

**Division of Air Resources
Permit Review Report**

Permit ID: 7-0399-00027/00009
Renewal Number: 4
01/29/2024

Facility Identification Data

Name: BROOME COUNTY LANDFILL
Address: 286 KNAPP RD
BINGHAMTON, NY 13905

Owner/Firm

Name: BROOME COUNTY
Address: GOVERNMENT PLZ
PO BOX 1766
BINGHAMTON, NY 13902, USA
Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:
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Air Permitting Facility Owner Contact:
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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

This action is for the renewal and modification of the Air Title V permit for the Broome County Landfill. The proposed modification consists of an expansion referred to as the Section V landfill area. Section V will have a capacity of 8.0 million cubic yards and is to

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consist of new landfill cells to be constructed within the former Old Landfill Mound (OLM) area following reclamation of the OLM.

Emission Unit 3-DFLAR was included in the prior permit but has been excluded from this permit. Emission Unit 3-DFLAR consisted of a waste gas burner and ignition set to burn digester gas from an anaerobic digester which was formerly used to treat leachate from the landfill. The anaerobic digester(s) is/are no longer in service and therefore that emission unit has not been included in this permit.

The annual waste acceptance rate is not expected to change as a result of the modification, and so daily activities are not expected to change. Compared to the current permit, the modification would result in a greater maximum volume of waste in the landfill, extend the active life of the landfill approximately 24 years (from an estimated end date of 2052 to 2076), and will result in a greater rate of landfill gas (LFG) generation in the future. Since the modification results in an increase in the maximum potential LFG generation rate, it also results in an increase in the maximum potential to emit (PTE) contaminants; including contaminants emitted directly from the landfill, which include methane, carbon dioxide (CO₂), non-methane organic compounds (NMOC), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and hydrogen sulfide (H₂S), as well as contaminants potentially emitted as a result of LFG control methods (combustion/incineration), which include CO₂, oxides of nitrogen (NO_x), sulfur dioxide (SO_x), carbon monoxide (CO), and particulate matter (PM). The proposed modification will result in a calculated increase in the maximum LFG generation rate from 3,428 standard cubic feet per minute (scfm) to 3,851 scfm, an increase of approximately 423 scfm, or approximately 12.3%.

The facility was already subject to requirements for LFG collection and control under federal regulations, specifically National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories, Title 40 of the Code of Federal Regulations (40 CFR) Part 63 Subpart AAAA – Municipal Solid Waste Landfills. The modification would subject the landfill to federal regulations under New Source Performance Standards (NSPS), 40 CFR Part 60 Subpart XXX - Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014. The requirements under NSPS Subpart XXX mirror those in NESHAPs Subpart AAAA, except that NSPS Subpart XXX has a lower threshold at which LFG collection requirements become applicable. The Broome County Landfill exceeds the applicability thresholds in NSPS Subpart XXX and NESHAPs Subpart AAAA.

Attainment Status

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BROOME COUNTY LANDFILL is located in the town of BARKER in the county of BROOME. 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*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

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

Facility Description:

Broome County Landfill is a municipal solid waste landfill which receives municipal and private waste for disposal. The facility operates a landfill gas collection and control system. Landfill gas is directed to flares and/or a separately owned, operated, and permitted landfill gas to energy (LFGTE) facility. The landfill also has a leachate collection and storage system, weigh station, and miscellaneous equipment to move, compact, and cover the waste materials.

Permit Structure and Description of Operations

The Title V permit for BROOME COUNTY 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.

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

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

Emission unit 3LNDFL is associated with the following emission points (EP):

FLR-1, FLR-2

Process: 003 Emissions of landfill gas through passive vents, and the portion of the landfill gas which is not collected and is emitted from the landfill itself as fugitive emissions.

Process: 004 Landfill Gas collected through surface collectors and existing vents and sent to the blower/flare station.

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

Process: 001 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Process: 102 Landfill gas (LFG) collected from Sections I, II and III through a comprehensive Gas Collection and Control System (GCCS).

Emission unit 2LNDFL - Emission unit 2-LNDFL is landfill Section IV.

Process: 002 A portion of the landfill gas is not collected and is emitted from the landfill itself as a fugitive emission.

Process: 103 Landfill gas (LFG) collected from Section IV through a comprehensive Gas Collection and Control System (GCCS).

Emission unit 4LEACH - Five leachate storage tanks associated with the leachate treatment systems. The unit consists of: two influent storage tanks (process 401, emission points 40001 and 40002) that serve landfill Section IV; two influent storage tanks located at the leachate treatment plant (process 402, emission points 40003 and 40004), serving the Old Landfill and Sections I-III; and one effluent storage tank (process 402, emission point 40005).

Emission unit 4LEACH is associated with the following emission points (EP):

40001, 40002, 40003, 40004, 40005

Process: 401 is located at Building 4L - Two influent storage tanks serving the new section IV landfill. Each tank can hold approximately two million gallons of leachate.

Process: 402 is located at Building 3L - Two influent storage tanks serving the old landfill, Section V, and

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sections I, II, and III as well as one effluent storage tank; all located at the leachate treatment building.

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

Emission unit 5LNDFL is associated with the following emission points (EP):
 FLR-3

Process: 005 Landfill gas (LFG) collected from landfill Section V through a comprehensive gas collection and control system. LFG emissions are controlled through the use of a flare and/or by a separate permitted facility which uses the LFG for energy production.

Process: 006 This process consists of fugitive emissions from Section V of the landfill.

Title V/Major Source Status

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

The Broome County Landfill is required to obtain a Title V permit pursuant to 40 CFR Part 63 Subpart AAAA and 40 CFR Part 60 Subpart XXX because the facility is a municipal solid waste landfill subject to those subparts. The Broome County Landfill’s maximum PTE for carbon monoxide is 151.3 tons per year (tpy), exceeding the major source threshold of 100 tpy.

Program Applicability

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

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

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PSD Prevention of Significant Deterioration (40 CFR 52.21, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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

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

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

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

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

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

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

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Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code	Description
4953	REFUSE SYSTEMS

SCC Codes

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

SCC Code	Description
5-01-004-02	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-01-004-06	FUGITIVE EMISSIONS SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-01-004-33	LANDFILL GAS COLLECTION SYSTEM: OTHER SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP WASTE PURIFICATION: OTHER

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

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identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000107-06-2	1,2-DICHLOROETHANE	10.4			
000108-10-1	2-PENTANONE, 4-METHYL	59.3			
000071-43-2	BENZENE	60			
000106-46-7	BENZENE, 1,4-DICHLORO-	206.3			
000124-38-9	CARBON DIOXIDE			116684.9	
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS			82420	
000075-15-0	CARBON DISULFIDE	19.2			
000630-08-0	CARBON MONOXIDE			151.3	
000463-58-1	CARBONYL SULFIDE	8.7			
000108-90-7	CHLOROBENZENE	22.3			
000067-66-3	CHLOROFORM	2			
000075-09-2	DICHLOROMETHANE	251.8			
000075-34-3	ETHANE, 1,1-DICHLORO-	64			
000106-93-4	ETHANE, 1,2-DIBROMO	0.8			
000075-00-3	ETHANE, CHLORO	25.2			
000075-35-4	ETHENE, 1,1-DICHLORO	7.8			
000100-41-4	ETHYLBENZENE	386.5			
000110-54-3	HEXANE	158.2			
007783-06-4	HYDROGEN SULFIDE	8075			
007439-97-6	MERCURY	0.1			
000074-82-8	METHANE			3296.8	
000074-87-3	METHYL CHLORIDE	11			
000078-93-3	METHYL ETHYL KETONE	723			
0NY998-20-0	NMOC - LANDFILL USE ONLY			22.4	
0NY210-00-0	OXIDES OF NITROGEN			35.4	
0NY075-00-0	PARTICULATES			22.7	
000127-18-4	PERCHLOROETHYLENE	172.8			
0NY075-02-5	PM 2.5			10.7	
0NY075-00-5	PM-10			12	
000078-87-5	PROPANE, 1,2-DICHLORO	2.3			
000107-13-1	PROPENENITRILE	1.5			
007446-09-5	SULFUR DIOXIDE			31.9	
025322-20-7	TETRACHLOROETHANE, TOTAL	10.3			
000108-88-3	TOLUENE	1848.6			
0NY100-00-0	TOTAL HAP			5.8	

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025323-89-1	TRICHLOROETHA NE	19.6	
000079-01-6	TRICHLOROETHY LENE	78.1	
000075-01-4	VINYL CHLORIDE	58.8	
0NY998-00-0	VOC		11.4
001330-20-7	XYLENE, M, O & P MIXT.	1390.3	

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.

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

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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 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

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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 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

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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	88	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.11 (d)	35	General provisions - compliance with standards and

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Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

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

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

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federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

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

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

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.5

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

6 NYCRR 211.2

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

6 NYCRR 215.2

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

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

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Facility Specific Requirements

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

40 CFR 60.11 (d)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40 CFR 60.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40 CFR 60.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40 CFR 60.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.

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40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR 61.154

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

40 CFR 63.10

Section 63.10 contains default general recordkeeping requirements as well as recordkeeping for applicability determinations and continuous monitoring systems. It also contains default reporting requirements for "one shot" items such as performance test results and immediate startup shutdown, malfunction reports. It also contains periodic (semi-annual) reporting requirements for startup, shutdown, and malfunction; excess emissions; and continuous monitoring performance.

40 CFR 63.11 (b)

This condition states the operation and maintenance requirements for flares.

40 CFR 63.11116

This citation states the requirements for facilities with a monthly throughput less than 10,000 gallons of gasoline.

40 CFR 63.1957

This citation states the requirements installation and removal of gas collection and control systems.

40 CFR 63.1958 (a)

This citation specifies how the owner or operator of a municipal solid waste landfill with a gas collection system shall operate that system.

40 CFR 63.1958 (b)

This citation specifies that landfill gas collections and control systems must be operated at negative pressure at each wellhead except under certain specified conditions.

40 CFR 63.1958 (c)

This citation describes the operating temperature requirement for each interior wellhead in the landfill gas collection system.

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40 CFR 63.1958 (d)

This citation describes the operating procedures for limiting the surface concentration of methane at municipal solid waste landfills using gas collection systems.

40 CFR 63.1959 (b)

This citation requires the owner or operator of a municipal solid waste landfill with a design capacity greater than 2.5 million megagrams and 2.5 million cubic meters to install a landfill gas collection and control system upon meeting the applicable NMOC or methane emission standards.

40 CFR 63.1959 (c)

This citation requires the owner or operator of a municipal solid waste landfill to determine the Non-Methane Organic Compound (NMOC) emission rate for purposes of determining when the collection and control system can be capped, removed, or decommissioned.

40 CFR 63.1959 (d)

This citation describes the appropriate test methods to be used when determining Non-Methane Organic Compound (NMOC) emissions from a municipal solid waste landfills control system.

40 CFR 63.1960 (a)

This citation describes the methods that the owner or operator of a municipal solid waste landfill must use to demonstrate compliance with the landfill gas collection and control system requirements of Subpart AAAAA.

40 CFR 63.1960 (b)

This section describes the required frequency at which landfill gas collection wells or design components must be installed after solid waste has been placed in the landfill.

40 CFR 63.1960 (c)

This section describes the monitoring methods to be used demonstrating compliance with the surface methane operational standard.

40 CFR 63.1960 (d)

This section describes the instrumentation specifications and procedures for surface monitoring devices used to demonstrate compliance with the requirements of Subpart AAAAA.

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40 CFR 63.1960 (e)

This citation states that the provisions of Subpart AAAAA, apply at all times, including periods of start-up, shutdown, and malfunction.

40 CFR 63.1961 (a)

This citation describes the monitoring procedures for municipal solid waste landfills that are equipped with active gas collection systems.

40 CFR 63.1961 (c)

This citation describes the monitoring procedures for municipal solid waste landfills equipped with a non-enclosed flare to control landfill gas emissions.

40 CFR 63.1961 (f)

This citation describes the monitoring procedures for municipal solid waste landfills demonstrating compliance with the surface methane concentration standard to meet the requirements of 40 CFR Part 63, Subpart AAAAA.

40 CFR 63.1962 (a)

This section describes the siting and design requirements for active gas collection wells at municipal solid waste landfills that are subject to the requirements of Subpart AAAAA.

40 CFR 63.1962 (b)

This section describes the required design and construction of active landfill gas collections systems at municipal solid waste landfills subject to the requirements of Subpart AAAAA.

40 CFR 63.1962 (c)

This section describes the design and construction requirements for landfill gas conveyance systems at municipal solid waste landfills subject to the requirements of Subpart AAAAA.

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40 CFR 63.1965

This citation states events that constitute a deviation of Subpart AAAA.

40 CFR 63.1981

This section describes the reports that are required to be submitted by the owner or operator of a municipal solid waste landfill that are subject the requirements of Subpart AAAA.

40 CFR 63.1981 (a)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit an initial design capacity report.

40 CFR 63.1981 (b)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit an amended design capacity report upon an increase in design capacity.

40 CFR 63.1981 (c)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit an NMOC emission rate report that contains the specified information.

40 CFR 63.1981 (d)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of 40 CFR Part 63, Subpart AAAA, to prepare and submit a collection and control system design plan.

40 CFR 63.1981 (e)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit a revised design plan in certain situations.

40 CFR 63.1981 (f)

The owner or operator of a controlled landfill must submit an equipment removal report to the DEC 30 days prior to removal or cessation of operation of the control equipment.

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40 CFR 63.1981 (g)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit an equipment removal report to the DEC 30 days prior to the removal or cessation of operation of any control equipment.

40 CFR 63.1981 (h)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, using an active collection system to submit semi-annual reports.

40 CFR 63.1981 (i)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit additional information as part of the initial performance test report.

40 CFR 63.1981 (j)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit certain information regarding corrective actions to DEC.

40 CFR 63.1981 (k)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit a report to DEC when the wellhead temperature is \geq to 170 degrees Fahrenheit.

40 CFR 63.1981 (l)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to submit electronic reports to the USEPA.

40 CFR 63.1981 (m)

This section specifies for the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, the requirements for submitting electronic reports to the USEPA due to a claim of an EPA system outage.

40 CFR 63.1981 (n)

This section specifies for the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, the requirements for submitting electronic reports to the USEPA due to a claim of force majeure.

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40 CFR 63.1983 (a)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of Subpart AAAA, to maintain various records at the facility.

40 CFR 63.1983 (b)

This section describes the various records that must be kept by the owner or operator of a municipal solid waste landfill that is subject to the requirements of Subpart AAAA.

40 CFR 63.1983 (c)

This section describes the recordkeeping requirements for equipment operating parameters at municipal solid waste landfills that are subject to the requirements of Subpart AAAA.

40 CFR 63.1983 (d)

This section describes the recordkeeping requirements for plot maps showing the location of all existing and planned landfill gas collectors at municipal solid waste landfills subject to the requirements of Subpart AAAA.

40 CFR 63.1983 (e)

This section describes the record keeping requirements for collection and control system exceedances that occur at municipal solid waste landfills subject to the requirements of 40 CFR Part 63, Subpart AAAA.

40 CFR 63.6 (e) (1)

This citation states the general requirement to operate and maintain equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions.

40 CFR 63.6 (f) (1)

This section states that non-opacity standards apply at all times except during periods of startup, shutdown, and malfunction.

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40 CFR 63.6 (f) (2) (i)

§63.6(f)(2) states that compliance with non-opacity standards shall be based on the results of performance tests using procedures in §63.7 and on conformance with the operation and maintenance requirements of §63.6(e).

40 CFR Part 60, Subpart IIII

Subpart IIII applies to new and reconstructed compression ignition reciprocating internal combustion engines. Sources subject to Subpart IIII must comply with emission standards for hydrocarbons, nitrogen oxides, carbon monoxide, and particulate matter.

40 CFR Part 63, Subpart A

The General Provisions in 40 CFR Part 63, Subpart A apply to facilities subject to other National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR Part 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable Control Technology. Each MACT rule has a table or section that describe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40 CFR Part 61 do not trigger the general provisions of 40 CFR Part 63.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

6 NYCRR 202-1.2

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This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 202-2.4 (a) (3)

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.

6 NYCRR 212-2.1

Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted as follows:

- (a) For an air contaminant listed in section 212-2.2 table 2 – high toxicity air contaminant list, of this Subpart, the facility owner or operator shall either limit the actual annual emissions from all process operations at the facility so as to not exceed the mass emission limit listed for the individual HTAC; or demonstrate compliance with the air cleaning requirements for the HTAC as specified in subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants, of this Subpart for the environmental rating assigned to the contaminant by the department.
- (b) For any air contaminant not listed on table 2, unless it is a solid particulate described in subdivision (c) of this section, the facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in subdivision 212-2.3(a), table 3 – degree of air cleaning required for criteria air contaminants of this Subpart, or subdivision 212-2.3(b), table 4 – degree of air cleaning required for non-criteria air contaminants of this Subpart, as applicable, for the environmental rating assigned to the contaminant by the department.
- (c) For a solid particulate assigned an environmental rating of B or C emitted from a process emission source, the facility owner or operator shall not allow emissions of particulate to exceed the requirements specified in section 212-2.4 of this Subpart.

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6 NYCRR 217-3.2

Compliance Certification

Summary of monitoring activities at BROOME COUNTY LANDFILL:

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

FACILITY	44	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	work practice involving specific operations
FACILITY	48	work practice involving specific operations
FACILITY	49	ambient air monitoring
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
FACILITY	58	record keeping/maintenance procedures
FACILITY	59	record keeping/maintenance procedures
FACILITY	60	ambient air monitoring
FACILITY	61	record keeping/maintenance procedures
FACILITY	62	record keeping/maintenance procedures
FACILITY	63	record keeping/maintenance procedures
FACILITY	64	record keeping/maintenance procedures
FACILITY	80	record keeping/maintenance procedures
FACILITY	81	record keeping/maintenance procedures
FACILITY	82	record keeping/maintenance procedures
FACILITY	83	record keeping/maintenance procedures
FACILITY	84	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	90	ambient air monitoring
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	92	record keeping/maintenance procedures

Basis for Monitoring

The facility will implement several monitoring methods to ensure compliance with applicable regulations.

The landfill gas (LFG) collection system is intended to collect the LFG before it is emitted to the atmosphere through the surface of the landfill. Monitoring will be conducted of the LFG collection system and at the surface of the landfill to ensure the collection system is operating properly and providing adequate control to limit the

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amount of LFG emitted directly to the atmosphere. The facility will monitor at least monthly the pressure in the collection system to ensure negative pressure is present, as required by 40 CFR Part 63 Subpart AAAA, 63.1958(b) and 63.1961(a)(1). The facility will monitor for methane in a grid across the surface of the landfill at least monthly to ensure LFG is not being emitted to the atmosphere at unacceptable rates. The facility will monitor to ensure methane is not present at the surface of the landfill at concentrations greater than 500 parts per million (ppm), as required by 40 CFR Part 63 Subpart AAAA, 63.1958(d) and 63.1961(f).

The facility will monitor the temperature at each LFG collection well at least monthly to ensure excessive temperatures are not present which would result in a fire risk or in reduced microbial activity, and therefore reduced waste degradation, as required by 40 CFR Part 63 Subpart AAAA, 63.1958(c) and 63.1961(a)(3)-(6).

The facility will ensure all collected LFG is routed to an operating control system as required by 40 CFR Part 63 Subpart AAAA, 63.1958(e), to ensure the collected gas is not emitted directly to the atmosphere. As required by 40 CFR Part 63 Subpart AAAA, 63.1961(c)(2), the facility will monitor flow to the control system every 15 minutes and visually inspect any bypass valves at least monthly to ensure any bypass valves are closed that would divert the LFG from the control systems to the atmosphere.

The Broome County Landfill controls LFG emissions through combustion/incineration in a flare or flares or by transferring the LFG to a facility which combusts the LFG to generate electricity. The landfill gas-to-energy facility is a separately operated and permitted facility. The Broome County Landfill will monitor its flare(s) continually to ensure there is a continuous pilot or flame present, as required by 40 CFR Part 63 Subpart AAAA, 63.1961(c)(1). The facility will also conduct visual observations of its flare(s) to ensure particulate matter is not being emitted at an unacceptable rate. The facility will monitor the opacity of any smoke emanating from the flare and ensure the opacity does not exceed regulatory requirements specified at 40 CFR Part 63, Subpart A, 63.11(b) and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 211.2 and 6 NYCRR 212-1.6(a).

KEEP NEXT PARAGRAPH IF APPLICABLE

Further, the facility will conduct additional monitoring to reduce emissions of greenhouse gases (GHG), in order to support the goals of the Climate Leadership and Community Protection Act (CLCPA). LFG consists primarily of methane and carbon dioxide, both of which are GHG. In order to further reduce emissions of GHG beyond what would be required by 40 CFR Part 63 Subpart AAAA, the facility will