**Condition 69: Reporting Requirements – Collection and Control System
Design Plan
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1981(d), Subpart AAAA

Item 69.1:

Each owner or operator of a municipal solid waste landfill subject to the provisions of 40 CFR 63.1959(b)(2) must submit a collection and control system design plan to the Department for approval according to 40 CFR 60.757(c) and the schedule in 40 CFR 60.757(c)(1) and (2). The collection and control system design plan must be prepared and approved by a professional engineer and must meet the following requirements:

- (1) The collection and control system as described in the design plan must meet the design requirements in 40 CFR 63.1959(b)(2).
- (2) The collection and control system design plan must include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR 63.1957 through 63.1983 proposed by the owner or operator.
- (3) The collection and control system design plan must either conform with specifications for active collection systems in 40 CFR 63.1962 or include a demonstration to the Department's satisfaction of the sufficiency of the alternative provisions to 40 CFR 63.1962.
- (4) Each owner or operator of an MSW landfill affected by 40 CFR Part 63, Subpart AAAA, must submit a collection and control system design plan to the Department for approval within 1 year of becoming subject to 40 CFR Part 63, Subpart AAAA.
- (5) The landfill owner or operator must notify the Department that the design plan is completed and submit a copy of the plan's signature page. The Department has 90 days to decide whether the design plan should be submitted for review. If the Department chooses to review the plan, the approval process continues as described in item (6) below. In the event that the design plan is required to be modified to obtain approval, the owner or operator must take any steps necessary to conform any prior actions to the approved design plan and any failure to do so could result in an enforcement action.
- (6) Upon receipt of an initial or revised design plan, the Department must review the information submitted under items (1) through (3) above and either approve it, disapprove it, or request that additional information be submitted. Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems.

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**Condition 70: Reporting Requirements – Revised Design Plan
Effective for entire length of Permit****Applicable Federal Requirement: 40CFR 63.1981(e), Subpart AAAAA****Item 70.1:**

The owner or operator of a municipal solid waste landfill that has already been required to submit a design plan under 40 CFR 63.1981(d) must submit a revised design plan to the Department for approval as follows:

- (1) At least 90 days before expanding operations to an area not covered by the previously approved design plan.
- (2) Prior to installing or expanding the gas collection system in a way that is not consistent with the design plan that was submitted to the Department according to 40 CFR 63.1981(d).

**Condition 71: Submittal of a Closure Notification
Effective for entire length of Permit****Applicable Federal Requirement: 40CFR 63.1981(f), Subpart AAAAA****Item 71.1:**

Each owner or operator of a controlled landfill must submit a closure report to the Department within 30 days of waste acceptance cessation. The Department may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Department, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 63.9(b).

**Condition 72: Equipment Removal Reports
Effective for entire length of Permit****Applicable Federal Requirement: 40CFR 63.1981(g), Subpart AAAAA****Item 72.1:**

Each owner or operator of a controlled landfill must submit an equipment removal report as provided in 40 CFR 60.757(e). Each owner or operator of a controlled landfill must submit an equipment removal report to the Department 30 days prior to removal or cessation of operation of the control equipment.

- (1) The equipment removal report must contain all of the following items:
 - (i) A copy of the closure report submitted in accordance with 40 CFR 63.1981(f);

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(ii) A copy of the initial performance test report demonstrating that the 15-year minimum control period has expired, or information that demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flows. In the equipment removal report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's Central Data Exchange (CDX); and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports.

(2) The Department may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR 63.1957(b) have been met.

**Condition 73: Reporting Requirements – Semi-Annual Reports
Effective for entire length of Permit**

Applicable Federal Requirement: 40 CFR 63.1981(h), Subpart AAAAA

Item 73.1:

The owner or operator of a municipal solid waste landfill seeking to comply with 40 CFR 63.1959(b)(2) using an active collection system designed in accordance with 40 CFR 63.1959(b)(2)(ii) must submit semiannual reports to the Department. The owner or operator must submit the report following the procedure specified in item (1) below. The initial report must be submitted within 180 days of installation and startup of the collection and control system and must include the initial performance test report required under 40 CFR 63.7, as applicable. In the initial report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's CDX. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR 63.1983(c). The semi-annual reports must contain the information in items (1) through (8) below.

(1) Number of times that applicable parameters monitored under 40 CFR 63.1958(b), (c), and (d) were exceeded and when the gas collection and control system was not operating under 40 CFR 63.1958(e), including periods of startup, shutdown or malfunction. For each instance, report the date, time, and duration of each exceedance.

(i) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA, seeks to demonstrate compliance with the temperature and nitrogen or oxygen operational standards in 40 CFR 63.1958(c), provide a statement of the wellhead operational standard for temperature and oxygen the owner or operator is complying with for the period covered by the report. Indicate the number of times each of those parameters monitored under 40 CFR 63.1961(a)(3) were exceeded. For each instance, report the date, time, and duration of each exceedance.

(ii) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAAA,

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seeks to demonstrate compliance with the operational standard for temperature in 40 CFR 63.1958(c)(1), provide a statement of the wellhead operational standard for temperature and oxygen the owner or operator is complying with for the period covered by the report. Indicate the number of times each of those parameters monitored under 40 CFR 63.1961(a)(4) were exceeded. For each instance, report the date, time, and duration of each exceedance.

(iii) Number of times the parameters for the site-specific treatment system in 40 CFR 63.1961(g) were exceeded.

(2) Description and duration of all periods when the gas stream was diverted from the control device or treatment system through a bypass line or the indication of bypass flow as specified under 40 CFR 63.1961.

(3) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating.

(4) All periods when the collection system was not operating

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR 63.1958(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. For location, record the latitude and longitude coordinates of each exceedance using an instrument with an accuracy of at least 4 meters. The coordinates must be in decimal degrees with at least five decimal places.

(6) The date of installation and the location of each well or collection system expansion added pursuant to 40 CFR 63.1960(a)(3) and (4), (b), and (c)(4).

(7) For any corrective action analysis for which corrective actions are required in 40 CFR 63.1960(a)(3)(i) or (a)(5) and that take more than 60 days to correct the exceedance, the root cause analysis conducted, including a description of the recommended corrective action(s), the date for corrective action(s) already completed following the positive pressure or high temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

(8) Each owner or operator required to conduct enhanced monitoring in 40 CFR 63.1961(a)(5) and (6) must include the results of all monitoring activities conducted during the period.

(i) For each monitoring point, report the date, time, and well identifier along with the value and units of measure for oxygen, temperature (wellhead and downwell), methane, and carbon monoxide.

(ii) Include a summary trend analysis for each well subject to the enhanced monitoring requirements to chart the weekly readings over time for oxygen, wellhead temperature, methane, and weekly or monthly readings over time, as applicable for carbon monoxide.

(iii) Include the date, time, staff person name, and description of findings for each visual observation for subsurface oxidation event.

**Condition 74: Reporting Requirements – Initial Performance Test Report
Effective for entire length of Permit**

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Applicable Federal Requirement: 40 CFR 63.1981(i), Subpart AAAA**Item 74.1:**

Each owner or operator of a municipal solid waste landfill seeking to comply with 40 CFR 63.1959(b)(2)(iii) must include the following information with the initial performance test report required under 40 CFR 63.7:

- (1) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;
- (2) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;
- (3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;
- (4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area;
- (5) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and
- (6) The provisions for the control of off-site migration.

**Condition 75: Corrective Action and Timelines
Effective for entire length of Permit****Applicable Federal Requirement: 40 CFR 63.1981(j), Subpart AAAA****Item 75.1:**

The owner or operator of a municipal solid waste landfill must submit the following information regarding corrective actions:

- (1) For corrective action that is required according to 40 CFR 63.1960(a)(3) or (4) and is not completed within 60 days after the initial exceedance, the owner or operator must submit a notification to the Department as soon as practicable but no later than 75 days after the first measurement of positive pressure or temperature exceedance.
- (2) For corrective action that is required according to 40 CFR 63.1960(a)(3) or (4) and is expected to take longer than 120 days after the initial exceedance to complete, the owner or operator must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Department as soon as practicable but no later than 75 days after

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the first measurement of positive pressure or temperature monitoring value of 62.8 degrees Celsius (145 degrees Fahrenheit) or above. The Department must approve the plan for corrective action and the corresponding timeline.

**Condition 76: 24-Hour High Temperature Report
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.1981(k), Subpart AAAA

Item 76.1:

Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, seeks to demonstrate compliance with the operational standard for temperature in 40 CFR 63.1958(c)(1) and a landfill gas temperature measured at either the wellhead or at any point in the well is greater than or equal to 76.7 degrees Celsius (170 degrees Fahrenheit) and the carbon monoxide concentration measured is greater than or equal to 1,000 parts per million, the owner or operator must report the date, time, well identifier, temperature and carbon monoxide reading via email to the Department within 24 hours of the measurement unless a higher operating temperature value has been approved by the Department for the well under 40 CFR Part 63, Subpart AAAA, or under 40 CFR Part 60, Subpart WWW; 40 CFR Part 60, Subpart XXX; or a Federal plan or EPA approved and effective state plan or tribal plan that implements either 40 CFR Part 60, Subpart Cc or 40 CFR Part 60, Subpart Cf.

**Condition 77: Electronic Reporting Requirements
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63.1981(l), Subpart AAAA

Item 77.1:

The owner or operator of a municipal solid waste landfill must submit reports electronically according to items (1) and (2) below.

(1) Within 60 days after the date of completing each performance test required by 40 CFR Part 63, Subpart AAAA, the owner or operator must submit the results of the performance test following the procedures specified in items (1)(i) through (iii) below.

(i) Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-emissions/electronic-reporting-tool-ert>) at the time of the test. Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, the owner or operator may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

(ii) Data collected using test methods that are not supported by the EPA's ERT as listed on the

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EPA's ERT website at the time of the test. The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI.

(iii) Confidential business information (CBI). If the owner or operator claims some of the information submitted under paragraph (a) of this section is CBI, the owner or operator must submit a complete file, including information claimed to be CBI, to the EPA. The file must be generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to:

U.S. EPA/OAQPS/CORE CBI Office
Attention: Group Leader, Measurement Policy Group
MD C404-02
4930 Old Page Rd.
Durham, NC 27703

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

(2) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via CEDRI. CEDRI can be accessed through the EPA's CDX. The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website

(<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). Once the spreadsheet template upload/forms for the reports have been available in CEDRI for 90 days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in 40 CFR 63 Subpart AAAA, regardless of the method in which the reports are submitted. The NMOC emission rate reports, semi-annual reports, and bioreactor 40-percent moisture reports should be electronically reported as a spreadsheet template upload/form to CEDRI. If the reporting forms specific to 40 CFR Part 63, Subpart AAAA, are not available in CEDRI at the time that the reports are due, the owner or operator must submit the reports to the Administrator at the appropriate address listed in 40 CFR Part 63.13 of Subpart A.

Condition 78: Claims of EPA System Outage
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1981(m), Subpart AAAA

Item 78.1:

The owner or operator of a municipal solid waste landfill required to electronically submit a report through CEDRI in the EPA's CDX may assert a claim of EPA system outage for failure to comply in a timely manner with the reporting requirement. To assert a claim of EPA system outage, the owner or operator must meet the following requirements:

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- (1) The owner or operator must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.
- (2) The outage must have occurred within the period of time beginning 5 business days prior to the date that the submission is due.
- (3) The outage may be planned or unplanned.
- (4) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (5) The owner or operator must provide to the Administrator a written description identifying:
 - (i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;
 - (iii) Measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the owner or operator reported.
- (6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

**Condition 79: Claims of Force Majeure
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1981(n), Subpart AAAAA

Item 79.1:

The owner or operator of a municipal solid waste landfill required to electronically submit a report through CEDRI in the EPA's CDX may assert a claim of force majeure for failure to comply timely with the reporting requirement. To assert a claim of force majeure, the owner or operator must meet the following requirements:

- (1) The owner or operator may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning 5 business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are

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acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

- (2) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.
- (3) The owner or operator must provide to the Administrator:
 - (i) A written description of the force majeure event;
 - (ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;
 - (iii) Measures taken or to be taken to minimize the delay in reporting; and
 - (iv) The date by which the owner or operator proposes to report, or if the reporting requirement has already been met at the time of the notification, the date the owner or operator reported.
- (4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.
- (5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

Condition 80: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1983(a), Subpart AAAA

Item 80.1:

The Compliance Certification activity will be performed for the Facility.

Item 80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must keep records as specified in 40 CFR Part 63, Subpart AAAA. The owner or operator must also keep records as specified in the General Provisions of 40 CFR Part 63, Subpart AAAA, as shown in Table 1.

Except as provided in 40 CFR 63.1981(d)(2), each owner or operator of a MSW landfill subject to the provisions of 40 CFR 63.1959(b)(2)(ii) and (iii) must keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report that triggered 40 CFR 63.1959(b), the current amount of solid waste in-place,

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and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 81: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1983(b), Subpart AAAA

Item 81.1:

The Compliance Certification activity will be performed for the Facility.

Item 81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must keep records as specified in 40 CFR Part 63, Subpart AAAA. The owner or operator must also keep records as specified in the General Provisions of 40 CFR Part 63, Subpart AAAA, as shown in Table 1.

Except as provided in 40 CFR 63.1981(d)(2), each owner or operator of a controlled landfill must keep up-to-date, readily accessible records for the life of the control system equipment of the data listed in items (1) through (5) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring must be maintained for a minimum of 5 years. Records of the control device vendor specifications must be maintained until removal.

(1) Where an owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, seeks to demonstrate compliance with 40 CFR 63.1959(b)(2)(ii):

(i) The maximum expected gas generation flow rate as calculated in 40 CFR 63.1960(a)(1).

(ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR 63.1962(a)(1) and (2).

(2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40

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CFR 63.1959(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts:

- (i) The average temperature measured at least every 15 minutes and averaged over the same time period of the performance test.
- (ii) The percent reduction of NMOC determined as specified in 40 CFR 63.1959(b)(2)(iii)(B) achieved by the control device.
- (3) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 63.1959(b)(2)(iii)(B)(1) through use of a boiler or process heater of any size: A description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.
- (4) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 63.1959(b)(2)(iii)(A) through use of a non-enclosed flare, the flare type (i.e., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR Part 63.11; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame or the flare flame is absent.
- (5) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR 63.1959(b)(2)(iii)(C) through use of a landfill gas treatment system:
 - (i) Bypass records. Records of the flow of landfill gas to, and bypass of, the treatment system.
 - (ii) Site-specific treatment monitoring plan, to include:
 - (A) Monitoring records of parameters that are identified in the treatment system monitoring plan and that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. At a minimum, records should include records of filtration, dewatering, and compression parameters that ensure the treatment system is operating properly for each intended end use of the treated landfill gas.

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(B) Monitoring methods, frequencies, and operating ranges for each monitored operating parameter based on manufacturer's recommendations or engineering analysis for each intended end use of the treated landfill gas.

(C) Documentation of the monitoring methods and ranges, along with justification for their use.

(D) List of responsible staff (by job title) for data collection.

(E) Processes and methods used to collect the necessary data.

(F) Description of the procedures and methods that are used for quality assurance, maintenance, and repair of all continuous monitoring systems (CMS).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 82: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1983(c), Subpart AAAAA

Item 82.1:

The Compliance Certification activity will be performed for the Facility.

Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must keep records as specified in 40 CFR Part 63, Subpart AAAAA. The owner or operator must also keep records as specified in the General Provisions of 40 CFR Part 63, Subpart AAAAA, as shown in Table 1.

Except as provided in 40 CFR 63.1981(d)(2), each owner or operator of a controlled landfill subject to the provisions of 40 CFR Part 63, Subpart AAAAA, must keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR 63.1961 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

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(1) The following constitute exceedences that must be recorded and reported as deviations under 40 CFR 63.1981(h):

(i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million Btu per hour) or greater, all 3-hour periods of operation during which the average temperature was more than 28 degrees Celsius (82 degrees Fahrenheit) below the average combustion temperature during the most recent performance test at which compliance with 40 CFR 63.1959(b)(2)(iii) was determined.

(ii) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under 40 CFR 63.1983(b)(3).

(2) Each owner or operator subject to the provisions of this subpart must keep up-to-date, readily accessible continuous records of the indication of flow to the control system and the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 63.1961(b)(2)(ii), (c)(2)(ii), and (g)(2).

(3) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR 63.1959(b)(2)(iii) must keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other state, local, tribal, or federal regulatory requirements.

(4) Each owner or operator seeking to comply with the provisions of this subpart by use of a non-enclosed flare must keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR 63.1961(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

(5) Each owner or operator of a landfill seeking to comply with 40 CFR 63.1959(b)(2) using an active collection system designed in accordance with 40 CFR 63.1959(b)(2)(ii) must keep records of periods when the collection system or control device is not operating.

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(6) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard in 40 CFR 63.1958(e)(1), the date, time, and duration of each start-up and/or shutdown period, recording the periods when the affected source was subject to the standard applicable to start-up and shutdown.

(7) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard in 40 CFR 63.1958(e)(1), in the event that an affected unit fails to meet an applicable standard, record the information below in this paragraph:

(i) For each failure record the date, time and duration of each failure and the cause of such events (including unknown cause, if applicable).

(ii) For each failure to meet an applicable standard; record and retain a list of the affected sources or equipment.

(iii) Record actions taken to minimize emissions in accordance with the general duty of 40 CFR 63.1955(c) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(8) In lieu of the requirements specified in 40 CFR 63.8(d)(3) of Subpart A, the owner or operator must keep the written procedures required by 40 CFR 63.8(d)(2) on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Department. If the performance evaluation plan is revised, the owner or operator must keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Department, for a period of 5 years after each revision to the plan. The program of corrective action should be included in the plan required under 40 CFR 63.8(d)(2).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 83: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.1983(d), Subpart AAAAA

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Item 83.1:

The Compliance Certification activity will be performed for the Facility.

Item 83.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a municipal solid waste landfill must keep records as specified in 40 CFR Part 63, Subpart AAAA. The owner or operator must also keep records as specified in the General Provisions of 40 CFR Part 63, Subpart AAAA, as shown in Table 1.

Except as provided in 40 CFR 63.1981(d)(2), each owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, must keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

(1) Each owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, must keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 40 CFR 63.1960(b).

(2) Each owner or operator subject to the provisions of this subpart must keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR 63.1962(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR 63.1962(a)(3)(ii).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 84: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.1983(e), Subpart AAAA

Item 84.1:

The Compliance Certification activity will be performed for the Facility.

Item 84.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

The owner or operator of a municipal solid waste landfill must keep records as specified in 40 CFR Part 63, Subpart AAAA. The owner or operator must also keep records as specified in the General Provisions of 40 CFR Part 63, Subpart AAAA, as shown in Table 1.

Except as provided in 40 CFR 63.1981(d)(2), each owner or operator subject to the provisions of 40 CFR Part 63, Subpart AAAA, must keep for at least 5 years up-to-date, readily accessible records of the following:

(1) All collection and control system exceedances of the operational standards in 40 CFR 63.1958, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

(2) Each owner or operator subject to the control provisions of 40 CFR Part 63, Subpart AAAA, must keep records of each wellhead temperature monitoring value of greater than 55 degrees Celsius (131 degrees Fahrenheit), each wellhead nitrogen level at or above 20 percent, and each wellhead oxygen level at or above 5 percent, except:

(i) When an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the compliance provisions for wellhead temperature in 40 CFR 63.1958(c)(1), the records of each wellhead temperature monitoring value of 62.8 degrees Celsius (145 degrees Fahrenheit) or above instead of values greater than 55 degrees Celsius (131 degrees Fahrenheit).

(ii) Each owner or operator required to conduct the enhanced monitoring provisions in 40 CFR 63.1961(a)(5), must also keep records of all enhanced monitoring activities.

(iii) Each owner or operator required to submit the 24-hour high temperature report in 40 CFR 63.1981(k), must also keep a record of the email transmission.

(3) For any root cause analysis for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(A) or (a)(4)(i)(A), keep a record of the root cause analysis conducted, including a description of the recommended corrective action(s) taken, and the date(s) the corrective action(s) were completed.

(4) For any root cause analysis for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(B) or (a)(4)(i)(B), keep a record of the root cause analysis

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conducted, the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

(5) For any root cause analysis for which corrective actions are required in 40 CFR 63.1960(a)(3)(i)(C) or (a)(4)(i)(C), keep a record of the root cause analysis conducted, the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates, and a copy of any comments or final approval on the corrective action analysis or schedule from the Department.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 85: Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.11116, NESHAP Subpart CCCCCC

Item 85.1:

The owner or operator must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

- (1) Minimize gasoline spills;
- (2) Clean up spills as expeditiously as practicable;
- (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
- (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

The owner or operator is not required to submit notifications or reports as specified in 40 CFR 63.11125, 40 CFR 63.11126, or Subpart A of Part 63, but he/she must have records available within 24 hours of a request by the Administrator to document the gasoline throughput.

The owner or operator must comply with the requirements of Subpart CCCCCC by the

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applicable dates specified in 40 CFR 63.11113.

Portable gasoline containers that meet the requirements of 40 CFR Part 59, Subpart F, are considered acceptable for compliance with paragraph (3) above.

**Condition 86: Engines at Area sources of HAP
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 86.1:

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

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

**Condition 87: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 87.1:

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

Emission Unit: 1-LNDFL
Process: 001 Source Classification Code: 5-01-004-02
Process Description:
A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission Source/Control: 00001 - Process

Item 87.2:

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

Emission Unit: 1-LNDFL
Process: 102 Source Classification Code: 5-01-004-02
Process Description:
Landfill gas (LFG) collected from Sections I, II and III through a comprehensive Gas Collection and Control System (GCCS).

Emission Source/Control: 00011 - Process

Item 87.3:

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

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Emission Unit: 2-LNDFL
Process: 002 Source Classification Code: 5-01-004-02
Process Description:
A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Emission Source/Control: 00004 - Process

Item 87.4:

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

Emission Unit: 2-LNDFL
Process: 103 Source Classification Code: 5-01-004-02
Process Description:
Landfill gas (LFG) collected from Section IV through a comprehensive Gas Collection and Control System (GCCS).

Emission Source/Control: 00012 - Process

Item 87.5:

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

Emission Unit: 3-LNDFL
Process: 003 Source Classification Code: 5-01-004-02
Process Description:
Emissions of landfill gas through passive vents, and the portion of the landfill gas which is not collected and is emitted from the landfill itself as fugitive emissions.

Emission Source/Control: 00006 - Process

Item 87.6:

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

Emission Unit: 3-LNDFL
Process: 004 Source Classification Code: 5-01-004-06
Process Description:
Landfill Gas collected through surface collectors and existing vents and sent to the blower/flare station.

Emission Source/Control: 00008 - Control
Control Type: FLARING

Emission Source/Control: 00010 - Control
Control Type: FLARING

Emission Source/Control: 00006 - Process

Item 87.7:

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

Emission Unit: 4-LEACH

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Process: 401 Source Classification Code: 5-01-004-33

Process Description:

Two influent storage tanks serving the new section IV landfill. Each tank can hold approximately two million gallons of leachate.

Emission Source/Control: 40001 - Process
Design Capacity: 2,068 1000 gallons

Emission Source/Control: 40002 - Process
Design Capacity: 2,068 1000 gallons

Item 87.8:

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

Emission Unit: 4-LEACH

Process: 402 Source Classification Code: 5-01-004-33

Process Description:

Two influent storage tanks serving the old landfill, Section V, and sections I, II, and III as well as one effluent storage tank; all located at the leachate treatment building.

Emission Source/Control: 40003 - Process
Design Capacity: 500 1000 gallons

Emission Source/Control: 40004 - Process
Design Capacity: 500 1000 gallons

Emission Source/Control: 40005 - Process
Design Capacity: 500 1000 gallons

Item 87.9:

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

Emission Unit: 5-LNDFL

Process: 005 Source Classification Code: 5-01-004-06

Process Description:

Landfill gas (LFG) collected from landfill Section V through a comprehensive gas collection and control system. LFG emissions are controlled through the use of a flare and/or by a separate permitted facility which uses the LFG for energy production.

Emission Source/Control: 00013 - Control
Control Type: FLARING

Emission Source/Control: 00014 - Process
Design Capacity: 8,000 1000 cubic yards

Item 87.10:

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

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Emission Unit: 5-LNDFL

Process: 006

Source Classification Code: 5-01-004-02

Process Description:

This process consists of fugitive emissions from Section
V of the landfill.

Emission Source/Control: 00014 - Process

Design Capacity: 8,000 1000 cubic yards

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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 88: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 88.1:

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

CAS No: 000074-82-8
Name: METHANE

Condition 89: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

Item 89.1:

(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,

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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 90: Compliance Demonstration
Effective for entire length of Permit

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

Item 90.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000074-82-8 METHANE

Item 90.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The owner or operator must monitor the surface concentrations of methane according to the procedures found in 40 CFR 63.1960(c)(1-4) and the instrument specifications in 40 CFR 63.1960(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods

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may reduce the monitoring frequency to annually. Any methane reading of 200 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

The quarterly surface emission monitoring scans will include monitoring of all penetrations through areas of intermediate and final cover. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

For safety purposes, if a section of the landfill is covered with snow and/or ice for an entire calendar quarter, that section of the landfill does not need to be included in the surface scan required for that quarter. The facility must return to quarterly surface monitoring in the event that conditions improve (i.e., if the snow and/or ice melt and the ground surface is accessible to the monitoring instruments) during the quarterly monitoring period.

The Department reserves the right to require the facility to perform a drone scan (or equivalent method) to determine if gas emissions are coming from areas that are unable to be scanned if conditions warrant these areas to be scanned. The Department will notify the facility if this becomes applicable.

The facility shall maintain records of the quarterly monitoring and corrective actions on site for a period of at least 5 years from the date of the record. The quarterly reports and subsequent corrective actions shall be provided in the semiannual monitoring report required by this permit.

Upper Permit Limit: 200 parts per million (by volume)
Reference Test Method: As Required - See Monitoring Description
Monitoring Frequency: QUARTERLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE 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 91: Air pollution prohibited
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 211.1

Item 91.1:

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

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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 92: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 212-2.1

Item 92.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 92.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility complies with this subpart by demonstrating actual annual emissions of HTAC contaminants do not exceed the thresholds specified in 6NYCRR Part 212-2.2 Table 2. On an annual basis the facility must calculate actual annual emissions of the HTAC compounds and certify that emissions remain less than the thresholds specified in 6NYCRR 212-2.2 Table 2.

In the event that the facility exceeds the HTAC contaminant thresholds specified in 6NYCRR 212-2.2 Table 2, the facility must within 90 days either: (1) conduct landfill gas testing in order to determine site specific emissions factors for affected HTAC contaminants and recalculate HTAC contaminant emissions or (2) demonstrate compliance with the control requirements specified in subpart 6NYCRR 212-2.3 Table 4.

In the event the facility elects to perform testing to determine site specific emissions factors, a protocol must be submitted to the Department no later than 30 days prior to testing and will be subject to Department review.

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 93: Prohibitions
Effective for entire length of Permit**

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Applicable State Requirement:6 NYCRR 217-3.2

Item 93.1: No person who owns, operates or leases a heavy duty vehicle;including a bus or truck, the motive power for which is provided by a diesel fueled engine or who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of a heavy duty vehicle; including a bus or truck present on such land (the motive power for which said heavy duty vehicle is provided by a diesel or non-diesel fueled engine), shall allow or permit the engine of such heavy duty vehicle to idle for more than five consecutive minutes when the heavy duty vehicle is not in motion, except as otherwise permitted by section 6 NYCRR 217-3.3.

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