

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

Facility Identification Data

Name: CHAFFEE LANDFILL

Address: 10860 OLEAN RD
CHAFFEE, NY 14030-9799

Owner/Firm

Name: WASTE MANAGEMENT OF NEW YORK LLC

Address: ATTN: COURTNEY TIPPY

800 CAPITAL ST STE 3000

HOUSTON, TX 77002, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: LISA M CZECHOWICZ

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700 Delaware Ave

BUFFALO, NY 14209

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Division of Air Resources:

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Air Permitting Contact:

Name: Michael D Mahar

Address: Waste Management of New York, LLC

10860 Olean Rd

Chaffee, NY 14030

Phone:7164923411

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. This application includes an expansion to include Cells 7 and 8.

**Division of Air Resources
Permit Review Report**

**Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023**

Attainment Status

CHAFFEE LANDFILL is located in the town of SARDINIA in the county of ERIE. 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*	MARGINAL 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:

Waste Management of New York, LLC (WMNY) operates a municipal solid waste (MSW) landfill (Chaffee Landfill) located in Chaffee, New York. Chaffee Landfill is a municipal solid waste landfill located on 700 acres of property. This Title V Renewal Permit for the facility includes the construction/operation of Area 7/8 Development. The capacity of the Area 7/8 Development is approximately 5.1 million cubic yards and will allow the facility to accept waste for an additional 7 years, assuming the maximum permitted waste acceptance rate of 780,000 tons per year (600,000 tons per year (TPY) MSW and 180,000 TPY alternative daily cover (ADC)/ Beneficial Use Determination (BUD) Materials).

There are currently three landfill areas at the facility: the Closed Landfill, the Western Expansion Landfill and the Valley Fill Expansion. The Closed Landfill began accepting waste in 1958 and was capped and closed in 2010 with a total of 7.5 million tons of waste-in-place. The Western Expansion Landfill opened in November 2007 and consists of six double lined landfill cells covering approximately 57.3 acres. The total design capacity of the Western Expansion Landfill is approximately 8,312,922 cubic yards. A Title V Modification to authorize construction and operation of the Valley Fill Landfill Expansion was submitted on November 1, 2012 and was subsequently approved by NYSDEC. Initial construction of the Valley Fill Landfill Expansion commenced in September 2013. The capacity of the Valley Fill Expansion is 2,039,598 cubic yards and will increase life of the permitted facility by approximately 2.3 years. Also included in the Title V Renewal Application was an assessment of facility compliance with 6 NYCRR Part 212.

Landfill Gas Collection and Combustion System (LFG) at the existing facility is currently collected in an active system and combusted to generate electricity. The collection system consists of vertical extraction wells and horizontal collectors. LFG is drawn from the landfill via blowers and directed through a gas header to eight internal combustion engines (eight Caterpillar 3516 engines), each rated at 1,148 horsepower, at the Renewable Energy Facility (REF), where electricity is produced for sale on the open

Division of Air Resources Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

market. In addition, WMNY also operates one 99 MMBtu/hr (~ 3,300 cfm) enclosed flare and one 27.3 MMBtu/hr (~ 910 cfm) open flare used to combust the excess landfill gas that is not being used by the engines and also as a back-up to the energy plant. The enclosed flare comes with a manufacturer's maximum guarantee of 0.2 lb/MMBtu of Carbon Monoxide (CO). The landfill gas is treated using filtration, dewatering, and compression prior to combustion in the REF. Exhaust gases from the engines vent to the atmosphere.

This permit maintains two federally enforceable emission limits of nitrogen oxide (NO_x). Engines 1 through 6 are limited to 95 tons per year (tpy) NO_x and Engines 7 & 8 are limited to 35 tpy NO_x. The NO_x emissions from the engines are subject to the NO_x Reasonably Available Control Technology (RACT) of 6NYCRR Part 227-2. The NO_x RACT limit is 2.0 grams per brake horsepower-hour. The facility is required to monitor the engine NO_x and carbon monoxide (CO) emissions on a monthly basis. The facility is required to complete a performance test following EPA methods on two engines during the term of this permit. This permit also includes EPA regulations pertaining to the stationary internal combustion engines at the facility. The regulations added to the permit include 40 CFR 63 Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40CFR60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. These regulations include engine maintenance requirements and emission limits.

WMNY is subject to the requirements specified in the New Source Performance Standards for Municipal Solid Waste Landfills – 40 CFR 63 Subpart AAAA. This includes the installation and monitoring of an active landfill gas collection system and operation of a gas treatment and control system. The landfill gas wells are monitored on a monthly basis for temperature, pressure and oxygen levels. Quarterly surface scans of the landfill cover are completed to monitor surface concentrations of methane along the collection area.

WMNY remains subject to the requirements specified in the National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills – 40 CFR 63 Subpart AAAA. This includes the installation and monitoring of an active landfill gas collection system and operation of a gas treatment and control system. The landfill gas wells are monitored on a monthly basis for temperature and pressure. Quarterly surface scans of the landfill cover are completed to monitor surface concentrations of methane along the collection area.

WMNY operates one paint spray booth subject to 6NYCRR Part 228-1. The volatile organic compound content of the surface coatings used must comply with the appropriate limits specified in Table B4 of 6NYCRR Part 228-1.4(b)(4).

Therefore, emission sources at the facility include fugitive emissions from the landfill; LFG combustion emissions from a 910-cfm flare, a 3,300 cfm enclosed flare, and eight IC engines; combustion emissions from heating equipment; emissions from surface coating operations; and evaporative emissions from fuel and oil storage tanks, leachate tanks, and parts washers.

Permit Structure and Description of Operations

The Title V permit for CHAFFEE 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

Division of Air Resources Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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.

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

Emission unit L00001 - WMNY operates a municipal solid waste (MSW) landfill with a total design capacity equal to 24,596,520 cubic yards (cy). This includes the Closed Landfill (LNDFL) of 9,144,000 cy, the Western Expansion (LNDF2) of 8,312,922 cy and the Valley Fill Expansion (LNDF3) of 2,039,598 cy and the Area 7/8 Expansion (LNDF4) of 5.1 million cy.

Collected landfill gas emissions are controlled by a treatment system prior to input into the internal combustion engines. Collected landfill gas is also controlled by an enclosed flare and an open flare. Air emissions from the landfill include primarily combustion components and fugitive emissions from the uncontrolled landfill gas.

Emission unit L00001 is associated with the following emission points (EP):
L0001, L0002

Process: 183 Fugitive dust is generated through the process of landfilling refuse as a result of vehicle traffic. Dust is controlled by periodic wetting of the facility access roads to ensure visible emissions do not exceed regulatory limitations at the property boundary. No wetting of the roads is conducted when precipitation occurs.

Process: 301 The landfill generates gases as a byproduct of decomposition of the waste placed at the facility. This gas is collected by a landfill gas collection and control system designed and operated in accordance with 40 CFR Part 63 Subpart AAAA. Landfill gas not otherwise collected is fugitive.

Process: LEA Landfill operations produce leachate which is collected in leachate tanks and condensate tanks. As the tanks near their capacity, the leachate is pumped into trucks and shipped off-site.

Process: LGF Process LGF includes operation of a 3,300 cfm John Zink enclosed flare ground system (OLGF1) and a 910 cfm open flare (FLR03) for control of excess landfill gas not being used by the Renewable Energy Facility. The flares combust any excess landfill gas collected from the landfill areas (LNDFL, LNDF2 and LNDF3).

The enclosed flare has a design heat input rating of 90 million British Thermal Units per hour (MMBtu/hr) and is capable of combusting up to 198,000 cubic feet per hour of landfill gas. The enclosed flare is operated in accordance with the combustion temperature requirements specified in §63.1961(b).

Division of Air Resources
Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

The open flare is rated at approximately 27 MMBtu/hr and is operated in compliance with §60.18 and 63.1961(c).

Emission unit M00001 - Miscellaneous maintenance activities are performed at the facility for the equipment and vehicles owned by Chaffee Landfill. These activities include a paint booth and two exempt parts cleaning tank.

Emission unit M00001 is associated with the following emission points (EP):
M0001, M0002

Process: PSB is located at Building MB - Chaffee Landfill operates a paint spray booth to coat miscellaneous metal parts and mobile equipment. The booth is approximately 25 feet wide and 60 feet long. A high volume low pressure (HVLP) spray gun is used with a rated capacity of 0.117 gal/min. Emissions are vented through particulate filters, rated at 90% efficiency and then exhausted through two identical stacks.

Emission unit P00001 - Emission unit P-00001 is a Renewable Energy Facility (REF) consisting of eight (8) Caterpillar 3516 internal combustion reciprocating engines rated at 1148 Bhp per engine. The landfill gas is treated using filtration, dewatering, and compression prior to combustion in the REF. Exhaust gases from the engines vent to the atmosphere.

Emission unit P00001 is associated with the following emission points (EP):
00001, 00002, 00003, 00004, 00005, 00006, 00007, 00008

Process: 601 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (REF) contains eight (8) Caterpillar 3516 internal combustion (IC) reciprocating engines rated at 1148 Bhp per engine. Process 601 is for the original six (6) engines (ENG01, ENG02, ENG03, ENG04, ENG05 and ENG06). The landfill gas enters the REF compressor room for treatment using filtration, dewatering, and compression prior to being combusted in the engines. Condensate formed during the treatment of the landfill gas drains to an underground tank where it is later transferred to a tanker truck to be hauled to a waste water treatment plant for disposal.

Process: 602 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (P-00001) has an emission point called a "crankcase breather vent." The function of the crankcase breather vent is to allow moisture in each of the engines crankcase to be vented so water does not collect in the engines oil pan. The water vapor might contain some motor oil in the form of a mist. Other insignificant emissions might come from the virgin motor oil storage tank, the used oil storage tank, the landfill gas condensate tank and the gas chromatograph vent.

Process: 603 is located at Building GASPLANT - The Chaffee Landfill Renewable Energy Facility (REF) contains eight (8) Caterpillar 3516 internal combustion (IC) reciprocating engines rated at 1148 Bhp per engine. Process 603 is for the two (2) additional engines (ENG07 & ENG08). The landfill gas enters the REF compressor room for treatment using filtration, dewatering, and compression prior to being combusted in the engines. Condensate formed during the treatment of the landfill gas drains to an underground tank where it is later transferred to a tanker truck to be hauled to a waste water treatment plant for disposal.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023

Title V/Major Source Status

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

The facility is major for Carbon Monoxide (CO).

Program Applicability

The following chart summarizes the applicability of CHAFFEE 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	YES
SIP	YES

NOTES:

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

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

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

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

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023

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.

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

**Division of Air Resources
Permit Review Report**

**Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023**

2-01-008-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS Reciprocating
2-01-008-05	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS
4-02-001-10	RECIPROCATING: CRANKCASE BLOWBY SURFACE COATING OPERATIONS SURFACE COATING APPLICATION - GENERAL Paint: Solvent-Base
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
5-02-006-01	LANDFILL GAS COLLECTION SYSTEM: OTHER SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP
5-03-006-02	WASTE GAS FLARES ** (USE 5-01-004-10) SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - LANDFILL DUMP Liquid Waste Disposal

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
000079-34-5	1, 1, 2, 2- TETRACHLOROET HANE				
000107-06-2	1, 2- DICHLOROETHAN				

Division of Air Resources
 Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

000108-10-1	E 2-PENTANONE, 4-METHYL
000071-43-2	BENZENE
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS
000075-15-0	CARBON DISULFIDE
000630-08-0	CARBON MONOXIDE
000056-23-5	CARBON TETRACHLORIDE
000463-58-1	CARBONYL SULFIDE
000108-90-7	CHLOROBENZENE
000067-66-3	CHLOROFORM
000075-09-2	DICHLOROMETHA NE
000071-55-6	ETHANE, 1,1,1-
000075-34-3	TRICHLORO ETHANE, 1,1-
000075-00-3	DICHLORO- ETHANE, CHLORO
000075-35-4	ETHENE, 1,1- DICHLORO
000100-41-4	ETHYLBENZENE
000110-54-3	HEXANE
007647-01-0	HYDROGEN CHLORIDE
007439-97-6	MERCURY
000074-82-8	METHANE
0NY998-20-0	NMOC - LANDFILL USE ONLY
0NY210-00-0	OXIDES OF NITROGEN
0NY075-00-0	PARTICULATES
000127-18-4	PERCHLOROETHY LENE
0NY075-00-5	PM-10
000078-87-5	PROPANE, 1,2- DICHLORO
000107-13-1	PROPENENITRIL E
007446-09-5	SULFUR DIOXIDE
000108-88-3	TOLUENE
0NY100-00-0	TOTAL HAP
000079-01-6	TRICHLOROETHY LENE
000075-01-4	VINYL CHLORIDE
0NY998-00-0	VOC
001330-20-7	XYLENE, M, O & P MIXT.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

- 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 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.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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 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

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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 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

**Division of Air Resources
Permit Review Report**

**Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023**

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
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FACILITY	ECL 19-0301	94	Powers and Duties of the Department with respect to air pollution control
P-00001	40CFR 60-JJJJ.4233 (e)	84	Emission limits for IC Engines > 100 HP
P-00001	40CFR 60-JJJJ.4243 (b) (2)	85	SI ICE - Maintenance Plan and testing
P-00001	40CFR 60-JJJJ.4244	86	Test methods and procedures
P-00001	40CFR 60-JJJJ.4245 (a)	87	Notification, reporting and recordkeeping requirements
P-00001	40CFR 60-JJJJ.4245 (c)	88	Initial notification for engines > 500 HP
P-00001	40CFR 60-JJJJ.4245 (d)	89	Performance test requirements
FACILITY	40CFR 61-M	32	Asbestos standards for: asbestos mills, manufacturing operations using asbestos, and other

**Division of Air Resources
Permit Review Report**

**Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023**

FACILITY	40CFR 61-M.154	33	sources
FACILITY	40CFR 63-A	34	Standard for active waste disposal sites
L-00001/-/LGF/FLR03	40CFR 63-A.11 (b)	75	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-AAAA.1957	35	Requirements for flares
FACILITY	40CFR 63-AAAA.1958 (a)	36	Requirements for Gas Collection and Control System Installation and Removal
FACILITY	40CFR 63-AAAA.1958 (b)	37	Operational Standards for Collection and Control Systems
FACILITY	40CFR 63-AAAA.1958 (c)	38	Operational Standards for Collection and Control Systems
FACILITY	40CFR 63-AAAA.1958 (d)	39	Operational Standards for Collection and Control Systems
FACILITY	40CFR 63-AAAA.1959 (b)	40	NMOC Calculation Procedures
FACILITY	40CFR 63-AAAA.1959 (c)	41	NMOC Calculation Procedures
FACILITY	40CFR 63-AAAA.1959 (d)	42	NMOC Calculation Procedures
FACILITY	40CFR 63-AAAA.1959 (e)	43	NMOC Calculation Procedures
FACILITY	40CFR 63-AAAA.1960 (a)	44	Compliance Provisions
FACILITY	40CFR 63-AAAA.1960 (b)	45	Compliance Provisions
FACILITY	40CFR 63-AAAA.1960 (c)	46	Compliance Provisions
FACILITY	40CFR 63-AAAA.1960 (d)	47	Compliance Provisions
FACILITY	40CFR 63-AAAA.1960 (e)	48	Compliance Provisions
FACILITY	40CFR 63-AAAA.1961 (a)	49	Monitoring of Operations - Active Gas Collection Systems
FACILITY	40CFR 63-AAAA.1961 (b)	50	Monitoring of Operations - Enclosed Combustors
FACILITY	40CFR 63-AAAA.1961 (c)	51	Monitoring of Operations - Non-Enclosed Combustors
FACILITY	40CFR 63-AAAA.1961 (f)	52	Monitoring of Operations - Surface Methane Standard
FACILITY	40CFR 63-AAAA.1962 (a)	53	Specifications for Active Collection Systems
FACILITY	40CFR 63-AAAA.1962 (b)	54	Specifications for Active Collection Systems
FACILITY	40CFR 63-AAAA.1962 (c)	55	Specifications for Active Collection Systems
FACILITY	40CFR 63-AAAA.1981	56	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (e)	57	Notifications, Records, and Reports

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

FACILITY	40CFR 63-AAAA.1981 (f)	58	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (g)	59	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (h)	60	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (j)	61	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (k)	62	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (l)	63	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (m)	64	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1981 (n)	65	Notifications, Records, and Reports
FACILITY	40CFR 63-AAAA.1983 (a)	66	Record Keeping Requirements
FACILITY	40CFR 63-AAAA.1983 (b)	67	Record Keeping Requirements
FACILITY	40CFR 63-AAAA.1983 (c)	68	Record Keeping Requirements
FACILITY	40CFR 63-AAAA.1983 (d)	69	Record Keeping Requirements
FACILITY	40CFR 63-AAAA.1983 (e)	70	Record Keeping Requirements
P-00001	40CFR 63- ZZZZ.6590 (b) (2)	90	Reciprocating Internal Combustion Engine (RICE) NESHAP - Landfill/Digester gas-fired engine requirements
P-00001	40CFR 63-ZZZZ.6602	91	Reciprocating Internal Combustion Engine (RICE) NESHAP - requirements for existing engines at major sources of HAP emissions
P-00001	40CFR 63-ZZZZ.6625 (c)	92	Reciprocating Internal Combustion Engine (RICE) NESHAP - landfill or digester gas fuel usage monitoring and recordkeeping
P-00001	40CFR 63-ZZZZ.6655 (c)	93	Reciprocating Internal Combustion Engine (RICE) NESHAP - records that must be kept landfill and digester gas fired RICE
FACILITY	40CFR 68	18	Chemical accident prevention provisions
FACILITY	40CFR 82-F	19	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	95	Unavoidable noncompliance and

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

FACILITY	6NYCRR 201-1.7	11	violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	20, 21, 71, 72	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	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)	23, 24	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	96, 97, 98	State Enforceable Requirements
FACILITY	6NYCRR 201-7.1	73	Emission Capping in Facility Permits
P-00001	6NYCRR 202-1	82	Emission Testing, Sampling and Analytical Determinations
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-1.3 (a)	25	Acceptable procedures - reference methods
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	26	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	99	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	27	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-2.4 (b)	28	Control of Particulate from New

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

FACILITY	6NYCRR 215.2	9	and Modified Process Emission Sources
FACILITY	6NYCRR 225-1.2 (d)	29	Open Fires - Prohibitions
FACILITY	6NYCRR 226-1.1	30	Sulfur-in-Fuel Limitation -
FACILITY	6NYCRR 227-1.3 (c)	31	Distillate Oil Applicability
P-00001	6NYCRR 227-2.4 (f) (2)	83	Annual Tune-up Requirement
L-00001	6NYCRR 227-2.4 (g)	74	Emission limit for engines running on landfill gas.
M-00001	6NYCRR 228-1.3 (b) (1)	76	Other combustion installations.
M-00001	6NYCRR 228-1.3 (d)	77	General Requirements - Record Keeping
M-00001	6NYCRR 228-1.3 (e)	78	Surface Coating General Requirements-
M-00001	6NYCRR 228- 1.4 (b) (4) (ii)	79	Handling, storage and disposal Surface Coating - General control requirements (Class A & most B) Misc. metal parts coatingsVOC content limits

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

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

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

Division of Air Resources
Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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

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

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 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

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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, CHAFFEE LANDFILL has been determined to be subject to the following regulations:

40 CFR 60.4233 (e)

This regulation sets the emission limit for internal combustion engines greater than 100 horsepower.

40 CFR 60.4243 (b) (2) (ii)

This regulation requires the owner or operator of a stationary SI internal combustion engine greater than 500 HP to keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions.

40 CFR 60.4244

This regulation specifies the test methods and procedures to be used by owners or operators of spark ignited internal combustion engines.

40 CFR 60.4245 (a)

This regulation sets forth the notification, reporting and recordkeeping requirements for 40 CFR 60 Subpart JJJJ, for owners and operators of stationary spark ignited internal combustion engines.

40 CFR 60.4245 (c)

This regulation sets forth the notification requirements for engines larger than 500 horsepower.

40 CFR 60.4245 (d)

Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.

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 63.11 (b)

This condition states the operation and maintenance requirements for flares.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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.

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

40 CFR 63.1959 (e)

This citation describes the appropriate test methods and procedures for determining the net heating value of combusted landfill gas in non-enclosed flares.

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.

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 (b)

This citation describes the monitoring procedures for municipal solid waste landfills that are equipped with an enclosed combustor for controlling landfill gas emissions.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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 AAAA.

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 AAAA.

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 AAAA.

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 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 (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)

Division of Air Resources
Permit Review Report

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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.

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 (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.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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 63.6590 (b) (2)

This condition lists the provisions that an engine would be subject to if the engine is burning landfill or digester gas as more than 10% of its fuel input. The engine in this case would only have to install monitors which would prove that at least 10% of the fuel being burned was digester or landfill gas, and the facility would need to submit an initial notification.

40 CFR 63.6602

These conditions list the emission limits, operating limits, and work practices that existing engines with a site rating less than or equal to 500 brake horsepower located at a major source of HAP

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

emissions must meet.

The engines must meet work practices or emission limits on carbon monoxide or formaldehyde for the specific type of engine listed in table 2c of subpart ZZZZ.

40 CFR 63.6625 (c)

This condition reduces the emission of hazardous air pollutants by requiring landfill and digester gas fired RICE to monitor and record daily fuel usage.

40 CFR 63.6655 (c)

This regulation sets forth the record keeping requirements for reciprocating internal combustion engines firing landfill and digester gas.

40 CFR Part 61, Subpart M

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

40 CFR Part 63, Subpart 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.

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

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

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 201-7.1

This section of Part 201-7 specifies the criteria that need to be met in order to restrict emissions to avoid Title V or other applicable requirements using federally enforceable permit conditions permit.

6 NYCRR 202-1.3 (a)

This regulation requires that any emission testing, sampling and analytical determination used to determine compliance must use methods acceptable to the department. Acceptable test methods may include but are not limited to the reference methods found in 40 CFR Part 60 appendix A and Part 61, appendix B. In addition, unless otherwise specified, all emission test reports must be submitted within 60 days after completion of testing.

6 NYCRR 202-2.4 (a) (3)

Once a facility is required to submit annual emission statements electronically, emission statements must be submitted to the department per the specified schedule, in this regulation beginning the reporting year that a Title V permit containing a condition mandating electronic submittal is issued.

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 212-2.4 (b)

Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

6 NYCRR 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 226-1.1

This section describes the applicability of facilities to each Subpart.

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

6 NYCRR 227-1.3 (c)

This subdivision requires that all stationary combustion installations subject to this subpart perform an annual tune-up.

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 227-2.4 (g)

This subdivision establishes NOx RACT for emission sources that are subject to this rule but not specifically regulated under the other source categories of this rule.

6 NYCRR 228-1.3 (b) (1)

This regulation requires the facility owner or operator to maintain a certification from the coating manufacturer that contains the information used to determine the as-applied volatile organic compound content of the coating. In addition, the facility owner or operator is required to maintain records of other information used to determine compliance with Part 228-1.

6 NYCRR 228-1.3 (d)

This citation directs the owners or operators of coating operations to minimize the emissions of volatile organic compounds to the atmosphere by properly handling, storing and disposing of coatings containing volatile organic compounds.

6 NYCRR 228-1.3 (e)

This regulation outlines the general control requirements for emissions of volatile organic compounds related to surface coating.

6 NYCRR 228-1.4 (b) (4) (ii)

A facility applying miscellaneous metal parts coatings and using compliant coatings as a compliance technique may not use coatings with VOC contents, as applied, which exceed the limits specified in table B4.

**Division of Air Resources
Permit Review Report**

**Permit ID: 9-1462-00001/00013
Renewal Number: 3
05/05/2023**

6 NYCRR Subpart 202-1

This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations.

**Compliance Certification
Summary of monitoring activities at CHAFFEE LANDFILL:**

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

P-00001	84	record keeping/maintenance procedures
P-00001	85	record keeping/maintenance procedures
P-00001	87	record keeping/maintenance procedures
P-00001	88	record keeping/maintenance procedures
L-00001/-/LGF/FLR03	75	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	37	work practice involving specific operations
FACILITY	38	work practice involving specific operations
FACILITY	39	ambient air monitoring
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	ambient air monitoring
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures
FACILITY	67	record keeping/maintenance procedures
FACILITY	68	record keeping/maintenance procedures
FACILITY	69	record keeping/maintenance procedures
FACILITY	70	record keeping/maintenance procedures
P-00001	91	record keeping/maintenance procedures
P-00001	92	record keeping/maintenance procedures
P-00001	93	record keeping/maintenance procedures
FACILITY	21	monitoring of process or control device parameters as surrogate
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	96	work practice involving specific operations
FACILITY	97	record keeping/maintenance procedures
FACILITY	98	ambient air monitoring
P-00001	80	monitoring of process or control device parameters as surrogate
P-00001	81	monitoring of process or control device parameters as surrogate
P-00001	82	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	28	intermittent emission testing
FACILITY	29	work practice involving specific operations

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

FACILITY	31	record keeping/maintenance procedures
P-00001	83	intermittent emission testing
L-00001	74	record keeping/maintenance procedures
M-00001	76	record keeping/maintenance procedures
M-00001	79	intermittent emission testing

Basis for Monitoring

WMNY is subject to the requirements specified in the New Source Performance Standards for Municipal Solid Waste Landfills – 40 CFR63 Subpart AAAA. This includes the installation and monitoring of an active landfill gas collection system and operation of a gas treatment and control system. The landfill gas wells are monitored on a monthly basis for temperature, pressure and oxygen levels. Quarterly surface scans of the landfill cover are completed to monitor surface concentrations of methane along the collection area. This also includes implementation of a written startup, shutdown, and malfunction (SSM) plan that describes, in detail, 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.

WMNY operates one paint spray booth subject to 6NYCRR Part 228-1. The volatile organic compound content of the surface coatings used must comply with the appropriate limits specified in Table B4 of 6NYCRR Part 228-1.4(b)(4).

In connection with the New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, Waste Management of New York LLC (WMNY) has evaluated the Area 7-8 Development (Emission Source: LNDF4) and has committed to the following measures for the landfill gas collection system that will assist with reducing fugitive methane emissions from the landfill:

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

The owner or operator must monitor the surface concentrations of methane according to the procedures found in 40 CFR 60.765(c)(1-4) and the instrument specifications in 40 CFR 60.765(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may reduce the monitoring frequency to semiannually. Any methane reading of 500 ppm or more above background detected during the semiannual monitoring returns the frequency for that landfill to quarterly monitoring.

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

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

- 2) The facility must perform monthly waste cover inspections and immediately implement corrective actions if the cover is found to be deficient. Where corrective action is unable to be completed within 5 days of the instance where cover is found to be deficient, the facility shall contact the Department within five days with a plan, in writing, to correct the deficiency for Department approval. Areas where cover

**Division of Air Resources
Permit Review Report**

Permit ID: 9-1462-00001/00013

Renewal Number: 3

05/05/2023

repairs are deemed necessary (such as due to stressed vegetation, or erosion) will also be scanned with a methane detection instrument, the data recorded and repairs scheduled, completed and documented. Completed repairs will be verified to be <500 ppm methane at the landfill surface. GPS coordinates of the repair will be recorded. These areas will be added to the next quarterly surface scan event.

The facility shall maintain records on site of the monthly waste cover inspections and any corrective actions taken, in a format acceptable to the Department, for a period of at least 5 years from the date of the record. The summary of instances where the cover was found to be deficient and subsequent corrective actions taken shall be provided in the semiannual monitoring report required by this permit.

3) In order to demonstrate that the landfill gas collection system is operating properly, landfill personnel shall measure gauge pressure in the gas collection header applied to each individual horizontal and vertical collector, including non-NSPS applicable collectors, on a monthly basis. If positive pressure exists, corrective action shall be taken within 5 days except under the following conditions:

a) A fire or increased well temperature. The owner or operator must record instances when positive pressure occurs in efforts to avoid a fire. These records must be submitted with the semiannual monitoring reports required by this permit.

b) Use of a geomembrane or synthetic cover. The owner or operator must develop acceptable pressure limits in the design plan.

c) A decommissioned well. A well may experience a static positive pressure after shutdown to accommodate declining flows. All design changes must be approved by the Department.