Permit Review Report

Facility Identification Data
Name: CHAFFEE LANDFILL
Address: 10860 OLEAN RD
CHAFFEE, NY 14030-9799

Owner/Firm
Name: WASTE MANAGEMENT OF NEW YORK LLC
Address: 1001 FANNIN STE 4000
HOUSTON, TX 77002, USA
Owner Classification: Corporation/Partnership

Permit Contacts
Division of Environmental Permits:
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10860 OLEAN RD
CHAFFEE, NY 14030-9799
Phone: 7164965192

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
Renewal of Air Title V Facility.

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.)

<table>
<thead>
<tr>
<th>Criteria Pollutant</th>
<th>Attainment Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Particulate Matter (PM)</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Particulate Matter&lt; 10µ in diameter (PM10)</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Sulfur Dioxide (SO2)</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Ozone*</td>
<td>MARGINAL NON-ATTAINMENT</td>
</tr>
<tr>
<td>Oxides of Nitrogen (NOx)**</td>
<td>ATTAINMENT</td>
</tr>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>ATTAINMENT</td>
</tr>
</tbody>
</table>

* 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:
The Chaffee Landfill is a municipal solid waste landfill located on 700 acres of property owned by WMNY. Chaffee Landfill is primarily engaged in the land disposal of municipal solid waste (MSW) generated by residential, commercial and light industrial sources. A mining operation provides materials for construction and operation of the landfill. Maintenance activities, including a paint spray booth and two exempt parts cleaning tanks, provide support for upkeep of the vehicles and equipment at the facility.

Chaffee Landfill presently operates eight (8) Caterpillar 3516 IC engines at its Renewable Energy Facility (REF).

Chaffee Landfill also has on-site a 3,300 cfm enclosed flare and a 910 cfm open flare which are capable of combusting any excess landfill gas that is not being used by the engines. The enclosed flare comes with a manufacturer’s maximum guarantee of 0.2 lb/MMBtu of Carbon Monoxide (CO).

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 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 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): M00001, M00002

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): 000001, 000002, 000003, 000004, 000005, 000006, 000007, 000008

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 insignificant 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.

Emission unit L00001 - WMNY operates a municipal solid waste (MSW) landfill. The proposed Valley Fill Expansion, designated as new emission source LNDF3, will increase the total design capacity of the landfill from 17,456,922 cubic yards (cy) to 19,496,520 cy of refuse. The Existing Landfill (LNDFL) is 9,144,000 cy, Western Expansion (LNDF2) is 8,312,922 cy and the Valley Fill Expansion (LNDF3) is approximately 2,039,598 cy for a total of approximately 19,496,520 cy.

Air emissions are controlled by internal combustion engines, 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 40CFR60 Subpart WWW and 40CFR63 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 (0LGF1) 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 §63.758(c)(1)(i).

The open flare is rated at approximately 27 MMBtu/hr and is operated in compliance with §60.18.
Title V/Major Source Status
CHAFFEE LANDFILL is subject to Title V requirements. This determination is based on the following:
The facility is major for Carbon Monoxide (CO). The facility is also subject to 40CFR60 Subpart WWW
requirements as well as 40CFR63 Subpart AAAAA.

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

<table>
<thead>
<tr>
<th>Regulatory Program</th>
<th>Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSD</td>
<td>NO</td>
</tr>
<tr>
<td>NSR (non-attainment)</td>
<td>NO</td>
</tr>
<tr>
<td>NESHAP (40 CFR Part 61)</td>
<td>YES</td>
</tr>
<tr>
<td>NESHAP (MACT - 40 CFR Part 63)</td>
<td>YES</td>
</tr>
<tr>
<td>NSPS</td>
<td>YES</td>
</tr>
<tr>
<td>TITLE IV</td>
<td>NO</td>
</tr>
<tr>
<td>TITLE V</td>
<td>YES</td>
</tr>
<tr>
<td>TITLE VI</td>
<td>NO</td>
</tr>
<tr>
<td>RACT</td>
<td>YES</td>
</tr>
<tr>
<td>SIP</td>
<td>YES</td>
</tr>
</tbody>
</table>

NOTES:
PSD Prevention of Significant Deterioration (40 CFR 52) - 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 Part 231) - 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) - 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) - 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) - 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) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - 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 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC’s and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - 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.

<table>
<thead>
<tr>
<th>SIC Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4953</td>
<td>REFUSE SYSTEMS</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>SCC Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-01-008-02</td>
<td>INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS Reciprocating</td>
</tr>
<tr>
<td>2-01-008-05</td>
<td>INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION</td>
</tr>
<tr>
<td></td>
<td>ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS RECIPROCATING: CRANKCASE BLOWBY</td>
</tr>
<tr>
<td>4-02-001-10</td>
<td>SURFACE COATING OPERATIONS</td>
</tr>
<tr>
<td></td>
<td>SURFACE COATING APPLICATION - GENERAL Paint: Solvent-Base</td>
</tr>
<tr>
<td>5-01-004-02</td>
<td>SOLID WASTE DISPOSAL - GOVERNMENT</td>
</tr>
<tr>
<td></td>
<td>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP FUGITIVE EMISSIONS</td>
</tr>
<tr>
<td>5-01-004-06</td>
<td>SOLID WASTE DISPOSAL - GOVERNMENT</td>
</tr>
<tr>
<td></td>
<td>SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP LANDFILL GAS COLLECTION SYSTEM: OTHER</td>
</tr>
<tr>
<td>5-02-006-01</td>
<td>SOLID WASTE DISPOSAL - COMMERCIAL/INSTITUTIONAL</td>
</tr>
<tr>
<td></td>
<td>SOLID WASTE DISPOSAL: COMMERCIAL - LANDFILL DUMP WASTE GAS FLARES ** (USE 5-01-004-10)</td>
</tr>
<tr>
<td>5-03-006-02</td>
<td>SOLID WASTE DISPOSAL - INDUSTRIAL</td>
</tr>
<tr>
<td></td>
<td>SOLID WASTE DISPOSAL: INDUSTRIAL - LANDFILL DUMP Liquid Waste Disposal</td>
</tr>
</tbody>
</table>

**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 Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). 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.
<table>
<thead>
<tr>
<th>Cas No.</th>
<th>Contaminant Name</th>
<th>PTE</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>000079-34-5</td>
<td>1,1,2,2-tetrachloroethane</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000070-06-2</td>
<td>1,2-dichloroethane</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000078-10-1</td>
<td>2-pentanone, 4-methyl</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000071-43-2</td>
<td>benzene</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY750-00-0</td>
<td>carbon dioxide</td>
<td>&gt;= 100,000 tpy</td>
<td></td>
</tr>
<tr>
<td>000075-15-0</td>
<td>carbon disulfide</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000630-08-0</td>
<td>carbon monoxide</td>
<td>&gt;= 250 tpy but &lt;</td>
<td>75,000 tpy</td>
</tr>
<tr>
<td>000074-05-3</td>
<td>carbon tetrachloride</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000070-06-3</td>
<td>carbon monoxide</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000076-96-7</td>
<td>chlorobenzene</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000071-55-6</td>
<td>ethane, 1,1,1-trichloro-</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000075-34-3</td>
<td>ethane, 1,1-dichloro-</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000075-00-3</td>
<td>ethane, chloro</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000075-35-4</td>
<td>ethene, 1,1-dichloro</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
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<tr>
<td>000100-41-4</td>
<td>ethylene, 1,1-dichloro</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000110-54-3</td>
<td>hexane</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007647-01-0</td>
<td>hydrogen chloride</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000749-97-6</td>
<td>mercuric</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000074-82-8</td>
<td>methane</td>
<td>&gt;= 250 tpy but &lt;</td>
<td>75,000 tpy</td>
</tr>
<tr>
<td>0NY998-20-0</td>
<td>NMOC - LANDFILL USE</td>
<td>&gt;= 25 tpy but &lt; 40 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY210-00-0</td>
<td>oxides of nitrogen</td>
<td>&gt;= 100 tpy but &lt; 250 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY075-00-0</td>
<td>particulates</td>
<td>&gt;= 10 tpy but &lt; 25 tpy</td>
<td></td>
</tr>
<tr>
<td>000127-18-4</td>
<td>perchloroethylene</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY075-00-5</td>
<td>PM-10</td>
<td>&gt;= 10 tpy but &lt; 25 tpy</td>
<td></td>
</tr>
<tr>
<td>000078-87-5</td>
<td>propane, 1,2-dichloro</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000070-13-1</td>
<td>propenenitrile</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>007444-09-5</td>
<td>sulfur dioxide</td>
<td>&gt;= 50 tpy but &lt; 100 tpy</td>
<td></td>
</tr>
<tr>
<td>000108-88-3</td>
<td>toluene</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY100-00-0</td>
<td>total HAP</td>
<td>&gt;= 2.5 tpy but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000079-01-6</td>
<td>trichloroethylene</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>000075-01-4</td>
<td>vinyl chloride</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
<tr>
<td>0NY998-00-0</td>
<td>VOC</td>
<td>&gt;= 10 tpy but &lt; 25 tpy</td>
<td></td>
</tr>
<tr>
<td>001330-20-7</td>
<td>xylenes, M, O &amp; P mixt.</td>
<td>&gt; 0 but &lt; 10 tpy</td>
<td></td>
</tr>
</tbody>
</table>

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**Item A:** Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.
(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

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

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

Item B: 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 C: 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 D: 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 E: 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 F: 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 G: 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 H: 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 I: 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 J: 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 K: 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 2 01-6.7 and Part 621.

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

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

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

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: 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 M: 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: 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

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### New York State Department of Environmental Conservation

#### Permit Review Report

**Permit ID:** 9-1462-00001/00013  
**Renewal Number:** 2  
**01/13/2015**

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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 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.

6 NYCRR 201-6.4 (c) (3) (ii)
This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5)
This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)
Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)
This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1
This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1
Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6 NYCRR 202-2.5
This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2
This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68
This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F
Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements
In addition to Title V, CHAFFEE LANDFILL has been determined to be subject to the following regulations:

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 60.4233 (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 60.752 (b) (2)
If the non-methane organic carbon emission rate is greater than 50 megagrams/year (55 tons/year), the owner or operator must submit a design plan for a collection and control system.

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

(1) The open flare shall be designed and operated in accordance with § 60.18 except: "the net heating value of the combusted landfill gas as determined in § 60.18(f)(3) is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under § 60.18(f)(4)."

(2) The following equipment shall be installed, calibrated, maintained, and operated according to the manufacturer's specifications:
   (a) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the
pilot light or the flame itself to indicate the continuous presence of a flame.

(b) A device that records flow to or bypass of the flare. The owner or operator shall either:
   (i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
   (ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

(3) Operate the control system at all times when the collected gas is routed to the system.

(4) Keep 5 years up-to-date, readily accessible records of:
   (a) flare type (i.e., steam-assisted, air-assisted, or nonassisted);
   (b) all visible emission readings;
   (c) heat content determination;
   (d) flow rate or bypass flow rate measurements;
   (e) exit velocity determinations made during the performance test as specified in § 60.18;
   (f) continuous records of the flare pilot flame or flare flame monitoring; and
   (g) records of all periods of operations during which the flare flame or flare pilot flame is absent.

40 CFR 60.752 (b) (2) (iii) ('B')
This condition requires the owner or operator of the landfill to reduce the emissions of NMOC by 98% after the control device or reduce the outlet concentration of NMOC from the control device to less than 20 parts per million.

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

(2) The landfill gas treatment system for the stationary internal combustion engines shall be designed and operated as follows:

Filtration: At a minimum, the system will filter landfill gas using a dry filter or similar device (e.g., impaction, interception or diffusion device). The filter shall reduce particulate matter in the gas stream to a size of at least 10 microns.
Dewatering: Landfill gas is de-watered by cooling the superheated gas from the blower in the cooler. Landfill gas is cooled in the cooler, lowering the gas temperature to below the dew point and causing the water in the gas to condense. The condensed water is then trapped in the filters after the cooler. The cooled gas is then reheated prior to entering the gas plant. The system will de-water landfill gas using chillers, air-to-air coolers, dehumidification devices or other dehydration equipment as approved by the Department.

Compression: Landfill gas is extracted from the landfill under vacuum and compressed in a rotary blower. The gas is compressed in the blower such that it is approximately 5 to 7 psi coming out of the blower. The system will compress landfill gas using gas blowers or similar devices approved by the Department.

(3)WMNY shall operate the treatment system at all times according to manufacturer's specifications when gas is routed for subsequent sale or use. WMNY submitted an acceptable monitoring plan to the Department for the treatment system. The plan describes the monitoring for the filtering, dewatering and compression of the landfill gas to assure that the treatment system operates as designed. This monitoring plan shall be followed at all times during operation of the treatment system.

40 CFR 60.752 (d)
After the landfill is closed, the owner of the landfill is no longer subject to the requirements of Subpart WWW if the landfill collection and control system have been in operation for at least 15 years and the calculated NMOC emission rate is less than 50 megagrams per year.

40 CFR 60.753 (b)
This condition requires that the collection system be operated under negative pressure.

40 CFR 60.753 (c)
This condition requires that each interior wellhead in the collection system be operated such that the landfill gas temperature is less than 131 degrees Fahrenheit and with an oxygen content less than 5%.

40 CFR 60.753 (d)
This condition requires that the collection system be operated such that the concentration of methane on the surface of the landfill is less than 500 parts per million (by volume).

40 CFR 60.755 (c)
This condition sets forth the procedures to be used to determine compliance with the surface methane operational standard. The perimeter and surface area of the landfill are monitored for methane concentrations. If the concentration is 500 parts per million above background, corrective action must
be taken.

40 CFR 60.755 (d)
This condition sets forth the instrumentation specifications and procedures for determining the surface methane concentration.

40 CFR 60.757 (d)
This condition requires that each owner or operator of a controlled landfill shall submit a closure report to the Administrator 30 days after the landfill stops accepting waste.

40 CFR 60.757 (e)
This condition requires that each owner or operator of a controlled landfill submit an equipment removal report to the EPA Administrator 30 days prior to removal or cessation of operation of the control equipment.

40 CFR 60.757 (f)
This condition sets forth the requirements for the annual report from the MSW landfill.

40 CFR 60.757 (g)
This condition sets forth the required information to be included in the initial performance test report (i.e., stack test) for the control system at an MSW landfill.

40 CFR 60.758 (d)
This condition requires each owner or operator to keep, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector (e.g., well) in the system and providing a unique identification location label for each collector.

40 CFR 60.758 (e)
This condition requires each owner or operator to keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR Part 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

40 CFR 60.759 (a)
This condition provides the specifications for the construction and installation of the active collection system.

40 CFR 60.759 (b)
This condition provides the specifications for the construction and installation of the active collection system.
40 CFR 60.759 (c)  
This condition provides the specifications for the construction and installation of the active collection system.

40 CFR 61.154  
This condition requires that there be no visible emissions from any active disposal area of the landfill where asbestos containing waste has been placed or that this type of area be covered to prevent disturbance of the asbestos containing waste.

40 CFR 63.1955 (b)  
This condition requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

40 CFR 63.6603 (a)  
These conditions list the emission limits, operating limits, and work practices that existing engines located at an area source of HAP emissions must meet.

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

40 CFR 63.6625  
This condition sets forth the monitoring, installation, operation, and maintenance requirements for the emissions of hazardous air pollutants from stationary reciprocating internal combustion engines.

40 CFR 63.6655  
This regulation sets forth the record keeping requirements for owners or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR Part 60, Subpart A  
This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

40 CFR Part 60, Subpart JJJJ  
Six engines are considered "new" stationary RICE under 40CFR63 Subpart ZZZZ since the order date of the engine is after June 12, 2006. In accordance with Subpart ZZZZ, new SI RICE at an area source must comply with 40CFR60 Subpart JJJJ. However, as
per 60.4230(a)(4)(ii), Subpart JJJJ does not apply since the engine was manufactured prior to January 1, 2008.

6 NYCRR 201-6.4 (f)
This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

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 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 212.4 (c)
This rule requires existing sources (in operation after July 1, 1973) of solid particulates with environmental rating of B or C which are not subject to Table 5 "Processes for which Permissible Emission Rate is Based on Process Weight, to be limited to an particulate emission rate not to exceed 0.05 grains per dry standard cubic foot.

6 NYCRR 227-1.3 (a)
This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 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 (a)
No person shall cause or allow emissions to the outdoor atmosphere having an average opacity of 20 percent or greater for any consecutive six-minute period from any emission source subject to this Subpart.

6 NYCRR 228-1.3 (b) (1)
The owner or operator of any emission source subject to this Subpart must maintain and, upon request, provide the department with a certification from the coating supplier/manufacturer which lists the parameters used to determine the actual VOC content of each as applied coating used at the facility. A facility owner or operator must maintain a record that identifies each air cleaning device that has an overall removal efficiency of at least 90 percent. All records required by this paragraph must be maintained at the facility for a period of five years.

6 NYCRR 228-1.3 (d)
This regulation explains the proper handling, storage and disposal of volatile organic compounds.

6 NYCRR 228-1.3 (e)
(e) General control requirements for the emission of VOCs.
(1) Only facilities subject to this Subpart in accordance with section 228-1.1(a)(1) of this Subpart must comply with the compliant material requirements of section 228-1.4 of this Subpart.
(2) A facility containing a coating line (other than a class A coating line) may use up to 55 gallons of coatings (facility wide) on a 12-month rolling total basis which does not comply with the VOC content limits set forth in section 228-1.4 of this Subpart; provided such use is recorded in accordance with the requirements of paragraph 228-1.3(b)(2) of this section.
(3) Facilities operating a class A coating line or most class B coating lines, as specified in section 228-1.4 of this Subpart must use one or more of the following application techniques to apply the coating:

(i) flow/curtain coating;
(ii) dip coating;
(iii) cotton-tipped swab application;
(iv) electro-deposition coating;
(v) high volume low pressure spraying;
(vi) electrostatic spray;
(vii) airless spray, (including air assisted);
(viii) airbrush application methods for stenciling, lettering, and other identification markings; or
(ix) other coating application methods approved by the department which can demonstrate transfer efficiencies equivalent to or greater than high volume low pressure spray.

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.

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.

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

Compliance Certification
Summary of monitoring activities at CHAFFEE LANDFILL:
### Basis for Monitoring

40CFR 60-WWW 754(a)(1): The Permittee's quarterly waste receipts must not exceed 180,000 tons per quarter for each quarter ending March 31, June 30, September 30 and December 31.
40CFR 60-WWW 754(a)(1): The capacity of the landfill is 8,300,000 cubic yards of non-hazardous waste.

6NYCRR 201-7.1: WMNY must prove the emissions of Oxides of Nitrogen (NOx) will meet a 12-month rolling total of less than 100 tons/year for the original six (6) engines and meet a 12-month rolling total of less than 40 tons/year for the additional two (2) engines.

40CFR 60-WWW 752(b)(2)(iii)(B'): The owner or operator of the landfill shall test the control device to verify that the outlet concentration of NMOC from the device is less than 20 parts per million by volume (dry, as hexane, at 3% oxygen), or the owner or operator of the landfill shall test the emissions from the control device to determine that the device is reducing the emissions of NMOC by 98% (by weight).

40CFR 60-WWW 752(b)(2)(iii)(C'): In accordance with 40 CFR §60.752(b)(2)(iii)(C), landfill gas collected from a MSW landfill may be either combusted in an appropriate control device or routed to a “treatment system that processes the collected gas for subsequent sale or use.” Treatment is defined by EPA and the Department as compression, dewatering and filtering of particulate.

6NYCRR 227-1.3(a): No person shall operate a stationary combustion installation which exhibits greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

6NYCRR 227-2.6 (c): In order to show compliance with the NOx RACT standard of sources firing landfill gas of 2.0 grams per brake horsepower-hour, the facility is required to conduct an emission test under 6NYCRR Part 227-2.6(a)(7).