



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 2-6499-00029/00151

Renewal Number: 3

02/21/2018

Facility Identification Data

Name: NYCDOS - FRESH KILLS LANDFILL

Address: 310 W SERVICE RD

STATEN ISLAND, NY 10314

Owner/Firm

Name: NYC Dept of Sanitation

Address: 125 WORTH ST

NEW YORK, NY 10013-4006, USA

Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:

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NEW YORK, NY 10004

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Permit Description

Introduction

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

Summary Description of Proposed Project

Application for renewal of Air Title V Facility.

Attainment Status



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NYCDOS - FRESH KILLS LANDFILL is located in the town of STATEN ISLAND in the county of RICHMOND.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description:

This facility is a municipal solid waste landfill operated by the New York City Department of Sanitation (DSNY). The landfill occupies approximately 2,200 acres along the Fresh Kills estuary on Staten island. Closed in December 2001, it continues to generate methane containing landfill gas (LFG) from the anaerobic degradation of solid waste. Six (6) LFG flares installed at the landfill; each flare has a design capacity of 5,000 scfm. In addition to the flares, there is an existing LFG processing facility consisting of the Selexol LFG recovery plant. The flares are operated in conjunction with the LFG processing facility to control LFG emissions.

In addition to the closed landfill, the facility also consists of two (2) landfill leachate treatment plants, three (3) landfill vehicle maintenance and repair garages, a yard waste composting facility, and two (2) refueling stations for landfill vehicles.

There are two (2) landfill leachate treatment plants at the facility. The plants have a combined capacity of 1,050,000 gallons per day. Landfill leachate contains ammonia and low levels of volatile organic compounds. The leachate is treated using sequencing batch reactors, clarifiers, pH adjustment, and sand filters and is then discharged to a surface water at the landfill under a State Pollutant Discharge and Elimination System (SPDES) permit.

The three (3) garages are operated by NYCDOS and are equipped with boilers with ratings ranging from 2.8 to <10 MMBTU/hr. The boilers are fired by Number 2 fuel oil or natural gas. The garages also include machine shops, a forge shop, carpenter shops, and welding areas. Aboveground and underground storage tanks that range in size from 275 to 20,000 gallons are located at the landfill and contain gasoline, diesel fuel, Number 2 fuel oil, hydraulic oil, motor oil, antifreeze, and waste oil.

As neither construction nor modification commenced after May 30, 1991, the Staten Island Landfill is not subject to the New Source Performance Standard for Municipal Solid Waste Landfills (40 CFR 60, Subpart WWW). The calculated PTE for Total HAPs is 12,000 lbs/yr or 6 TPY. As Fresh Kill Landfill emits less than 10 TPY of any individual HAP and less than 25 TPY of combined HAPs, it is an area source of HAPs, not a major source. The calculated NMOC emission rate based on current conditions is 10-20 Mg/yr. Fresh



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Kills Landfill is not a major source of HAPs, was closed prior to January 16, 2003, and emits NMOC at a rate less than 50 Mg/yr.

The potential emissions for Total Organics, Total VOCs and Total HAPs are listed below. The 2016 Annual Emission Statement (AES) submitted to NYSDEC, the Staten Island Landfill had the following actual and potential emissions:

Contaminant	Actual Emissions (lbs/yr)	Potential Emissions (lbs/yr)
Total Organics	16,397	62,000
Total VOCs	13,274	50,000
Total HAPs	3,154	12,000

The Staten Island Landfill is not subject to 40 CFR Subpart WWW. There is already a collection and control system that was installed prior to May 30, 1991. The facility does not emit 10 TPY or more of any HAP or 25 TPY or more of any combination of HAPs. It is not classified as a “major source” based on the actual emission and the potential to emit (PTE). Therefore, the facility is not subject to 40 CFR Subpart WWW.

The Staten Island Lanfill is subject to 40 CFR Subpart AAAA for Municipal Solid Waste Landfills. It has been permanently closed prior to January 16, 2003, and does not have estimated uncontrolled emissions equal to or greater than 50 Mg/yr of NMOC. The calculated NMOC emission rate for 2016 was 9.91 Mg/year, which is below the 50Mg/year regulatory threshold for applicability of mandatory LFG collection and control system provisions under 6NYCRR Part 208.

Permit Structure and Description of Operations

The Title V permit for NYCDOS - FRESH KILLS LANDFILL

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

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

NYCDOS - FRESH KILLS LANDFILL is defined by the following emission unit(s):



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Emission unit U00002 - Emission Unit U-00002: The Fresh Kills Leachate Treatment Plant (FKLTP) with a design capacity of 900,000 gallons per day with associated Process A21. This process consists of treatment of landfill leachate by the following major unit processes:

- 1) influent flow distribution
- 2) biological treatment using SBR
- 3) metals removal
- 4) sedimentation
- 5) filtration
- 6) pH neutralization.

There are three parallel modular treatment trains in the FKLTP, each with a design capacity of 300,000 gallons per day, for a total design capacity of 900,000 gallons per day.

Process A21 has the following associated Emission Points: P2001, P2002, P2003, P2004, P2005, P2006, P2007, P2008, P2009, P2010, P2011, P2012, P2013, P2014, P2015, P2016, P2017, P2018, P2019, P2020, P2021, P2022, P2023, P2024, and P2025.

The Fresh Kills Leachate Treatment Plant (FKLTP) consists of the following Emission Sources:

- S2001 - Influent Tanks, concrete, covered, mixed, aerated (process)
- S2002 - Biological Sludge Tanks (process)
- S2003 - SBR, concrete, covered, aerated (process)
- S2004 - Metal Sludge Hold Tank, concrete (process)
- S2005 - Decant Tanks (process)
- S2006 - pH Adjust Tank, concrete (process)
- S2007 - Clarifiers (process)
- S2008 - Sand Filters (process)
- S2009 - Effluent pH Adjust Box, concrete (process)
- S2010 - Chemical Storage (process)
- S2011 - Boiler for Building Heat (combustion)

Emission unit U00002 is associated with the following emission points (EP):

P2001, P2002, P2003, P2004, P2005, P2006, P2007, P2008, P2009, P2010, P2011, P2012, P2013, P2014, P2015, P2016, P2017, P2018, P2019, P2020, P2021, P2022, P2023, P2024, P2025

Process: A21 is located at Entire Building, Building FKLTP1/2 - This process consists of treatment of landfill leachate by the following major unit processes: (1) influent flow distribution; (2) biological treatment using SBR; (3) metals removal; (4) sedimentation; (5) filtration; (6) pH neutralization. There are three parallel modular treatment trains in the FKLTP, each with a design capacity of 300,000 gallons per day, for a total design capacity of 900,000 gallons per day.

Emission unit U00003 - Emission Unit U-00003 consists of six enclosed landfill gas flares with a design capacity of 5,000 scfm per flare (30,000 scfm total) in addition to fugitive landfill gas emissions from the landfill. The LFG flare facility is owned by DSNY.

Process A31 consists of six (6) enclosed flares installed to combust landfill gas (LFG). Three flare stations have been constructed. Each flare station is equipped with two LFG flares. The flare stations are located at sections 2/8, 3/4 and 6/7 of the landfill. Each flare station also includes compressor/blower pumps and



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condensate knockout tanks. Each flare has a maximum design capacity for combusting LFG flows up to 5,000 standard cubic feet per minute (scfm). Process A31 has the following associated Emission Points: P3001, P3002, P3003, P3004, P3005 and P3006. The landfill gas is identified as Emission Source S3007 with associated Processes A31 and A32.

Emissions from Process A32 consist of the fugitive landfill gas emissions (emission Source S3007) from the landfill sections that are not captured by the landfill gas collection system.

The six landfill gas flares consist of the following Emission Controls:

S3001 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3002 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3003 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3004 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3005 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3006 - 5,000 cubic feet per minute John Zink Company vapor recovery unit flaring (control)
S3007 - Landfill (process)

Emission unit U00003 is associated with the following emission points (EP):

P3001, P3002, P3003, P3004, P3005, P3006

Process: A31 This process consists of six (6) enclosed flares installed to combust landfill gas (LFG). Three flare stations have been constructed. Each flare station is equipped with two LFG flares. The flare stations are located at sections 2/8, 3/4 and 6/7 of the landfill. Each flare station also includes compressor/blower pumps and condensate knockout tanks. Each flare has a maximum design capacity for combusting LFG flows up to 5,000 standard cubic feet per minute (scfm).

Process: A32 Emissions from this process consist of the fugitive landfill gas emissions from the landfill sections that are not captured by the landfill gas collection system.

Emission unit U00004 - This emission unit includes the existing landfill gas processing Plant #1 (Selexol process) with associated Process A41.

Process A41 consists of the Selexol landfill gas (LFG) recovery plant (Plant 1). LFG is processed to remove moisture, hydrogen sulfide and organic sulfur compounds, carbon dioxide and non-methane organic compounds. Plant 1 includes two (2) lean burn internal combustion compressor engines that are fired by processed LFG and a thermal oxidizer used to combust waste gases from the LFG recovery process. Process A41 has the following associated Emission Points: P4001, P4002, P4003 - LFGPLANT1 Building.

The existing landfill gas processing Plant #1 (Selexol process) consists of the following Emission Sources/Control:

S4001 - 1500 horsepower - mechanical (combustion)
S4002 - 1500 horsepower - mechanical (combustion)
S4003 - 40.05 MM Btu/hr Direct Flame Afterburner (control)
S4004 - Fugitive Emissions Equipment (process)



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Emission unit U00004 is associated with the following emission points (EP):
P4001, P4002, P4003

Process: A41 is located at First, Building LFGPLANT1 - This process consists of the Selexol landfill gas (LFG) recovery plant (Plant 1). LFG is processed to remove moisture, hydrogen sulfide and organic sulfur compounds, carbon dioxide and non-methane organic compounds. Plant 1 includes two (2) lean burn internal combustion compressor engines that are fired by processed LFG and a thermal oxidizer used to combust waste gases from the LFG recovery process.

Emission unit U00001 - Emission Unit U-00001 is the Veterans Avenue Leachate Treatment Plant (VALTP) with a design capacity of 150,000 gallons per day with associated Process A11. This process consists of treatment of landfill leachate by the following major unit processes:

- 1) influent flow distribution/holding
- 2) biological treatment using SBR
- 3) metals removal
- 4) sedimentation
- 5) filtration
- 6) pH neutralization.

Process A11 has the following associated Emission Points: P1001, P1002, P1003, P1004, P1005, P1006, P1007, P1008, P1009, P1010, P1011, P1012, P1013, P1014, P1015, P1016, P1017, P1018, P1019, P1020, P1021 and P1022.

The Veterans Avenue Leachate Treatment Plant consists of the following Emission Sources:

- S1001 - Influent Tanks, concrete, covered, aerated (process)
- S1002 - Sequencing Batch Reactors, concrete, covered, aerated (process)
- S1003 - Sludge tanks (biological and metals) (process)
- S1004 - Decant Tank (process)
- S1005 - Process Room Vent (process)
- S1006 - pH Adjust Tank (process)
- S1007 - Sand Filters (process)
- S1008 - Effluent Holding Tank (process)
- S1009 - Leachate Recirculation (process)
- S1010 - Plant Exhaust (process)
- S1011 - Boiler for Building Heat (combustion)



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Emission unit U00001 is associated with the following emission points (EP):

P1001, P1002, P1003, P1004, P1005, P1006, P1007, P1008, P1009, P1010, P1011, P1012, P1013, P1014, P1015, P1016, P1017, P1018, P1019, P1020, P1021, P1022

Process: A11 is located at Building VALTP1/2 - This process consists of treatment of landfill leachate by the following major unit processes: 1) influent flow distribution/holding; 2) biological treatment using SBR; 3) metals removal; 4) sedimentation; 5) filtration; 6) pH neutralization.

Title V/Major Source Status

NYCDOS - FRESH KILLS LANDFILL is subject to Title V requirements. This determination is based on the following information:

Program Applicability

The following chart summarizes the applicability of NYCDOS - FRESH KILLS LANDFILL with regards to the principal air pollution regulatory programs:

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

NOTES:

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

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to



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major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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

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

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

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

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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



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distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
4953	REFUSE SYSTEMS
7699	REPAIR SERVICES, NEC

SCC Codes

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

SCC Code	Description
5-01-004-10	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-01-004-21	WASTE GAS DESTRUCTION: WASTE GAS FLARES SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-01-004-22	WASTE GAS RECOVERY: INTERNAL COMBUSTION DEVICE SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-01-007-01	WASTE GAS RECOVERY: OTHER SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - SEWAGE TREATMENT Entire Plant

Facility Emissions Summary

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

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
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000630-08-0	CARBON MONOXIDE	1546400	
000074-82-8	METHANE	40234000	
0NY998-20-0	NMOC - LANDFILL USE ONLY	91000	
00E966-22-6	ORGANICS , TOTAL	62000	16397
0NY210-00-0	OXIDES OF NITROGEN	763600	
0NY075-00-5	PM-10	531600	
007446-09-5	SULFUR DIOXIDE	238800	
0NY100-00-0	TOTAL HAP	12000	3154
0NY998-00-0	VOC	50000	13274

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

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

Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.



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Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless



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the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative



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defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
 - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
 - (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
 - (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

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

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

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	92	Powers and Duties of the Department with



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FACILITY	40CFR 52-A.21	59, 60, 61	respect to air pollution control
U-00004/-/A41	40CFR 52-A.21	86, 87, 88, 89	Prevention of Significant Deterioration
FACILITY	40CFR 63-AAAA.1955(b)	62	Prevention of Significant Deterioration
FACILITY	40CFR 63-AAAA.1980(a)	63	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 63-CCCCC.11116	64	Recordkeeping and Reports
FACILITY	40CFR 63-JJJJJJ	65	Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline
FACILITY	40CFR 63-ZZZZ	66	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
FACILITY	40CFR 68	19	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 82-F	20	Chemical accident prevention provisions
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	93	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
FACILITY	6NYCRR 201-3.2(a)	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.3(a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	21, 67, 68	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4(a)(4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(c)	3	General Conditions - Right to Inspect
			Recordkeeping and Reporting of



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FACILITY	6NYCRR 201-6.4(c)(2)	4	Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Records of Monitoring, Sampling and Measurement Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4(f)(6)	17	Off Permit Changes
FACILITY	6NYCRR 201-6.4(g)	23	Permit Shield
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 208.10	46	Specifications for active collection systems
FACILITY	6NYCRR 208.10(a)(3)(ii)	47, 48	Non Productive Areas
U-00003	6NYCRR 208.3(b)(2)(iii)	69, 70	NMOC Destruction
FACILITY	6NYCRR 208.3(b)(2)(v)	24	Active Collection System - Removal
FACILITY	6NYCRR 208.4(a)	25	Operation Standards - Collection system for Waste-in-Place 2 years or 5 years
FACILITY	6NYCRR 208.4(b)	26	WellHead Monitoring - Pressure
FACILITY	6NYCRR 208.4(c)	27, 28, 29	Wellhead Monitoring
FACILITY	6NYCRR 208.4(d)	30	Methane Monitoring
FACILITY	6NYCRR 208.4(e)	31	Vent Collected Gas to Control System
FACILITY	6NYCRR 208.4(f)	32	Control System
FACILITY	6NYCRR 208.4(g)	33	Corrective Action
FACILITY	6NYCRR 208.5(b)	34	Test Methods and Procedures - System
U-00003	6NYCRR 208.6(c)	71	NMOC Emission Rate
FACILITY	6NYCRR 208.6(c)(4)(v)	35	Surface Methane Monitoring
U-00003	6NYCRR 208.6(d)	72	Surface Methane Monitoring - New wells
FACILITY	6NYCRR 208.7(a)	36	Instrument Specs for Surface Methane Analyzer
FACILITY	6NYCRR 208.7(b)	37	Monitoring of Operations
FACILITY	6NYCRR 208.8(e)	38	Monitoring of Operations - Enclosed Combustor
FACILITY	6NYCRR 208.8(f)	39	Reporting Requirements
FACILITY	6NYCRR 208.8(g)	40	Reporting Requirements



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FACILITY	6NYCRR 208.9(a)	41	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(b)	42	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(c)	43	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(d)	44	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(e)	45	Recordkeeping Requirements
FACILITY	6NYCRR 211.1	49	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	94	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212	50, 51	Process Operations
U-00003/-/A31	6NYCRR 212-1.6(a)	77	Limiting of Opacity
U-00003/-/A31	6NYCRR 212-1.7(b)(1)	78	The exhaust gas temperature from thermal or catalytic oxidizer
U-00003/-/A31	6NYCRR 212-1.7(b)(5)	79	The monitoring of other parameters required by conditions for the process emission source.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
U-00004/P4001/A41/S4001	6NYCRR 227-2.4(f)(2)	90	Emission limit for engines running on landfill gas.
U-00004/P4002/A41/S4002	6NYCRR 227-2.4(f)(2)	91	Emission limit for engines running on landfill gas.
FACILITY	6NYCRR 231-2	52, 53, 54, 55, 56	New Source Review in Nonattainment Areas and Ozone Transport Region
U-00003	6NYCRR 231-2	73, 74, 75, 76	New Source Review in Nonattainment Areas and Ozone Transport Region
U-00004/-/A41	6NYCRR 231-2	80, 81, 82, 83, 84, 85	New Source Review in Nonattainment Areas and Ozone Transport Region
FACILITY	6NYCRR 231-2.4	57, 58	Permit Requirements

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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



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6 NYCRR 200.7

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

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)



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

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

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

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

6 NYCRR 201-6.4 (d) (5)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (f) (6)

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

6 NYCRR 201-6.4 (g)

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

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of



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determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

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

6 NYCRR 202-2.5

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

6 NYCRR 211.2

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

6 NYCRR 215.2

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

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, NYCDOS - FRESH KILLS LANDFILL has been determined to be subject to the following regulations:

40 CFR 52.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions;

ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40 CFR 63.11116

This regulation specifies the requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.



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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 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.

40 CFR 63.1955 (b)

This condition requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

40 CFR 63.1980 (a)

This regulation requires the owner or operator of the landfill to submit a report, on a semiannual basis of the following:

- any time the monitoring of wellhead parameters showed exceedances of temperature, pressure or nitrogen and oxygen content
- description and duration of any gas diversion from the control device



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- description and duration when the control device was not operating for more than 1 hour
- all periods when the collection system was not operating for 5 days or more
- location of each exceedance of the 500 ppm standard for surface methane
- date of installation and location of any additional wells for the collection system.

40 CFR Part 63, Subpart JJJJJ

This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 63, Subpart ZZZZ

This regulation defines performance standards for stationary reciprocating internal combustion engines.

6 NYCRR 208.10

This regulation sets forth the design requirements for active landfill gas collection systems. For this permit the area of Section 1/9 that contains World Trade Center material will be excluded from the installation of landfill gas extraction wells. Existing wells and new wells installed around the perimeter of this area will be used for landfill gas collection and control.

6 NYCRR 208.10 (a) (3) (ii)

This condition allows nonproductive areas of the landfill to be excluded from the collection and control system. A nonproductive area is one where the amount of NMOC emissions is less than one percent of the total NMOC emissions produced by the landfill.

6 NYCRR 208.3 (b) (2) (iii) ('b')

This condition requires that the control system achieve a non-methane organic compound (NMOC) destruction efficiency of 98%. The outlet concentration of NMOC from the control system must be less than 20 ppm.

6 NYCRR 208.3 (b) (2) (v)

This condition sets forth the requirements to be met for removal of the collection and control system. For the system to be removed, the non-methane organic compound emission rate must be less than 50 megagrams per year (55 tons/year) and the system must have been in operation at least 15 years.

6 NYCRR 208.4 (a)

This condition requires the owner or operator of this landfill gas collection system to operate the collection system such that gas is collected from each area, cell or group of cells in the landfill in which solid waste has been in place for 5 years or more if active or 2 years or more if inactive



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6 NYCRR 208.4 (b)

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

6 NYCRR 208.4 (c)

This condition requires that the temperature of the landfill not exceed 55o C and that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

6 NYCRR 208.4 (d)

This condition requires that the concentration of methane on the surface of hte landfill be less than 500 parts per million.

6 NYCRR 208.4 (e)

This condition requires that all collected gases are sent to the control system.

6 NYCRR 208.4 (f)

This condition requires that the control or treatment system be operated at all times when the collected gas is sent to the system.

6 NYCRR 208.4 (g)

This condition requires that the landfill owner or operator take corrective action if the monitoring of the landfill shows any problems with the collection and/or control system.

6 NYCRR 208.5 (b)

This condition requires the landfill owner or operator to calculate the emission rate of non-methane organic carbon in order to determine when the collection and control system can be removed.

6 NYCRR 208.6 (c)

This condition sets forth the procedures to be used to determine the concentration of methane on the surface of the landfill.

6 NYCRR 208.6 (c) (4) (v)

This regulation requires a landfill owner/operator to install new landfill gas extraction wells if a location has a surface methane concentration greater than 500 ppm above background three times during a quarter.

6 NYCRR 208.6 (d)

This condition sets forth the equipment specifications of the analyzer used to determine the concentration of methane on the surface of the landfill.



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6 NYCRR 208.7 (a)

This condition sets forth the monitoring requirements for the collection system. The temperature, pressure and either oxygen or nitrogen content of the gas must be checked monthly.

6 NYCRR 208.7 (b)

This condition sets forth the requirements for the use of an enclosed combustor (i.e., enclosed flare, engine, turbine, etc) to control landfill gas.

6 NYCRR 208.8 (e)

This condition requires that each owner or operator of a controlled landfill shall 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 shall contain all of the following items:

(i) a copy of the final closure plan submitted in accordance with subdivision (d) of this section;

(ii) a copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; 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;

(2) the department may request such additional information as may be necessary to verify that all of the conditions for removal in section 208.3(b)(2)(v) of this Part have been met;

6 NYCRR 208.8 (f)

This condition requires the owner or operator of a landfill seeking to comply with 6 NYCRR Part 208.3(b)(2) using an active collection system designed in accordance with 6 NYCRR Part 208.3(b)(2)(ii) to submit to the Department annual reports. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8.

6 NYCRR 208.8 (g)

This condition specifies the information required to be included in the performance test report.



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6 NYCRR 208.9 (a)

This condition requires the owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) to keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, 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.

6 NYCRR 208.9 (b)

This condition requires the owner or operator of the landfill to keep up-to-date, readily accessible records for the life of the control equipment of the data gathered during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 7 years. Records of the control device vendor specifications shall be maintained until removal.

6 NYCRR 208.9 (c)

This condition requires the owner or operator of the landfill shall keep for 7 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 6 NYCRR Part 208.7 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.

6 NYCRR 208.9 (d)

This condition requires the owner or operator of the landfill to keep, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector (eg. well) in the system and providing a unique identification location label for each collector.

6 NYCRR 208.9 (e)

This condition requires the owner or operator of the landfill to keep for at least 7 years of up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 6 NYCRR Part 208.4, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

6 NYCRR 211.1

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

6 NYCRR 212-1.6 (a)

This provisions requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.



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6 NYCRR 212-1.7 (b) (1)

This paragraph requires the source owner to monitor the exhaust gas temperature of the thermal oxidizer to demonstrate on-going compliance.

6 NYCRR 212-1.7 (b) (5)

This paragraph requires the source owner to monitor specific stack parameters to demonstrate on-going compliance.

6 NYCRR 227-2.4 (f) (2)

This regulation sets the limit for emissions of oxides of nitrogen from internal combustion engines running on landfill gas at 2.0 grams per brake horsepower-hour. The owner/operator of the engine must test the emissions one during the term of the permit.

6 NYCRR 231-2.4

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The permitting requirements for proposed source projects and new major facilities are set forth in section 231-2.4.

6 NYCRR Part 212

Part 212 applies to process emission sources and/or emission points associated with a process operation, unless excepted from the provision of this Part pursuant to Section 212-1.4 of this Subpart.

6 NYCRR Subpart 231-2

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.



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Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40 CFR Part 60, Subpart WWW	Standards of Performance for Municipal Solid Waste Landfills

Reason: The Staten Island landfill is not subject to 40 CFR 60, Subpart WWW. As neither construction nor modification commenced after May 30, 1991, the Staten Island Landfill is not subject to the New Source Performance Standard for Municipal Solid Waste Landfills (40 CFR 60, Subpart WWW).

The calculated PTE for Total HAPs is 12,000 lbs/yr or 6 TPY. As the Staten Island Landfill emits less than 10 TPY of any individual HAP and less than 25 TPY of combined HAPs, it is an area source of HAPs, not a major source.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.4(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at NYCDOS - FRESH KILLS LANDFILL:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
FACILITY	59	record keeping/maintenance procedures
FACILITY	60	work practice involving specific operations
FACILITY	61	work practice involving specific operations
U-00004/-/A41	86	intermittent emission testing
U-00004/-/A41	87	intermittent emission testing
U-00004/-/A41	88	work practice involving specific operations
U-00004/-/A41	89	work practice involving specific operations
FACILITY	62	record keeping/maintenance procedures
FACILITY	63	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures



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FACILITY	48	record keeping/maintenance procedures
U-00003	69	intermittent emission testing
U-00003	70	intermittent emission testing
FACILITY	26	work practice involving specific operations
FACILITY	27	work practice involving specific operations
FACILITY	28	work practice involving specific operations
FACILITY	29	work practice involving specific operations
FACILITY	30	ambient air monitoring
U-00003	71	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
U-00003	72	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	50	monitoring of process or control device parameters as surrogate
FACILITY	51	monitoring of process or control device parameters as surrogate
U-00003/-/A31	77	monitoring of process or control device parameters as surrogate
U-00003/-/A31	78	monitoring of process or control device parameters as surrogate
U-00003/-/A31	79	record keeping/maintenance procedures
U-00004/P4001/A41/S4001	90	intermittent emission testing
U-00004/P4002/A41/S4002	91	intermittent emission testing
FACILITY	52	intermittent emission testing
FACILITY	53	work practice involving specific operations
FACILITY	54	work practice involving specific operations
FACILITY	55	work practice involving specific operations
FACILITY	56	work practice involving specific operations
U-00003	73	intermittent emission testing
U-00003	74	work practice involving specific operations
U-00003	75	work practice involving specific operations
U-00003	76	intermittent emission testing
U-00004/-/A41	80	work practice involving specific operations
U-00004/-/A41	81	intermittent emission testing
U-00004/-/A41	82	work practice involving specific operations
U-00004/-/A41	83	work practice involving specific operations
U-00004/-/A41	84	intermittent emission testing
U-00004/-/A41	85	intermittent emission testing

Basis for Monitoring

This facility is subject to the requirements of Title V and has received a Title V permit for being a major facility for Small Combustion Installation. The facility is required, under the provisions of 6 NYCRR Subpart 201-6, to submit semiannual compliance reports and an annual Compliance Certification. This facility is required to comply with the following monitoring conditions:

Condition # 5 for 6 NYCRR 201-6.4(c)(3)(ii): This is a facility-wide condition. This condition specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and



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incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

Condition # 6 for 6 NYCRR 201-6.4(e): This is a facility-wide condition. This condition specifies the overall permit requirements for compliance certification, including emission limitations, standards or work practices. This facility must submit an annual compliance certification to the NYSDEC and the USEPA.

Condition # 7 for 6 NYCRR 202-2.1: This is a facility-wide condition. This condition sets forth the applicability criteria for submitting an annual statement of emissions. The criteria is based on annual emission threshold quantities and ozone attainment designation. This condition is a requirement for all Title V facilities. These facilities must submit an annual emission statement by April 15th of each year for emissions of the previous calendar year.

Condition # 26 for 6 NYCRR 208.4(b): This condition is an emission unit level condition for Work Practice Involving Specific Operations for the pressure of the landfill gas that applies to EU: U-00003. The limit is 0 pounds per cubic inch.

This condition requires that the collection system be operated at below 0 or negative pressure.

Condition # 27 for 6 NYCRR 208.4 (c): This condition is an emission unit level condition for Work Practice Involving Specific Operations for the nitrogen content in the landfill gas that applies to EU: U-00003. The limit is 20 percent.

This condition requires that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

Condition # 28 for 6 NYCRR 208.4 (c): This condition is an emission unit level condition for Work Practice Involving Specific Operations for the oxygen content in the landfill gas that applies to EU: U-00003. The limit for the oxygen content is 5 percent.

This condition requires that the temperature of the landfill not exceed 55o C and that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

Condition # 29 for 6 NYCRR 208.4 (c): This condition is an emission unit level condition for Work Practice Involving Specific Operations for the temperature in the



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landfill gas that applies to EU: U-00003. The temperature limit is 55 degrees Centigrade.

This condition requires that the temperature of the landfill not exceed 55 oC and that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

Condition # 30 for 6 NYCRR 208.4 (d): This condition is an emission unit level condition for Ambient Air Monitoring for the Methane concentration is less than 500 ppm above background on the surface of the landfill that applies to EU: U-00003. The methane concentration limit is 500 parts per million by volume for the operation of the collection system.

This condition requires that the concentration of methane on the surface of the landfill be less than 500 parts per million.

Condition # 35 for 6 NYCRR 208.6 (c)(4)(v): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that 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 shall be installed within 120 calendar days of the initial exceedance.

An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Department for approval.

This condition requires a landfill owner/operator to install new landfill gas extraction wells if a location has a surface methane concentration greater than 500 ppm above background three times during a quarter.

Condition # 36 for 6 NYCRR 208.7 (a): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that each owner or operator with an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an excess port for temperature measurements at each wellhead.

This condition sets forth the monitoring requirements for the collection system. The temperature, pressure and either oxygen or nitrogen content of the gas must be checked monthly.

Condition # 38 for 6 NYCRR 208.8 (e): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that requires the owner



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or operator of a controlled landfill shall 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 shall contain all of the following items:

(i) a copy of the final closure plan submitted in accordance with subdivision (d) of this section;

(ii) a copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; 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;

(2) the department may request such additional information as may be necessary to verify that all of the conditions for removal in section 208.3(b)(2)(v) of this Part have been met;

Condition # 39 for 6 NYCRR 208.8 (f): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that requires the owner or operator of a landfill seeking to comply with 6 NYCRR Part 208.3(b)(2) using an active collection system designed in accordance with 6 NYCRR Part 208.3(b)(2)(ii) to submit to the Department annual reports. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8.

Condition # 41 for 6 NYCRR 208.9 (a): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that requires the owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) to keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, 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.

Condition # 42 for 6 NYCRR 208.9 (b): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that requires the owner or operator of the landfill to keep up-to-date, readily accessible records for the life of the control equipment of the data gathered during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 7 years. Records of the control device vendor specifications shall be maintained until removal.

Condition # 43 for 6 NYCRR 208.9 (c): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that requires the



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owner or operator of the landfill shall keep for 7 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 6 NYCRR Part 208.7 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.

Condition # 44 for 6 NYCRR 208.9 (d): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that requires the owner or operator of the landfill to keep, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector (eg. well) in the system and providing a unique identification location label for each collector.

Condition # 45 for 6 NYCRR 208.9 (e): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that requires the owner or operator of the landfill to keep for at least 7 years of up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 6 NYCRR Part 208.4, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

Condition # 48 for 6 NYCRR 208.10 (a)(3)(ii): This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies that allows nonproductive areas of the landfill to be excluded from the collection and control system. A nonproductive area is one where the amount of NMOC emissions is less than one percent of the total NMOC emissions produced by the landfill.

Condition # 50 for 6 NYCRR 212: This condition is an emission unit level condition for Monitoring of Process or Control Device Parameters as Surrogate for the volumetric flow rate of the Landfill Gas that applies to EU: U-00003. The limit is 19,284,000.

This condition requires that when the gas treatment plants are in operation, the volume of landfill gas directed to the flares shall not exceed 19,284,000 standard cubic feet per day, unless in doing so the total landfill gas processed and combusted does not exceed 47,128,320 standard cubic feet per day.

Condition # 51 for 6 NYCRR 212: This is a facility-wide condition. This is a Monitoring of Process or Control Device Parameters as Surrogate condition for Methane. The total volume of gas collected from the landfill sections shall be monitored and recorded daily.

The limit for the volumetric flow rate of the landfill gas is 47,128,320 cubic feet per day.



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Condition # 52 for 6 NYCRR 231-2: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EU: U-00003, EPs: PS3001, PS3002, PS3003, PS3004, PS3005 & PS3006, Process: A31 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005 & S3006 for Intermittent Emission Testing for Carbon Monoxide. The limit is 139.3 pounds per hour of Carbon Monoxide emissions from the combined landfill gas flares.

Condition # 53 for 6 NYCRR 231-2: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EU: U-00003, EPs: PS3001, PS3002, PS3003, PS3004, PS3005 & PS3006, Process: A31 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005 & S3006 for Work Practice Involving Specific Operations for Oxides of Nitrogen. The limit is 300.7 tons per year of Oxides of Nitrogen emissions from the combined landfill gas flares.

Condition # 54 for 6 NYCRR 231-2: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EUs: U-00003 & U-00004, EPs: PS3001, PS3002, PS3003, PS3004, PS3005, PS3006, P4001 & P4002, Processes: A31 & A41 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005, S3006, S4001, S4002 & S4003 for Work Practice Involving Specific Operations for Oxides of Nitrogen. The limit is 381.8 tons per year of Oxides of Nitrogen emissions from the combined landfill gas flares and Selexol Plant #1.

Condition # 55 for 6 NYCRR 231-2: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EUs: U-00003 & U-00004, EPs: PS3001, PS3002, PS3003, PS3004, PS3005, PS3006, P4001 & P4002, Processes: A31 & A41 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005, S3006, S4001, S4002 & S4003 for Work Practice Involving Specific Operations for Carbon Monoxide. The limit is 773.2 tons per year of Carbon Monoxide emissions from the combined landfill gas flares and Selexol Plant #1.

Condition # 56 for 6 NYCRR 231-2: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EUs: U-00003 & U-00004, EPs: PS3001, PS3002, PS3003, PS3004, PS3005, PS3006, P4001 & P4002, Processes: A31 & A41 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005, S3006, S4001, S4002 & S4003 for Work Practice Involving Specific Operations for NMOC – Landfill Use



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Only. The limit is 45.5 tons per year of NMOC – Landfill Use Only emissions from the combined landfill gas flares and Selexol Plant #1.

Condition # 59 for 40 CFR 52.21, Subpart A: This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that specifies the facility-wide emission limits from the following contaminants as:

NO_x: 381.8 tons per year
CO: 773.2 tons per year
PM-10: 265.8 tons per year
NMOC: 45.5 tons per year
Sulfur Dioxide: 119.4 tons per year

Condition # 60 for 40 CFR 52.21, Subpart A: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EUs: U-00003 & U-00004, EPs: PS3001, PS3002, PS3003, PS3004, PS3005, PS3006, P4001 & P4002, Processes: A31 & A41 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005, S3006, S4001, S4002 & S4003 for Work Practice Involving Specific Operations for PM-10. The limit is 265.8 tons per year of PM-10 emissions from the combined landfill gas flares and Selexol Plant #1.

Condition # 61 for 40 CFR 52.21, Subpart A: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EUs: U-00003 & U-00004, EPs: PS3001, PS3002, PS3003, PS3004, PS3005, PS3006, P4001 & P4002, Processes: A31 & A41 and Emission Source/Controls: S3001, S3002, S3003, S3004, S3005, S3006, S4001, S4002 & S4003 for Work Practice Involving Specific Operations for Sulfur Dioxide. The limit is 119.4 tons per year of Sulfur Dioxide emissions from the combined landfill gas flares and Selexol Plant #1.

Condition #62 for 40 CFR 63.1955 (b), Subpart AAAA: This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

Condition # 63 for 40 CFR 63.1980 (a), Subpart AAAA: This is a facility-wide condition. This is a Record Keeping/Maintenance Procedures condition that requires the



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owner or operator of the landfill to submit a report, on a semiannual basis of the following:

- (1) any time the monitoring of wellhead parameters showed exceedances of temperature, pressure or nitrogen and oxygen content.
- (2) description and duration of any gas diversion from the control device.
- (3) description and duration when the control device was not operating for more than 1 hour.
- (4) all periods when the collection system was not operating for 5 days or more.
- (5) location of each exceedance of the 500 ppm standard for surface methane.
- (6) date of installation and location of any additional wells for the collection system..

Condition # 66 for 40 CFR 63, Subpart ZZZZ: This condition is an emission unit level, emission points level, process level and emission source/controls level condition that applies to EU: U-00004, EPs: P4001 & P4002, Process: A41 and Emission Source/Controls: S4001 & S4002 for Record Keeping/Maintenance Procedures. This condition defines performance standards for stationary reciprocating internal combustion engines.

The two spark-ignition (SI) engines at the facility are subject to 40 CFR Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE NESHAP)). These 2 RICE engines are Spark-Ignited, 1,500 HP each, they burn pipeline quality LFG, are 1980 Model year and were installed in 1981. Under the definitions in this regulation, these two engines are classified as: Existing, nonemergency, non-black start, two-stroke lean burn (2SLB), stationary RICE located at an area source of hazardous air pollutants (HAPs).

Both RICE are subject to some management and compliance requirements, but no reporting requirements. As per RICE NESHAP Table 2d, the following management practices must be adhered to:

1. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;
2. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary;
3. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.

Per RICE NESHAP Table 6, continuous compliance is demonstrated by the facility by:



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1. Operating & maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or
2. Develop and follow its own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

Condition # 69 for 6 NYCRR 208.3 (b) (2)(iii)('b'): This condition is an emission unit level condition for Intermittent Emission Testing for NMOC – Landfill Use Only that applies to EU: U-00003. The limit is 20 parts per million by volume, dry basis as hexane at 3% oxygen.

This condition requires that the control system achieve a non-methane organic compound (NMOC) destruction efficiency of 98% or the outlet concentration of NMOC from the control system must be less than 20 ppm.

Condition # 70 for 6 NYCRR 208.3 (b) (2)(iii)('b'): This condition is an emission unit level condition for Intermittent Emission Testing for NMOC – Landfill Use Only that applies to EU: U-00003. The minimum is 98 percent reduction by weight of the NMOC – Landfill Use Only.

This condition requires that the control system achieve a non-methane organic compound (NMOC) destruction efficiency of 98% or the outlet concentration of NMOC from the control system must be less than 20 ppm.

Condition # 71 for 6 NYCRR 208.6(c): This condition is an emission unit level condition for EU: U-00003 for Record Keeping/Maintenance Procedures.

This condition sets forth the procedures to be used to determine the concentration of methane on the surface of the landfill.

Condition # 72 for 6 NYCRR 208.6(d): This condition is an emission unit level condition for EU: U-00003 for Record Keeping/Maintenance Procedures.

This condition sets forth the equipment specifications of the analyzer used to determine the concentration of methane on the surface of the landfill.

Condition # 73 for 6 NYCRR 231-2: This condition is an emission unit level condition for EU: U-00003 for Intermittent Emission Testing for Oxides of Nitrogen. The limit is 68.7 pounds per hour of Oxides of Nitrogen emissions from the landfill gas flares.



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Condition # 74 for 6 NYCRR 231-2: This condition is an emission unit level condition for EU: U-00003 for Work Practice Involving Specific Operations for NMOC – Landfill Use Only. The limit is 35.9 tons per year of NMOC – Landfill Gas Only emissions from the landfill gas flares.

Condition # 75 for 6 NYCRR 231-2: This condition is an emission unit level condition for EU: U-00003 for Work Practice Involving Specific Operations for Carbon Monoxide. The limit is 610 tons per year of Carbon Monoxide emissions from the landfill gas flares.

Condition # 76 for 6 NYCRR 231-2: This condition is an emission unit level condition for EU: U-00003 for Intermittent Emission Testing for NMOC – Landfill Use Only. The limit is 8.2 pounds per hour of NMOC – Landfill Gas Only emissions from the landfill gas flares.

Condition # 77 for 6 NYCRR 212-1.6(a): This condition is an emission unit level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for the Opacity that applies to EU: U-00003 and Process A31. The opacity limit from the flares is 20 percent.

This condition requires that there be no visible emissions from the flares at the facility. Daily monitoring of the opacity is required to determine compliance.

Condition # 78 for 6 NYCRR 212-1.7 (b)(1): This condition is an emission unit level and process level condition for Record Keeping / Maintenance Procedures that applies to EU: U-00003 and Process A31. The flow to each flare will be measured four times per hour and records of flow measurements will be submitted semi-annually.

This condition requires the source owner to monitor the exhaust gas temperature of the thermal oxidizer to demonstrate on-going compliance.

Temperature of the combustion zone of the flares will be measured continuously and records submitted as required by Permit DEC ID # 2-6403-00011/00063. The flares shall not operate for more than 15 minutes outside the manufacturer's performance range of 1,400 to 1,800 degrees Fahrenheit. The combustion zone temperature will be measured and recorded in degrees Fahrenheit.

Condition # 79 for 6 NYCRR 212-1.7(b)(5): This condition is an emission unit level and process level condition for Monitoring of Process or Control Device Parameters as Surrogate for VOC & NMOC – Landfill Use only for the Temperature of the combustion zone of the flares that applies to EU: U-00003 and Process A31. The



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temperature of the combustion zone is required to be in the 1400 – 1800 degrees Fahrenheit range.

This condition requires the source owner to monitor specific stack parameters to demonstrate on-going compliance.

Restrictions on maximum landfill gas input rates into the flares, as contained in Permit DEC ID # 2-6403-00011/00063. Flow to each flare will be measured and records of flow measurement will be submitted. The upper limit of flow to the combined flares at each section varies, as specified in the Permit DEC ID # 2-6403-00011/00063.

Condition # 80 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for Work Practice Involving Specific Operations for Oxides of Nitrogen that applies to EU: U-00004 and Process A41. The Oxides of Nitrogen emission limit from the Selexol Plant #1 is 81.1 tons per year.

Condition # 81 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Intermittent Emission Testing for Carbon Monoxide. The Carbon Monoxide emission limit from the Selexol Plant #1 is 37.3 pounds per hour.

Condition # 82 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Work Practice Involving Specific Operations for Carbon Monoxide. The Carbon Monoxide emission limit from the Selexol Plant #1 is 163.2 tons per year.

Condition # 83 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Work Practice Involving Specific Operations for NMOC – Landfill Use Only. The NMOC – Landfill Use Only emission limit from the Selexol Plant #1 is 9.6 tons per year.

Condition # 84 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Intermittent Emission Testing for NMOC – Landfill Use Only. The NMOC – Landfill Use Only emission limit from the Selexol Plant #1 is 2.2 pounds per hour.

Condition # 85 for 6 NYCRR 231-2: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Intermittent Emission Testing for Oxides of Nitrogen. The Oxides of Nitrogen emission limit from the Selexol Plant #1 is 18.5 pounds per hour.



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Condition # 86 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Intermittent Emission Testing for Sulfur Dioxide. The Sulfur Dioxide emission limit from the Selexol Plant #1 is 5.8 pounds per hour.

Condition # 87 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Intermittent Emission Testing for PM-10. The PM-10 emission limit from the Selexol Plant #1 is 12.9 pounds per hour.

Condition # 88 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Work Practice Involving Specific Operations for Sulfur Dioxide. The Sulfur Dioxide emission limit from the Selexol Plant #1 is 25.3 tons per year.

Condition # 89 for 40 CFR 52.21, Subpart A: This condition is an emission unit level and process level condition for EU: U-00004 & Process A41 for Work Practice Involving Specific Operations for PM-10. The PM-10 emission limit from the Selexol Plant #1 is 56.3 tons per year.

Condition # 90 for 6 NYCRR 227-2.4(f)(2): This condition is an emission unit level, emission point level, process level and emission source level condition for Intermittent Emission Testing for Oxides of Nitrogen that applies to EU: U-00004, EP:P4001, Process A41 and Emission Source S4001.

The two (2) lean burn internal combustion compressor engines that are fired by processed LFG and a thermal oxidizer used to combust waste gases from the LFG recovery process. For internal combustion engines fired with landfill gas or digester gas (solely or in combination with natural gas), the limit of Oxides of Nitrogen emission is 2.0 grams per brake horsepower-hour.

This condition sets the limit for emissions of oxides of nitrogen from internal combustion engines running on landfill gas at 2.0 grams per brake horsepower-hour. The owner/operator of the engine must test the emissions one during the term of the permit.

Condition # 91 for 6 NYCRR 227-2.4(f)(2): This condition is an emission unit level, emission point level, process level and emission source level condition for Intermittent Emission Testing for Oxides of Nitrogen that applies to EU: U-00004, EP:P4002, Process A41 and Emission Source S4002.

The two (2) lean burn internal combustion compressor engines that are fired by processed LFG and a thermal oxidizer used to combust waste gases from the LFG



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recovery process. For internal combustion engines fired with landfill gas or digester gas (solely or in combination with natural gas), the limit of Oxides of Nitrogen emission is 2.0 grams per brake horsepower-hour.

This condition sets the limit for emissions of oxides of nitrogen from internal combustion engines running on landfill gas at 2.0 grams per brake horsepower-hour. The owner/operator of the engine must test the emissions one during the term of the permit.