

**RIPUC Use Only**

Date Application Received: \_\_\_/\_\_\_/\_\_\_  
Date Review Completed: \_\_\_/\_\_\_/\_\_\_  
Date Commission Action: \_\_\_/\_\_\_/\_\_\_  
Date Commission Approved: \_\_\_/\_\_\_/\_\_\_

GIS Certification #:  
\_\_\_\_\_

## RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

### The Standard Application Form

Required of all Applicants for Certification of Eligibility of Renewable Energy Resource  
(Version 6 – January 21, 2008)

### STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION

#### Pursuant to the Renewable Energy Act

#### Section 39-26-1 et. seq. of the General Laws of Rhode Island

**NOTICE:**

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html). Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

- Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.
- Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:

Rhode Island Public Utilities Commission  
89 Jefferson Blvd  
Warwick, RI 02888

Attn: Renewable Energy Resources Eligibility

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)

- In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html).
- Keep a copy of the completed Application for your records.
- The Commission will notify the Authorized Representative if the Application is incomplete.
- Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.
- Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.
- In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.
- Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)



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**SECTION I: Identification Information**

- 1.1 Name of Generation Unit (sufficient for full and unique identification):  
Hyland
- 1.2 Type of Certification being requested (check one):  
X Standard Certification      Prospective Certification (Declaratory Judgment)
- 1.3 This Application includes: (Check all that apply)<sup>1</sup>
- APPENDIX A: Authorized Representative Certification for Individual Owner or Operator
  - APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals
  - APPENDIX C: Existing Renewable Energy Resources
  - APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities
  - X APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL
  - X APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels

Primary Contact Person name and title: Stephanie Hamilton, Legal Affairs and Compliance \_\_\_\_\_

- 1.4 Primary Contact Person address and contact information:  
Address: Conservation Services Group  
40 Washington Street, MA 01581

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Phone: \_\_\_\_\_ 508-836-9500 ext.13285 Fax: \_\_\_\_\_ 508-836-3181 \_\_\_\_\_  
Email: Stephanie.hamilton@csggrp.com \_\_\_\_\_

- 1.5 Backup Contact Person name and title: \_\_\_\_\_ Deborah. Razza, Operations Coordinator
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- 1.6 Backup Contact Person address and contact information:  
Address: Conservation Services Group  
40 Washington Street, MA 01581

Phone: 508-836-9500 ext.13386     Fax: \_\_\_\_\_ 508-836-3181 \_\_\_\_\_  
Email: Deborah.Razza@csggrp.com

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<sup>1</sup> Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.



1.7 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):

\_\_\_\_\_ Patricia Stanton

Appendix A or B (as appropriate) completed and attached?  Yes  No  N/A

1.8 Authorized Representative address and contact information:

Address: Conservation Services Group  
40 Washington Street, MA 01581

Phone: 508-836-9500 ext 13297 Fax: \_\_\_\_\_ 508-836-3181 \_\_\_\_\_

Email: pat.stanton@csgroup.com

1.9 Owner name and title: \_\_\_\_\_ Casella Waste Systems \_\_\_\_\_

\_\_\_\_\_ Larry Shilling, Landfill District Manager \_\_\_\_\_

1.10 Owner address and contact information: Casella Waste Systems

Address: \_\_\_\_\_ 3 Pitkin Court \_\_\_\_\_  
\_\_\_\_\_ Montpelier, VT 05062 \_\_\_\_\_

Phone: \_\_\_\_\_ 585-466-7271 \_\_\_\_\_ Fax: \_\_\_\_\_ 585-466-3206 \_\_\_\_\_

Email: \_\_\_\_\_ larry.shilling@casella.com \_\_\_\_\_

1.12 Owner business organization type (check one):

Individual

Partnership

Corporation

Other: \_\_\_\_\_

1.13 Operator name and title: \_\_\_\_\_ Innovative Energy Systems, Inc.

Peter Zeliff, President and CEO

1.14 Operator address and contact information:

Address: \_\_\_\_\_ 2999 Judge Rd \_\_\_\_\_  
\_\_\_\_\_ Oakfield, NY 14125 \_\_\_\_\_

Phone: \_\_\_\_\_ 585-948-8580 \_\_\_\_\_ Fax: \_\_\_\_\_ 585-948-8584 \_\_\_\_\_

Email: \_\_\_\_\_

1.15 Operator business organization type (check one):

Individual

Partnership

Corporation

Other: \_\_\_\_\_



**SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies**

2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): \_\_\_\_\_

2.2 Generation Unit Nameplate Capacity: \_\_\_\_\_ 4.8 \_\_\_\_\_ MW

2.3 Maximum Demonstrated Capacity: \_\_\_\_\_ MW

2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*

Direct solar radiation

The wind

Movement of or the latent heat of the ocean

The heat of the earth

Small hydro facilities

Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.

Biomass facilities using unlisted biomass fuel

Biomass facilities, multi-fueled or using fossil fuel co-firing

Fuel cells using a renewable resource referenced in this section

2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*

← check this box to certify that the above statement is true

N/A or other (please explain) \_\_\_\_\_

2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*

← check this box to certify that the above statement is true

N/A or other (please explain) \_\_\_\_\_

2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:

A. Please specify the fuel or fuels used or to be used in the Unit: \_\_\_\_\_  
\_\_\_\_\_ Methane Gas \_\_\_\_\_

B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.

Appendix F completed and attached?

Yes  No  N/A





2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?

Yes X No If yes, please attach a copy of that state's certifying order.

Copy of State's certifying order attached?  Yes  No x N/A

**SECTION III: Commercial Operation Date**

Please provide documentation to support all claims and responses to the following questions:

3.1 Date Generation Unit first entered Commercial Operation: 07/ /  / 2008 at the site.

3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?

Yes  
X No

3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.

Appendix C completed and attached?  Yes  No X N/A

3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?

Yes  
X No

3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

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**SECTION IV: Metering**

4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):

- X ISO-NE Market Settlement System
- X Self-reported to the NEPOOL GIS Administrator
- Other (please specify below and see Appendix D: Eligibility for Aggregations):

Appendix D completed and attached?  Yes  No  N/A



**SECTION V: Location**

5.1 Please check one of the following that apply to the Generation Unit:

- Grid Connected Generation
- Off-Grid Generation (not connected to a utility transmission or distribution system)
- Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: \_\_\_\_\_  
 \_\_\_\_\_ 6653 Herdman Road, Angelica, NY 14709 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5.3 Please provide the Generation Unit’s geographic location information:

- A. Universal Transverse Mercator Coordinates: \_\_\_\_\_
- B. Longitude/Latitude:  -78.005985  /  42.287585

5.4 The Generation Unit located: (please check the appropriate box)

- In the NEPOOL control area
- In a control area adjacent to the NEPOOL control area
- In a control area other than NEPOOL which is not adjacent to the NEPOOL control area  *← If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked “In a control area adjacent to the NEPOOL control area” in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached?                                  X Yes     No     N/A



**SECTION VI: Certification**

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

**Corporations**

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided?  Yes  No  N/A

Corporate Certification provided?  Yes  No  N/A

**Individuals**

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached?  Yes  No  N/A

**Non-Corporate Entities**

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

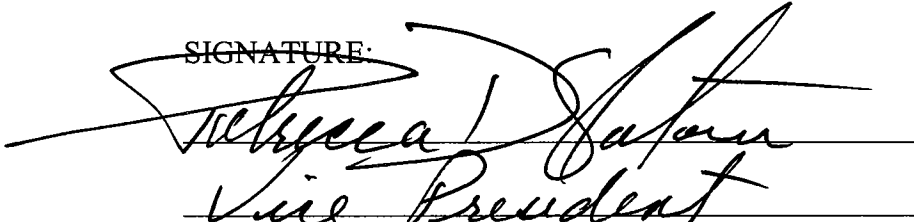
Appendix B completed and attached?  Yes  No  N/A



6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:  DATE: 3/28/08

Vice President  
(Title)





**APPENDIX E**  
**(Revised 1/21/08)**

**(Required of all Applicants Located in a Control Area Adjacent to NEPOOL)**

**STATE OF RHODE ISLAND**  
**PUBLIC UTILITIES COMMISSION**

**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**

**Pursuant to the Renewable Energy Act**  
**Section 39-26-1 et. seq. of the General Laws of Rhode Island**

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Please complete the following and attach documentation, as necessary to support all responses:

E.1 Please indicate in which Control Area adjacent to NEPOOL the Generation Unit is located:

- New York  
 Hydro Quebec  
 Maritimes (including Northern Maine Independent System Administrator)

E.2 Applicant must provide to the Commission by July 1<sup>st</sup> of each year assurances that the Generation Unit's New Renewable Energy Resources used for compliance with the Rhode Island's Renewable Energy Act during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island. Such assurances may consist of a report from a neighboring Generation Attribute accounting system or an affidavit from the Generation Unit.

- ← please check this box to acknowledge this requirement  
 N/A or other (please explain) \_\_\_\_\_

E.3 Applicant must acknowledge and provide evidence to support that, in accordance with Section 5.1.(ii) of the RES Regulations, the Generation Attributes associated with the Generation Unit shall be applied to the Rhode Island Renewable Energy Standard only to the extent of the energy produced by the Generation Unit that is or will be actually delivered into NEPOOL for consumption by New England customers. Verification of the delivery of such energy from the Generation Unit into NEPOOL will be performed in accordance with subparagraphs (a), (b) and (c) of RES Regulations Section 5.1.(ii)

- ← please check this box to acknowledge this requirement.



(a) Under subparagraph 5.1.(ii)(a), Applicant must verify that the energy produced by the Generation Unit is actually delivered into NEPOOL via “a unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL”.

X ← please check this box to acknowledge the requirement for Applicant to provide ongoing evidence of one or more unit-specific bilateral contract(s) for all energy delivery into NEPOOL for which Applicant seeks RI RES certification, prior to creation of certificates in each quarter, and:

i. Please describe the type of evidence to be provided to the GIS Administrator to demonstrate the existence of such unit-specific bilateral contract(s) for the sale and delivery of such energy into NEPOOL, including duration, quantity and counter-party in NEPOOL:

\_\_\_\_ For evidence, a Power Purchase Agreement between Innovative Energy Systems, Inc., the operator of Hyland, and Seneca Energy II LLC, the counter-party in NEPOOL, for twenty years and for the entire output of Hyland, will be submitted to the GIS as proof of a unit-specific bilateral contract.

(attach more detail if the space provided is not sufficient)

N/A or other (please explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**APPENDIX F**  
**Eligible Biomass Fuel Source Plan**  
**(Required of all Applicants Proposing to Use An Eligible Biomass Fuel)**

**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**  
**Part of Application for Certificate of Eligibility**  
**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**  
**Pursuant to the Renewable Energy Act**  
**Section 39-26-1 et. sq. of the General Laws of Rhode Island**

**Note to Applicants:** Please refer to the RES Certification Filing Methodology Guide posted on the Commission's web site ([www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html)) for information, templates and suggestions regarding the types and levels of detail appropriate for responses to specific application items requested below. Also, please see Section 6.9 of the RES Regulations for additional details on specific requirements.

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes<sup>5</sup>; agricultural waste, food and vegetative material; energy crops; landfill methane<sup>6</sup> or biogas<sup>7</sup>, provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat bio-diesel and other neat liquid fuels that are derived from such fuel sources.

In determining if an Eligible Biomass Generation Unit shall be certified, the Commission will consider if the fuel source plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible. Certification will not be granted to those Generation Units with fuel source plans the Commission deems inadequate for these purposes.

This Appendix must be attached to the front of Applicant's Fuel Source Plan required for Generating Units proposing to use an Eligible Biomass Fuel (per Section 6.9 of RES Regulations).

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<sup>5</sup> Generation Units using wood sources other than those listed above may make application, as part of the required fuel source plan described in Section 6.9 of the RES Regulations, for the Commission to approve a particular wood source as "clean wood." The burden will be on the applicant to demonstrate that the wood source is at least as clean as those listed in the legislation. Wood sources containing resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash, will not be approved as clean wood.

<sup>6</sup> Landfill gas, which is an Eligible Biomass Fuel, means only that gas recovered from inside a landfill and resulting from the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source.

<sup>7</sup> Gas resulting from the anaerobic digestion of sewage or manure is considered to be a type of biogas, and therefore an Eligible Biomass Fuel that has been fully separated from the waste stream.



F.1 The attached Fuel Source Plan includes a detailed description of the type of Eligible Biomass Fuel to be used at the Generation Unit.

Detailed description attached?  Yes  No  N/A

Comments: Only Landfill Methane Gas is being used

F.2 If the proposed fuel is "other clean wood," the Fuel Source Plan should include any further substantiation to demonstrate why the fuel source should be considered as clean as those clean wood sources listed in the legislation.

Further substantiation attached?  Yes  No  N/A

Comments: \_\_\_\_\_

F.3 In the case of co-firing with ineligible fuels, the Fuel Source Plan must include a description of (a) how such co-firing will occur; (b) how the relative amounts of Eligible Biomass Fuel and ineligible fuel will be measured; and (c) how the eligible portion of generation output will be calculated. Such calculations shall be based on the energy content of all of the proposed fuels used.

Description attached?  Yes  No  N/A

Comments: no co-firing

F.4 The Fuel Source Plan must provide a description of what measures will be taken to ensure that only the Eligible Biomass Fuel are used, examples of which may include: standard operating protocols or procedures that will be implemented at the Generation Unit, contracts with fuel suppliers, testing or sampling regimes.

Description provided?  Yes  No  N/A

Comments: \_\_\_\_\_

F.5 Please include in the Fuel Source Plan an acknowledgement that the fuels stored at or brought to the Generation Unit will only be either Eligible Biomass Fuels or fossil fuels used for co-firing and that Biomass Fuels not deemed eligible will not be allowed at the premises of the certified Generation Unit. And please check the following box to certify that this statement is true.

← check this box to certify that the above statement is true

N/A or other (please explain) \_\_\_\_\_ Fuel is generated and collected on site, it is not brought to the site and stored





F.6 If the proposed fuel includes recycled wood waste, please submit documentation that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.

Documentation attached?  Yes  No  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_

F.7 Please certify that you will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.

← check this box to certify that the above statement is true

N/A or other (please explain) \_\_\_\_\_  
\_\_\_\_\_

F.8 Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

Valid Air Permit or equivalent attached?  Yes  No  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_

F.9 Effective date of Valid Air Permit or equivalent authorization:

11 / 25 / 2003

F.10 State or jurisdiction issuing Valid Air Permit or equivalent authorization:

New York

The Rhode Island Renewable Energy Standard Section 3.6 qualifies landfill gas, as an "eligible biomass fuel." The Hyland facility (the Facility") will be using landfill gas as the fuel source for the electricity generated by the Facility. The landfill gas used at the Facility is the result of "the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source."

To assure that only the eligible landfill gas is used at the Facility, the Facilities generators are monitored twenty four a day by PLC controls and SCADA systems. The Gas is continuously monitored by a gas analyzer and can be viewed by the SCADA system. In additions operators do daily inspections of the generators, as well as take daily samples of the gas with a gas meter to ensure the gas is eligible quality landfill gas.



As for collection and bring only eligible landfill gas to the generators, the Facility is located at the site of the source landfill. The source landfill has a series of gas wells and horizontal collectors that go to a main gas header. The header connects to the Facility where blowers draw the landfill gas to the Facility. No common carrier pipes are used.

The Facility is not “co-fired” with ineligible fuels, only with eligible landfill gas. In addition, only eligible landfill gas is brought to the Facility’s generator.



*Certification of Authorized Representative*

March 25, 2008  
Rhode Island Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888  
Attn: Renewable Energy Resources Eligibility

I, Peter H. Zeff, CEO and President of Innovative Energy Systems, Inc certify that Patricia Stanton as Vice President, Clean Energy Markets is the Authorized Representative for the Hyland facility named in Section 1.8 of the Rhode Island Renewable Energy Resources Eligibility Form and is authorized to execute The Standard Application Form.

Signature



Date:

4/1/08





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Air Pollution Control Permit Conditions  
Mod 2/Active      Page 1 of ??      WORKING COPY      Permit Under  
**the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To:HYLAND FACILITY ASSOCIATES  
25 GREENS HILL LN  
RUTLAND, VT 05702

Facility:      HYLAND LANDFILL  
6653 HERDMAN RD  
ANGELICA, NY 14709

Authorized Activity By Standard Industrial Classification Code:  
3519 - INTERNAL COMBUSTION ENGINES  
4911 - ELECTRIC SERVICES

Mod 0 Permit Effective Date: 11/25/2003

Permit Expiration Date: 05/01/2015

Mod 1 Permit Effective Date: 12/20/2006

Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date:

Permit Expiration Date:



PAGE LOCATION OF CONDITIONS

**PAGE**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 7 1-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 7 2-1 6NYCRR 201-6.5(g): Non Applicable requirements
- 7 2-2 40CFR 60, NSPS Subpart WWW: Compliance Demonstration
- 10 1-23 40CFR 60.754(a)(3), NSPS Subpart WWW: Compliance Demonstration
- 12 1-24 40CFR 60.754(a)(4), NSPS Subpart WWW: Compliance Demonstration
- 13 1-29 40CFR 60.757(c), NSPS Subpart WWW: Reporting Requirements - Collection and Control System Design Plan
- 13 1-30 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites
- 14 2-3 40CFR 63.1945, Subpart AAAA: Compliance Demonstration

**Emission Unit Level**

**EU=1-LFGTE**

- 14 2-4 6NYCRR 212.4: Compliance Demonstration
- 16 2-5 6NYCRR 227-1.3(a): Compliance Demonstration

**EU=1-LNDFL,Proc=FLR**

- 18 2-6 6NYCRR 212.4: Compliance Demonstration

**EU=1-LNDFL,Proc=FUG**

- 20 2-7 6NYCRR 212.4: Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 22 11 ECL 19-0301: Contaminant List
- 23 12 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 24 13 6NYCRR 201-5: Emission Unit Definition
- 25 14 6NYCRR 211.2: Air pollution prohibited
- 25 2-8 6NYCRR 211.2: Compliance Demonstration
- 26 2-9 6NYCRR 211.2: Compliance Demonstration

**Emission Unit Level**

- 27 15 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 28 16 6NYCRR 201-5: Process Definition By Emission Unit





**FEDERALLY ENFORCEABLE CONDITIONS**  
**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A:**

**Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B:**

**Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Item C:**

**Maintenance of Equipment - 6NYCRR Part 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Item D:**

**Unpermitted Emission Sources - 6NYCRR Part 201-1.2**

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a



permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E:                    Emergency Defense - 6NYCRR Part 201-1.5**

An emergency constitutes an affirmative defense to an action brought 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 and/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;

(3) During the period of the emergency the facility owner and/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 and/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 and/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 F:                    Recycling and Salvage - 6NYCRR Part 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G:                    Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8**

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the



outdoor atmosphere.

- Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)**  
The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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.
- Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**  
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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.
- Item J: Required Emission Tests - 6 NYCRR Part 202-1.1**  
An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.
- Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**  
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.
- Item L: Open Fires - 6 NYCRR Part 215**  
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

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**Item M:      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 N:      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.

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

**Condition 1-1:    Acceptable Ambient Air Quality**  
**Effective between the dates of 12/20/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 1-1.1:**  
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2-1:    Non Applicable requirements**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 201-6.5(g)**

**Replaces Condition(s) 1-2**

**Item 2-1.1:**  
This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission

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sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

(From Mod 2) 6NYCRR 227-2

Reason: The proposed landfill gas to energy project increases the total facility-wide NOx emissions from 20 tons per year (tpy) to 46 tpy. The NOx emissions are less than the 100 tpy major facility size threshold. As such, the facility is not subject to the NOx RACT requirements for the combustion sources at the facility.

6NYCRR 231-2

Reason: The total facility-wide VOC and NOx emissions, including emissions from the existing landfill and the proposed landfill gas to energy project, are less than 50 tpy and 100 tpy, respectively. Therefore, the facility is not a major source of non-attainment contaminants and is not subject to NSR requirements.

40CFR 52-A.21

Reason: Total emissions of attainment pollutants from the landfill and proposed landfill gas to energy project are below the applicability threshold of 250 tpy. Carbon monoxide has the greatest amount of emissions at 233 tpy. The facility is not a major source of attainment pollutants and, therefore, not subject to PSD.

**Condition 2-2: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60, NSPS Subpart WWW**

**Item 2-2.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

**Item 2-2.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

40CFR60 Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills:

The provisions of 40CFR60 Subpart WWW apply to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. Hyland Facility Associates was issued a Solid Waste Management/Construction Operation Permit by the New York State Department of Environmental Conservation on May 3, 1995 for the facility located at 6653 Herdman Road, Angelica, New York. Construction of the landfill was completed between the years 1995 and 1998; thus, making the facility subject to 40CFR60 Subpart WWW.



Hyland Facility Associates submitted an initial design capacity report that demonstrated the landfill design capacity was less than 2.5 million megagrams (Mg) or 2.5 million cubic meters. A maximum design capacity below these limits exempted Hyland Landfill from completing a Tier 1 NMOC emission rate report, installing emission controls and various additional recordkeeping and reporting requirements of 40CFR60 Subpart WWW.

On December 20, 2006, Hyland Facility Associates was issued a permit modification for a 48-acre lateral and vertical expansion of the landfill. As a result of the permitted expansion and in accordance with the regulation, an Amended Design Capacity report and a Tier 1 Initial NMOC Emission Rate report were completed. The results of the amended design capacity report indicates the landfill increased to 10.8 million cubic meters. The Tier 1 NMOC report, completed in March, 2007, indicates the maximum estimated annual NMOC emissions exceed the 50 Mg/yr threshold.

Based on the results of the two reports, Hyland Landfill is subject to additional requirements in the regulation. The compliance schedule is summarized below to aid in identifying the significant applicable requirements of the rule:

- |                |  |
|----------------|--|
| Requirement:   | Amended Design Capacity Report   |
| Rule Citation: | 40 CFR 60.752(a)(1)<br>40 CFR 60.757(a)(3)   |
| Schedule:      | Due March 20, 2007<br>Received March 13, 2007  |
| Requirement:   | Tier 1 or Initial NMOC Emission Rate Report using default values                                   |
| Rule Citation: | 40 CFR 60.752(b)(1)(ii)<br>40 CFR 60.754(a)(1)<br>40 CFR 60.754(a)(2)<br>40 CFR 60.757(b)(1)(i)(B) |
| Schedule:      | Due March 20, 2007<br>Received March 13, 2007  |
| Requirement:   | Submit Title V Application   |
| Rule Citation: | 40 CFR 60.752(c)(2)  |
| Schedule:      | Due March 20, 2008   |
| Requirement:   | Tier 2 NMOC emission rate using site-specific NMOC concentration                                   |
| Rule Citation: | 40 CFR60.754(a)(3)<br>40 CFR60.757(c)(1)   |
| Schedule:      | Due September 20, 2007 and annually thereafter until greater than 50 Mg/yr or landfill closed      |

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Requirement: Tier 3 NMOC emission rate estimate using site-specific methane generation rate constant  
Rule Citation: 40 CFR 754(a)(4)  
40 CFR 60.757(c)(2)  
Schedule: Due 180 days after the first Tier 2 exceedance of 50 Mg/yr and annually thereafter until greater than 50 Mg/yr or landfill closed

Requirement: Submit a collection and control system design plan  
Rule Citation: 40 CFR 60.752(b)(2)(I)  
40 CFR 60.757(c)  
Schedule: Due 1 year after the emission rate exceeds 50 Mg/yr

Requirement: Install a collection and control system  
Rule Citation: 40 CFR 60.752(b)(2)(ii)  
Schedule: Due within 18 months of the approved design plan

Parameter Monitored: NMOC - LANDFILL USE ONLY  
Upper Permit Limit: 50 Megagrams (10\*\*6 grams) per year  
Reference Test Method: 40CFR60 Subpart WWW  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-23: Compliance Demonstration**

**Effective between the dates of 12/20/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.754(a)(3), NSPS Subpart WWW**

**Item 1-23.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

**Item 1-23.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

(3) Tier 2.

The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The



sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25 or 25C of Appendix A of this part. Method 18 of Appendix A of this part may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the owner or operator must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to CNMOC as hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of this part by six to convert from CNMOC as carbon to CNMOC as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

(i) The landfill owner or operator shall recalculate the NMOC mass emission rate using the equations provided in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using the average NMOC concentration from the collected samples instead of the default value in the equation provided in paragraph (a)(1) of this section.

(ii) If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with §60.752(b)(2), or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in paragraph (a)(4) of this section.

(iii) If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in §60.757(b)(1) and retest the site-specific NMOC concentration every 5 years using the





methods specified in this section.

Parameter Monitored: NMOC - LANDFILL USE ONLY  
Upper Permit Limit: 50 Megagrams (10\*\*6 grams) per year  
Reference Test Method: Tier 2  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE  
MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-24: Compliance Demonstration**

**Effective between the dates of 12/20/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.754(a)(4), NSPS Subpart WWW**

**Item 1-24.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY

**Item 1-24.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

(4) Tier 3.

The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of appendix A of this part. The landfill owner or operator shall estimate the NMOC mass emission rate using equations in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using a site-specific methane generation rate constant  $k$ , and the site-specific NMOC concentration as determined in paragraph (a)(3) of this section instead of the default values provided in paragraph (a)(1) of this section. The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year.

(i) If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year, the owner or operator shall comply with §60.752(b)(2).

(ii) If the NMOC mass emission rate is less than 50 megagrams per year, then the owner or operator shall submit a periodic emission rate report as provided in §60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in §60.757(b)(1) using the equations in paragraph (a)(1) of this section and using the site-specific methane generation rate constant and NMOC concentration obtained in paragraph (a)(3) of this section. The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC



emission rate calculations.

Parameter Monitored: NMOC - LANDFILL USE ONLY  
Upper Permit Limit: 50 Megagrams (10\*\*6 grams) per year  
Reference Test Method: Tier 3  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE  
MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-29: Reporting Requirements - Collection and Control System Design Plan  
Effective between the dates of 12/20/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.757(c), NSPS Subpart WWW**

**Item 1-29.1:**

Each owner or operator subject to the provisions of 40 CFR Part 60.752(b)(2)(i) shall submit a collection and control system design plan to the Administrator within 1 year of the first report, required under 40 CFR Part 60.757(b), in which the emission rate exceeds 50 megagrams per year, except as follows:

(1) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in 40 CFR Part 60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

(2) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in 40 CFR Part 60.754(a)(4), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of 40 CFR Part 60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year.

**Condition 1-30: Asbestos-containing waste material standard for active waste disposal  
sites  
Effective between the dates of 12/20/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M**

**Item 1-30.1:**

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

**Condition 2-3: Compliance Demonstration**

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**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.1945, Subpart AAAA**

**Replaces Condition(s) 1-33**

**Item 2-3.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY100-00-0    HAP

**Item 2-3.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

In accordance with the criteria specified in §63.1935(a)(3), Hyland Landfill is an existing affected source. Hyland Landfill is not a major source of hazardous air pollutants (HAPs) and is considered an area source. As such, in accordance with §63.1945(f), Hyland Facility Associates must comply with the requirements in §§63.1955(b) and 63.1960 through 63.1980 by the date the landfill is required to install a collection and control system required by 40 CFR 60.752(b)(2) of Subpart WWW, the Federal plan, or EPA approved and effective State or tribal plan that applies to the landfill or by January 16, 2004, whichever occurs later.

Parameter Monitored: NMOC - LANDFILL USE ONLY  
Upper Permit Limit: 50 Megagrams (10\*\*6 grams) per year  
Reference Test Method: 40CFR60.WWW  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 2-4: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 212.4**

**Item 2-4.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):  
CAS No: 0NY100-00-0    HAP  
CAS No: 0NY998-20-0    NMOC - LANDFILL USE ONLY



CAS No: 0NY998-00-0    VOC

**Item 2-4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 1.) Emissions from any process emission source for which an application for a permit to construct is received by the department after July 1, 1973, are restricted as follows:
  - a.) except as required under section 201.8 of this Title, no person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3 or Table 4 of this Part for the environmental rating issued by the commissioner; or
  - b.) for gases and liquid particulates with an environmental rating of A, B, or C and for solid particulates with an environmental rating of A, where the emission rate potential is not shown in Table 2 the permissible emission rate shall be specified by the commissioner.
- 2.) Hyland Facility Associates operates a landfill gas pre-treatment system to remove and reduce certain contaminants from the gas stream prior to combustion. Operation of the gas treatment system followed by combustion of the treated landfill gas in the internal combustion engines results in a 98% reduction of methane, NMOC, and some speciated organic compounds. This combination of emission control, including the pre-treatment of landfill gas and the combustion of the treated landfill gas through internal combustion engines, satisfies the control requirements of 6NYCRR Part 212.4 and 6NYCRR Part 212.9, as referenced in item 1 above.
- 3.) On-going compliance monitoring of the landfill gas pre-treatment system for the stationary internal combustion engines shall be monitored as follows:
  - a.) Landfill gas that is collected and used for fuel in an engine or used for subsequent sale as a fuel shall be treated in a treatment system that has an absolute filtration rating of 10 microns or less, lowers the water dew point of the landfill gas by at least 20 degrees Fahrenheit with a de-watering process, and compresses the landfill gas.
  - b.) Hyland shall operate the gas treatment system at all times when gas is routed to the engines for use or subsequent sale.
  - c.) Within 180 days of startup, Hyland shall submit to the Department a monitoring plan for proper operation of the gas treatment system. The plan shall describe the monitoring methods used for the filtering, dewatering and compression processes to assure the treatment system operates as designed.
- 4.) Records shall be kept on-site and be made available to the Department upon request.



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-5: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 227-1.3(a)**

**Item 2-5.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 0NY075-00-0    PARTICULATES

**Item 2-5.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

1.) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. Compliance with the opacity standard may be determined by: (1) conducting observations in accordance with Reference Method 9; (2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or (3) considering any other credible evidence.

2.) On-going compliance monitoring of the opacity limit for the stationary internal combustion engines shall be monitored as follows:

a.) A weekly visible emission survey of each emission point shall be completed whenever an engine is in operation.

b.) Visible emission observations shall be performed, as best as possible, at a location to obtain the proper sun angle, background, and line of sight. The observer must be knowledgeable regarding the effects on the visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor);

c.) Document if visible emissions are observed and whether the emissions are within normal conditions or above normal conditions. Normal conditions may be zero percent opacity for many or all emission sources;

d.) If visible emissions above those that are normal and in compliance are observed, an inspection of the source shall be completed, corrective action taken, and the source restored to its



normal operation as expeditiously as practicable.

e.) If visible emissions above those that are normal continue to be present after corrections are made, then a certified trained observer shall conduct a minimum six minute opacity observation according to EPA Method 9 within the next operating day of the source;

f.) If an exceedance of the 20 percent opacity limit is documented during the Method 9 opacity evaluations, then the facility shall notify the Department within two business days and provide a written report of the results within 30 calendar days along with a proposed program for correction and a schedule for compliance.

3.) Records shall be maintained and include the following information: date, time, staff name, results of the visible emission survey, results of any Method 9 evaluations (if applicable), results of each inspection, and a description of the corrective action taken (if applicable). The records shall be kept on-site and be made available to the Department upon request.

4.) Within 180 days of startup, Hyland shall submit an Operation and Maintenance (O&M) plan for the engines. The O&M plan shall outline proper operation and maintenance procedures to minimize emission from the engines. The plan shall include, but is not limited to: operation requirements, maintenance schedule, reporting, and recordkeeping.

5.) Records shall be kept on-site and be made available to the Department upon request.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-6: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 212.4**

**Item 2-6.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LNDFL  
Process: FLR

Regulated Contaminant(s):  
CAS No: 0NY100-00-0    HAP  
CAS No: 0NY998-20-0    NMOC - LANDFILL USE ONLY  
CAS No: 0NY998-00-0    VOC



**Item 2-6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 1.) Emissions from any process emission source for which an application for a permit to construct is received by the department after July 1, 1973, are restricted as follows:
  - a.) except as required under section 201.8 of this Title, no person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3 or Table 4 of this Part for the environmental rating issued by the commissioner; or
  - b.) for gases and liquid particulates with an environmental rating of A, B, or C and for solid particulates with an environmental rating of A, where the emission rate potential is not shown in Table 2 the permissible emission rate shall be specified by the commissioner.
- 2.) Hyland Facility Associates operates a landfill gas flare system to reduce NMOC emissions from the collected landfill gas. The manufacture design guarantee of the flare system is in accordance with 40CFR60.18, the federal New Source Performance Standards established for open flares. The design specifications of the flare system guarantee a 98% destruction efficiency of total hydrocarbon emissions. Destruction of the landfill gas through the landfill gas flare system in accordance with 40CFR60.18 satisfies the control requirements of 6NYCRR Part 212.4 and 6NYCRR Part 212.9, as referenced in item 1 above.
- 3.) Hyland Facility Associates completed a compliance certification for the existing LFG Specialties flare on December 28, 2005. The certification demonstrated compliance with the design and operational requirements of 40CFR60.18.
- 4.) Hyland Facility Associates shall operate the landfill gas flare system when gas is not being combusted in the Landfill Gas to Energy Plant (LFGTE) or when there is excess gas beyond the capacity of the engines.
- 5.) On-going compliance monitoring and operation of the landfill gas flare system shall be as follows:
  - a.) Hyland Facility Associates is required to operate the flare system at all times when the methane concentration equals or exceeds 30 percent.
  - b.) Hyland Facility Associates is required to maintain a 98 percent overall destruction efficiency of total hydrocarbons from the flare system.
  - c.) The flare system shall be designed for and operated with an exit velocity less than 60 ft/sec.



d.) The flare system shall be used only with the net heating value of the gas being combusted is 200 Btu/scf or greater.

e.) The flare system shall be operated with a flame present at all times. The presence of a flame shall be monitored using a thermocouple or similar.

f.) The flare system shall be operated with no visible emissions.

6.) Within 60 days after each new additional flare becomes operational, Hyland Facility Associates shall certify the flare unit complies with the requirements and test methods specified in 40CFR60.18. Hyland Facility Associates shall submit the certification to the Department within 90 days after the flare becomes operational.

7.) Records of each certification shall be kept on-site and be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-7: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6NYCRR 212.4**

**Item 2-7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-LNDFL  
Process: FUG

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP  
CAS No: 0NY998-20-0 NMOC - LANDFILL USE ONLY  
CAS No: 0NY998-00-0 VOC

**Item 2-7.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 1.) Emissions from any process emission source for which an application for a permit to construct is received by the department after July 1, 1973, are restricted as follows:
  - a.) except as required under section 201.8 of this Title, no person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3 or Table 4 of this Part for the environmental rating issued by the commissioner; or
  - b.) for gases and liquid particulates with an environmental rating of A, B, or C and for solid particulates with an environmental rating of





A, where the emission rate potential is not shown in Table 2 the permissible emission rate shall be specified by the commissioner.

2.) Hyland Facility Associates operates an active gas collection system to limit fugitive emissions and control emissions from the landfill. Hyland Landfill completed an ambient air quality impact analysis based on a 75% landfill gas capture efficiency. The refined air dispersion analysis indicates the facility emissions do not exceed the SGCs or AGCs contained in the NYSDEC, DAR-1 Guidelines for the Control of Toxic Ambient Air Contaminants. Operation of the gas collection system satisfies the control requirements of 6NYCRR Part 212.4 and 6NYCRR Part 212.9, as referenced in item 1 above.

3.) On-going compliance monitoring and operation of the active gas collection system shall be monitored as follows:

a.) Hyland Landfill shall monitor the well-field using a Landtec GEM-2000 or similar instrument to balance the well-field on a monthly basis.

b.) Hyland Landfill shall operate each interior wellhead in the gas collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent.

c.) Hyland Facility Associates may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated temperature does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

d.) Hyland Landfill shall operate the collection system with negative pressure at each wellhead except when there is a fire or increased well temperature; use of a geomembrane or synthetic cover; or a decommissioned well.

4.) Hyland Facility Associates shall document the monthly measurements and the records shall be made available to the Department upon request.

5.) If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance can not be achieved within 15 calendar days of the first measurement, then the facility shall notify the Department within two business days and provide a written report of the results within 30 calendar days along with a proposed program for correction and a schedule for compliance.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**STATE ONLY ENFORCEABLE CONDITIONS**

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

**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.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 11: Contaminant List**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: ECL 19-0301**

**Item 11.1:**

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

CAS No: 0NY100-00-0  
Name: HAP

CAS No: 0NY998-20-0  
Name: NMOC - LANDFILL USE ONLY

CAS No: 0NY075-00-0  
Name: PARTICULATES

CAS No: 0NY075-00-5  
Name: PM-10

CAS No: 0NY998-00-0  
Name: VOC

**Condition 12: Unavoidable noncompliance and violations**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-1.4**

**Item 12.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 13: Emission Unit Definition**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 13.1(From Mod 2):**

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

Emission Unit: 1-LFGTE

Emission Unit Description:

Emission Unit 1-LFGTE includes the exhaust from three (3) caterpillar G3520 engines at Hyland's Landfill Gas To Energy (LFGTE) Plant.

Building(s): ENGBLDG

**Item 13.2(From Mod 2):**

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

Emission Unit: 1-LNDFL

Emission Unit Description:

Emission Unit 1-LNDFL includes the landfill gas generated by Cells 1, 2, 3, 4 and 5 of the Hyland Facility Associates' municipal solid waste landfill. It is estimated that approximately 75% of the gas generated by the landfill will be collected and controlled by an active gas management system, and the remainder will be fugitively emitted.

**Condition 14: Air pollution prohibited**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 14.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.



**Condition 2-8: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement: 6NYCRR 211.2**

**Replaces Condition(s) 1-34**

**Item 2-8.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY075-00-5 PM-10

**Item 2-8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

1. To address potential concerns related to fine particulate matter, Hyland Landfill shall implement a dust control plan as specified in the Facility Operation and Maintenance Manual submitted as part of the Solid Waste permit application.
2. Dust control procedures include proper maintenance of vegetated areas and gravel service roads. This maintenance includes routine inspections of vegetated areas and the reseeding of areas where vegetative growth is not well established. Paved surfaces are to be cleaned as required to control accumulated dust. Dust is to be controlled on the facility access roads by the application of gravel as needed and by routine watering.
3. A cattle guard and rumble strip have been provided on the access road to aid in removal of soil from the tires of vehicles leaving the facility. These are to be cleaned regularly. In addition, the access road is to be swept on an as-needed basis.
4. The landfill operator shall assess the appropriate dust control measures needed on a daily basis, if any. A daily log book shall be maintained to document the dust control measures implemented.
5. The log book shall be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-9: Compliance Demonstration**  
**Effective for entire length of Permit**

**Applicable State Requirement: 6NYCRR 211.2**

**Replaces Condition(s) 1-35**

**Item 2-9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**New York State Department of Environmental Conservation**  
**Permit ID: 9-0232-00003/00007      Facility DEC ID: 9023200003**



Regulated Contaminant(s):  
CAS No: 0NY998-20-0    NMOC - LANDFILL USE ONLY

**Item 2-9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In the event nuisance odors from uncollected gas emissions are documented at the landfill, Hyland Facility Associates will be required to:

1. Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill.
2. Conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.
3. Surface emission monitoring shall be performed in accordance with 40CFR60, section 4.3.1 of Method 21 of appendix A, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions using an organic vapor analyzer, flame ionization detector, or other portable monitor.
4. Any methane reading of 500 parts per million or more above background shall be marked and the location recorded.
5. Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.
6. If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance.
7. If the re-monitoring shows a third exceedance for the same location, Hyland Facility Associates will be required to modify the gas collection system to eliminate the nuisance odors at the facility. Such modifications may include, but are not limited to, installing additional gas collection wells and piping, upgrading the blower, header pipes or control device. All modifications must be approved by the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

**Condition 15: Emission Point Definition By Emission Unit**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 15.1(From Mod 2):**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-LFGTE

Emission Point: ENG01  
Height (ft.): 28      Diameter (in.): 20  
NYTMN (km.): 4685.9      NYTME (km.): 746.33      Building: ENGBLDG

Emission Point: ENG02  
Height (ft.): 28      Diameter (in.): 20  
NYTMN (km.): 4685.9      NYTME (km.): 746.33      Building: ENGBLDG

Emission Point: ENG03  
Height (ft.): 28      Diameter (in.): 20  
NYTMN (km.): 4685.9      NYTME (km.): 746.33      Building: ENGBLDG

**Item 15.2(From Mod 2):**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-LNDFL

Emission Point: STK-2  
Height (ft.): 35      Diameter (in.): 12

**Condition 16: Process Definition By Emission Unit**  
**Effective between the dates of 11/25/2003 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 16.1(From Mod 2):**

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

Emission Unit: 1-LFGTE  
Process: ENG      Source Classification Code: 2-01-008-02

**Process Description:**

Process ENG consists of three (3) caterpillar Engines in the LFGTE Plant. Each engine will consume landfill gas at approximately 460 cubic feet per minute.

Emission Source/Control: 01ENG - Combustion  
Design Capacity: 1,600 kilowatts

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Emission Source/Control: 02ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 03ENG - Combustion  
Design Capacity: 1,600 kilowatts

**Item 16.2(From Mod 2):**

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

Emission Unit: 1-LNDFL

Process: FLR

Process Description:

Emission Unit 1-LNDFL, Process FLR includes the installation, operation and monitoring of the John Zink Company flare or similar. The estimated maximum LFG flowrate at flare is 2,206 scfm.

Emission Source/Control: FLR02 - Control

Control Type: FLARING

Emission Source/Control: MSWLF - Process

**Item 16.3(From Mod 2):**

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

Emission Unit: 1-LNDFL

Process: FUG

Process Description:

Emission Unit 1-LNDFL, Process FUG includes the management and monitoring of the uncontrolled, fugitive landfill gas emissions from the entire landfill.

Emission Source/Control: MSWLF - Process