2999 Judge Road
Oakfield, NY 14125-9771
Phone: (585) 948-8580 FAX: (585) 948-8584

Notification of Change – Generator Unit Capacity

August 29, 2013

Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888
Attn: Luly Massaro, Renewable Energy Standard (RES) Program

Subject: Chautauqua LFGE, Docket #4138

To Whom It May Concern:

Please accept this notification of increase in nameplate capacity, effective immediately.

At the time the original application was prepared and submitted to the RIPUC, four (4) CAT ® G3520C IC engine - generator sets were in operation for a total gross nameplate capacity of 6.4 MW. Two (2) additional engines were subsequently permitted and installed. These engines began commercial operation on July 28, 2011 for a total gross nameplate capacity of 9.6 MW. Although current fuel limitations restrict the operation of the plant to 6.4 MW (as indicated by the NYISO screenshot), we respectfully request that the PUC accept / approve the nameplate capacity increase.

Please direct all inquiries and correspondence to Innovative Energy Systems, LLC the operator of Chautauqua LFGE Unit.

Emily Zambuto
Innovative Energy Systems, LLC
2999 Judge Road
Oakfield, NY 14125
(585) 948-8580
ezambuto@ieslfge.com

Sincerely,
INNOVATIVE ENERGY SYSTEMS

Emily Zambuto
Manager of Environmental Programs

Attachment 1 Service List

Name/Address	E-mail Service List
Luly E. Massaro, Commission Clerk Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888	res@puc.state.ri.us
Scott Albert, Principal & Northeast Region Manager GDS Associates, Inc. 1155 Elm Street, Suite 702 Manchester, NH 03101	
James Webb, GIS Administrator APX - Our Knowledge is Power	GIS@apx.com
Thomas R. Teehan, Esq. National Grid	Thomas.teehan@us.ngrid.com
	Joanne.scanlon@us.ngrid.com
Jon Hagopian, Division of Public Utilities & Carriers	jhagopian@ripuc.state.ri.us
Dennis Duffy, VP of Regulatory Affairs Cape Wind Associates LLC	dduffy@emienergy.com
M. Haggerty, Ridgewood Power	mhaggerty@ridgewoodpower.com
	dgulino@ridgewoodpower.com
Christopher T. Burnett, President SpinBlade Energy LLC	cburnett@spinbladeenergy.com
Hallie Flint Gilman, Associate General Counsel First Wind	regulatory@firstwind.com
Gerald M. Eaton, Public Service Co. of New Hampshire	eatongm@nu.com
Alan M. Shoer, Esq., Adler Pollock & Sheehan, P.C.	Ashoer@apslaw.com
Karina Lutz, Director of Development and Advocacy People's Power & Light LLC	karina@ripower.org
	estephens@noreastgroup.com
Stephan Wollenburg, Energy Consumers Alliance of NE	stephan@massenergy.org
Patricia D. Stanton, Conservation Services Group	Pat.Stanton@csgrp.com
George Wood,Oak Point Energy Associates	george4wood@verizon.net
John Morrow, Amerex Renewables	jmorrow@amerexenergy.com
Stephen Hickey, Essex Hydro	sjh@essexhydro.com
Gary Gump – Portsmouth EDC Sustainable Energy subcommittee	Ggump1@verizon.net
Kimberley A. Barry, PPL Energy Plus LLC Owen Klicker, PPL EnergyPlus, LLC	kabarry@pplweb.com
	baveety@pplweb.com
	ojklicker@pplweb.com
Supria Ranade, Evolution Markets	sranade@evomarkets.com
Kate Bogart, Mass Energy/People's Power & Light	Kate@massenergy.org
Joseph Seymour, Renewable Energy Markets Association	JSEYMOUR@ttcorp.com
John R Tigue III, Mgr., Electric Supply, NYSEG/RG&E	jrtigue@nyseg.com

Attachment 2 NYISO Screen Shot

Chautauqua LFGE
GenPTID 323629

https://marketplace2.nyiso.com/GeneratorAdmin.do

Welcome To The Bidding & Scheduling System

Company | Newsroom | Products | Market Data | Services | Documents | Committees

dministrator Details - Change Password - Confirm Transaction Bids - Generator Commitment Parameters - Generator Details - Generator OOM - LSE Details - Load Bus Details - Log Out - New Generator Bid - ew Transaction - Organization Details - Review Generator Bids - Review Generator Forecasted Schedules - Review Transaction Bids - Review Transaction Contracts - Trading Hub Summary - User Details -

Generator Details

enerator PTID: EDC Area: Generator Name: CHAUTAUQUA___LFGE Search

Generator Name	Gen PTID	Generator Type	Active Flag
CHAUTAUQUA___LFGE	323629	NON-UTILITY GENERATOR	Y

Contact Information

rimary Contact:	Scott Henningham	Secondary Contact:	24/7 Gen Contact
rimary Contact Phone:	585-948-8580	Secondary Contact Phone:	585-590-0278
ax:	585-948-8584	Address:	2999 Judge Road Oakfield, NY 14125
mail:	shenningham@iesllfge.com		
ager:			
utage Scheduling Email:	ezambuto@iesllfge.com		

Generator Limits

Summer Operating Capacity	Winter Operating Capacity	Summer Contract Capacity	Winter Contract Capacity	Bid Floor Price	Start Date	End Date
6.4	6.4	0.0	0.0	0.00	06/21/2012 00:00:00	
6.4	6.4	6.4	0.0	0.00	06/19/2012 00:00:00	06/20/2012 23:59:59
9.6	9.6	6.4	0.0	0.00	11/29/2011 00:00:00	06/18/2012 23:59:59
6.4	6.4	6.4	0.0	0.00	01/01/2011 00:00:00	11/28/2011 23:59:59
6.4	6.4	6.4	0.5	0.00	11/01/2010 00:00:00	12/31/2010 23:59:59

Attachment 3 Title V Air Permit Issued by the New York State Department of Environmental Conservation

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-0636-00006/00017
Mod 0 Effective Date: 10/29/2008 Expiration Date: 10/28/2013

Mod 1 Effective Date: 10/15/2009 Expiration Date: 10/28/2013

Permit Issued To:CHAUTAUQUA COUNTY
3 N ERIE ST
MAYVILLE, NY 14757-1007

Facility: CHAUTAUQUA COUNTY LANDFILL
3889 TOWERVILLE RD
ELLERY CENTER, NY

Contact: KEITH STOCK
CHAUTAUQUA COUNTY DPF
3889 TOWERVILLE RD
JAMESTOWN, NY 14701-9653
(716) 985-4785

Description:

SITE DESCRIPTION

Chautauqua County, New York owns and operates the Chautauqua County Landfill, an existing solid waste landfill located on a 790 acre parcel in the Town of Ellery, New York. The landfill was opened in the year 1981 and has a total design capacity of 5.9 million megagrams (MG). The total landfill footprint is 83.5 acres.

Landfill gas that is currently generated by the Chautauqua County Landfill as a result of the degradation of solid waste is collected by an active landfill gas collection system. The collected landfill gas is combusted in six (6) G3520C Caterpillar stationary spark ignition internal combustion engines to generate electrical power. A single open candlestick flare is used to combust any excess landfill gas not combusted by the engines. The facility also maintains a backup flare.

PROJECT DESCRIPTION:

The current permit action incorporates a major permit modification for a proposed vertical expansion. The proposed physical changes involve a 100-foot height increase of the existing landfill. The total landfill footprint remains the same while the total design capacity increases to 7.34 million

megagrams.

The main change to the permit includes changing the applicable landfill regulation from 6NYCRR Part 208 to 40CFR60 Subpart WWW. Minor clarifications to the applicable requirements for the landfill gas engines (40CFR60 Subpart JJJJ) were also included in this permit modification.

EMISSIONS AND CONTROLS

Landfill gas is generated as a result of the decomposition of organic wastes in the landfill. The gas consists primarily of methane and carbon dioxide. The landfill gas also contains non-methane organic compounds (NMOC) that are present in low concentrations. This NMOC fraction contains various volatile organic compounds (VOC) associated with ozone depletion and odors. The combustion of landfill gas in the engines and open flare results in emissions of carbon monoxide (CO), oxides of nitrogen (NOx), sulfur dioxide (SO2), particulate matter (PM), and other trace level organic constituents.

Landfill gas emissions are controlled by collecting the gas in extraction wells and piping and then combusting the gas in the internal combustion engines and open flare. The landfill gas is pretreated by a proprietary scrubbing system to clean the gas stream prior to combustion in the engines. The pre-treatment system includes filtering, dewatering and compression processes. The uncollected portion of the generated gas exits the landfill as fugitive emissions.

Chautauqua Landfill is a major stationary source based on having potential CO emissions in excess of 100 tons per year (tpy) occurring in the peak landfill gas generation year 2014.

APPLICABLE REQUIREMENTS:

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

The landfill vertical expansion will make the Chautauqua Landfill subject to 40CFR60 Subpart WWW since the design capacity will have been increased after May 30, 1991. Chautauqua Landfill is subject to the control requirements of 40CFR60 Subpart WWW since the estimated uncontrolled NMOC emission rate is greater than 50 megagrams per year (Mg/yr). The control requirements include: (1) installation, operation and monitoring of an approved gas collection system, (2) design and operation of the open flare in accordance with § 60.18, and (3) operation and monitoring of a gas pre-treatment system prior to combustion in the internal combustion engines.

The compliance time schedule with 40CFR60 Subpart WWW is as follows:

January, 2008 - Tier 2 NMOC emission rate established as greater than 50 Mg/yr.

January 1, 2009 - A collection and control system design plan was submitted to the Department within 1 year of the annual report showing NMOC emissions equal to or greater than 50 Mg/yr.

June 30, 2010 – The facility is required to install the Department approved collection and control system within 30 months after the first report shows NMOC emissions equal to or greater than 50 Mg/yr.

June, 2010 – The facility is required to begin monthly monitoring of each well head no later than June 30, 2010 or within the same month the approved collection and control system is installed, whichever is sooner.

June, 2010 – The facility is required to begin quarterly monitoring of surface methane concentrations no later than June 30, 2010 or within the same quarter the approved collection and control system is installed, whichever is sooner.

December 31, 2010 – The facility is required to submit the initial annual report no later than December 31, 2010 or within 180 days of installation and start-up of the collection, control and treatment system, whichever is sooner. The annual report shall include the initial performance test report according to the requirements under § 60.8 for the open flare, engines and pre-treatment system, as appropriate.

Proposed Amendments to 40 CFR60 Subpart WWW:
The regulatory standards for combusting the landfill gas in stationary internal combustion engines to produce electricity require that a gas pre-treatment system be utilized. The current regulation does not provide sufficient details about the design and operating criteria of a pre-treatment system. EPA recognized the need for more detailed requirements and proposed changes to the rule on September 8, 2006. The proposed design and operational criteria have been incorporated into this permit under the citation for 40CFR60.752(b)(2)(iii)(C). The design criteria include a filter system having an absolute rating no greater than 10 microns and a dewatering system reducing the dew point by at least 20 degrees Fahrenheit. The operational criteria require the landfill to monitor pressure drop across the filtration system and monitor temperature or dew point of the dewatering system, depending on the type of de-watering system utilized.

This permit also requires Chautauqua County to submit a monitoring plan within 180 days of startup of the pre-treatment system. The plan shall provide

documentation that the pre-treatment system satisfies the design and operating criteria and shall provide monitoring methods used for the filtering, dewatering and compression processes to ensure the treatment system operates as designed.

40CFR63 Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills:
Chautauqua County must comply with the startup, shutdown, and malfunction requirements and submit compliance reports every 6 months including information on all deviations that occurred during the 6-month reporting period.

40CFR60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines:
Chautauqua County must comply with the applicable requirements of this regulation for the six(6) stationary spark ignition internal combustion engines summarized as follows:

Owners and operators who purchase stationary landfill or digester SI engines that are manufactured after July 1, 2007, that are greater than or equal to 500 horsepower (HP) must limit their exhaust emissions of NOX to 3.0 g/HP-hr, emissions of CO to 5.0 g/ HP-hr, and emissions of VOC to 1.0 g/ HP-hr. Instead of complying with limits in terms of g/HP-hr, owners and operators may limit their exhaust emissions of NOX to 220 ppmvd at 15 percent O2, emissions of CO to 610 ppmvd at 15 percent O2, and emissions of VOC to 80 ppmvd at 15 percent O2.

After July 1, 2009, owners and operators may not install stationary SI ICE manufactured before July 1, 2007 with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable emission standards.

Owners and operators of engines that have never been certified by the manufacturer that are greater than 500 HP must conduct an initial performance test to demonstrate compliance. The initial performance test must be completed within 60 days after achieving the maximum production rate at which the engine will be operated, but not later than 180 days after initial startup of the engine. After the initial performance test, the engine must be tested every 8,760 hours of operation or every 3 years.

Owners and operators of all engines (certified and non-certified) are required to maintain records of proper maintenance and non-certified engines must keep a maintenance plan. An initial notification is required for owners and operators of engines greater than 500 HP that are non-certified. Also, owners and operators who conduct performance testing are required to report the test results within 60 days of each performance test.

40CFR63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines:
Chautauqua County must comply with the applicable requirements of this regulation as follows:

An affected source that is a new or reconstructed stationary RICE located at an area source, must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

6NYCRR Part 201-6 –State Required Engine Emission Rates:
This permit contains emission limits for the internal combustion engines for nitrogen oxides (NOx) and carbon monoxide (CO) of 0.6 grams per brake horsepower-hour (g/bhp-hr) and 3.0 g/bhp-hr, respectively. The Department has made these emission limits a requirement of the permit because the rates were used during the review of the engine project and proposed expansion. Performance testing for each engine is required as specified in 40 CFR 60 Subpart JJJJ. If the results of the performance testing indicate one or more engines exceed these emission limits, then an evaluation of the potential impacts and applicability to non-attainment New Source Review (6NYCRR Part 231-2), Prevention of Significant Deterioration (40CFR52.21) and Reasonably Available Control Technology for Oxides of Nitrogen (6 NYCRR Part 227-2) is required.

6NYCRR Part 212.4 – State Required Operation of Gas Collection and Control System (GCCS):
As indicated above, the federal regulation for landfills (40CFR 60 subpart WWW) does not require Chautauqua County to install and operate the GCCS until June 30, 2010. In the interim, because of previous public odor nuisances caused by the landfill gas emissions, the department requires the existing GCCS to be operated and maintained in accordance with this permit condition. Once the requirements of 40CFR60 Subpart WWW take effect, then this condition shall no longer be applicable.

NON-APPLICABLE REQUIREMENTS:

6NYCRR Part 227-2 - Reasonably Available Control Technology (RACT) for Oxides of Nitrogen:
Facility wide NOx PTE emissions, including the proposed vertical expansion, are 79.3 tons/yr which is less than the NOx RACT threshold of 100 tons/yr. Therefore, the combustion sources at the landfill are not subject to the NOx RACT requirements of 6NYCRR Part 227-2.

6NYCRR Part 231-2 - New Source Review (NSR):
Total facility potential NOx and VOC emissions from the proposed vertical expansion and the existing landfill are less than 100 and 50 tons/year, respectively. Therefore, the facility is not a major source of non-attainment contaminants and is not subject to New Source Review requirements.

40CFR52.21 - Prevention of Significant Deterioration (PSD):
The existing landfill is a major source of carbon monoxide (CO) emissions. As such, the proposed vertical expansion project emissions of the attainment area pollutants were compared against the PSD significant emission rates. The project PTE of the following pollutants and the corresponding PSD significant emission rate are summarized below:

	PTE	PSD
NOx	0.5	40 tpy
CO	9.0	100 tpy
SO2	0.04	40 tpy
PM-10	0.2	15 tpy
PM-2.5	0.2	10 tpy

As indicated above, the proposed vertical expansion will not cause an emissions increase above the significance thresholds and, therefore, is not subject to PSD review.

Commissioner's Policy Number 33 (CP-33):
Daily truck traffic will remain unchanged from the proposed project. Consequently, particulate emissions due to traffic including brake and tire wear will have no affect on the CP-33 applicability for the proposed project. Overall particulate emissions due to the proposed vertical expansion project will increase slightly but are not expected to increase the primary PM-10 emissions by 15 tpy or more. As such, the CP-33 policy is not applicable.

40CFR64 - Compliance Assurance Monitoring (CAM):
As stated in 40CFR64.2(b)(1)(i), the requirements of CAM shall not apply to emission limits or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act. The EPA published a proposal for regulation of new MSW landfills under section 111(b) and for existing MSW landfills under section 111(d) of the CAA in the Federal Register on May 30, 1991 (56 FR 24468). The resulting emission limits for municipal solid waste landfills became effective on March 12, 1996 under 40CFR60 Subpart WWW. The Chautauqua County Landfill is subject to the requirements of Subpart WWW and is therefore, exempt from the

CAM requirements of 40 CFR Part 64.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: DAVID S DENK
DIVISION OF ENVIRONMENTAL PERMITS
270 MICHIGAN AVE
BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 4.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 4.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 5.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 1-1: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 1-1.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to

the permitted activity.

Condition 6: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6 NYCRR 621.14

Item 6.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 7: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 7.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165

Condition 1-2: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 1-2.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:CHAUTAUQUA COUNTY
3 N ERIE ST
MAYVILLE, NY 14757-1007

Facility: CHAUTAUQUA COUNTY LANDFILL
3889 TOWERVILLE RD
ELLERY CENTER, NY

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES
4953 - REFUSE SYSTEMS

Mod 0 Permit Effective Date: 10/29/2008 Permit Expiration Date: 10/28/2013

Mod 1 Permit Effective Date: 10/15/2009 Permit Expiration Date: 10/28/2013

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR 200.6: Acceptable Ambient Air Quality
2 6 NYCRR 201-6.5 (a) (7): Fees
3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
6 6 NYCRR 201-6.5 (e): Compliance Certification
7 6 NYCRR 202-2.1: Compliance Certification
8 6 NYCRR 202-2.5: Recordkeeping requirements
9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
10 6 NYCRR 200.7: Maintenance of Equipment
11 6 NYCRR 201-1.7: Recycling and Salvage
12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
19 6 NYCRR 202-1.1: Required Emissions Tests
20 6 NYCRR 211.3: Visible Emissions Limited
21 40 CFR Part 68: Accidental release provisions.
22 40CFR 82, Subpart F: Recycling and Emissions Reduction
23 6 NYCRR Subpart 201-6: Emission Unit Definition
1-1 6 NYCRR Subpart 201-6: Compliance Certification
1-2 6 NYCRR 201-6.5 (g): Non Applicable requirements
1-3 6 NYCRR 212.4 (a): Compliance Certification
1-4 40CFR 60.4246, NSPS Subpart JJJJ: Subpart A provisions that apply to facilities subject to Subpart JJJJ
1-5 40CFR 60.752(b)(2), NSPS Subpart WWW: Standards for air emissions from MSW landfills
1-6 40CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW: Compliance Certification
1-7 40CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW: Compliance Certification
1-8 40CFR 60.753(a), NSPS Subpart WWW: Operational standards for collection and control systems
1-9 40CFR 60.753(b), NSPS Subpart WWW: Compliance Certification
1-10 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
1-11 40CFR 60.753(c), NSPS Subpart WWW: Compliance Certification
1-12 40CFR 60.753(d), NSPS Subpart WWW: Compliance Certification
1-13 40CFR 60.753(e), NSPS Subpart WWW: Compliance Certification
1-14 40CFR 60.753(f), NSPS Subpart WWW: Compliance Certification
1-15 40CFR 60.755(a), NSPS Subpart WWW: Compliance Provisions - collection system
1-16 40CFR 60.755(b), NSPS Subpart WWW: Compliance Provisions - wells

1-17 40CFR 60.755(c), NSPS Subpart WWW: Compliance Provisions - surface methane
1-18 40CFR 60.755(d), NSPS Subpart WWW: Compliance Provisions - instrumentation specifications
1-19 40CFR 60.755(e), NSPS Subpart WWW: Compliance Provisions - Start-up, shutdown, or malfunction
1-20 40CFR 60.756(a), NSPS Subpart WWW: Compliance Certification
1-21 40CFR 60.756(c), NSPS Subpart WWW: Compliance Certification
1-22 40CFR 60.756(d), NSPS Subpart WWW: Monitoring of Operations - Other devices
1-23 40CFR 60.756(f), NSPS Subpart WWW: Compliance Certification
1-24 40CFR 60.757(a), NSPS Subpart WWW: Reporting requirements - Initial design capacity
1-25 40CFR 60.757(b), NSPS Subpart WWW: Reporting requirements - NMOC emission rate
1-26 40CFR 60.757(c), NSPS Subpart WWW: Reporting Requirements - Collection and Control System Design Plan
1-27 40CFR 60.757(d), NSPS Subpart WWW: Reporting Requirements - Closure Report
1-28 40CFR 60.757(e), NSPS Subpart WWW: Reporting Requirements - Control Equipment Removal
1-29 40CFR 60.757(f), NSPS Subpart WWW: Compliance Certification
1-30 40CFR 60.757(g), NSPS Subpart WWW: Reporting requirements - Collection and control system
1-31 40CFR 60.758(a), NSPS Subpart WWW: Compliance Certification
1-32 40CFR 60.758(b), NSPS Subpart WWW: Compliance Certification
1-33 40CFR 60.758(c), NSPS Subpart WWW: Compliance Certification
1-34 40CFR 60.758(d), NSPS Subpart WWW: Compliance Certification
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1-36 40CFR 60.759(a), NSPS Subpart WWW: Specifications for active collection systems
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1-38 40CFR 60.759(c), NSPS Subpart WWW: Specifications for active collection systems
53 40CFR 63.1955(b), Subpart AAAA: Compliance Certification
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1-41 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
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1-43 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
1-44 40CFR 60.4234, NSPS Subpart JJJJ: Length of time a facility is subject to Subpart JJJJ
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1-46 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ: Compliance Certification
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1-48 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Certification
1-49 40CFR 60.4245(c), NSPS Subpart JJJJ: Compliance Certification
1-50 40CFR 60.4245(d), NSPS Subpart JJJJ: Performance test requirements
1-51 40CFR 63.6590(a)(2), Subpart ZZZZ: New RICE at an area source of HAP
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STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

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1-55 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
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65 6 NYCRR 211.2: Air pollution prohibited

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: Emergency Defense - 6 NYCRR 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 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 201-6.3 (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 201-6.3 (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 201-6.5 (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 201-6.5 (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 201-6.5 (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 201-6.5 (a) (6)**

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

Item I: **Severability - 6 NYCRR 201-6.5 (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 201-6.5 (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 201-6.5 (i)

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

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

effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 200.6

Item 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: **Fees**
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (7)

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: **Recordkeeping and reporting of compliance monitoring**
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (c)

Item 3.1:
The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (c) (2)

Item 4.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (c) (3) (ii)

Item 5.1:
The Compliance Certification activity will be performed for the Facility.

Item 5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible

official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis that those described in paragraphs (1) though (4)

above. 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.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (e)

Item 6.1:
The Compliance Certification activity will be performed for the Facility.

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Requirements for compliance certifications with terms and conditions contained in this facility permit include the

following:

i. Compliance certifications shall contain:
- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Part 215

Item 9.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 10: Maintenance of Equipment
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:
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.

Condition 11: Recycling and Salvage
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:
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 the ECL.

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:
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.

Condition 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-3.2 (a)

Item 13.1:
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 this Subpart. 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 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.

Condition 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-3.3 (a)

Item 14.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

Condition 15: Standard Requirement - Provide Information
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)

Item 15.1:
The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: General Condition - Right to Inspect
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)

Item 16.1:
The department or an authorized representative shall be allowed upon presentation of credentials

and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)

Item 17.1:
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 18: Off Permit Changes
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)

Item 18.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

Condition 19: Required Emissions Tests
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 20: Visible Emissions Limited
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 211.3

Item 20.1:
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.

Condition 21: Accidental release provisions.
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr

Carrollton, Md. 20785

Condition 22: Recycling and Emissions Reduction
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 23: Emission Unit Definition
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-LFGAS
Emission Unit Description:
Emission Unit 1-LFGAS consists of the landfill area that generates landfill gas (LFG), an active gas collection system (LFGCS), and an open flare system to combust the LFG.

Item 23.2(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-LFGTE
Emission Unit Description:
Emission Unit 1-LFGTE consists of six (6) lean-burn Caterpillar, Inc. Model G3520C IC engines connected to individual electricity generators. The emission unit inlcudes ancillary equipment that supports the electricity generation operations.

Building(s): ENGBLDG

Condition 1-1: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 1-1.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-1.2:
Compliance Certification shall include the following monitoring:

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

1. Chautauqua County Landfill shall maintain records to document the combined total actual waste and alternate daily cover (ADC) material received per delivery. The actual total annual waste acceptance and ADC rates shall be determined by January 30 of each calendar year. The records shall be made available upon request from the Department during normal business hours.

2. If the combined total of the actual annual waste and ADC acceptance rate exceeds 380,896 tons, the facility shall input the actual rate into the Landfill Gas Emissions Computer Model (LandGEM) and re-evaluate the emissions from the landfill. A report of the LandGEM results and re-evaluation of the applicability to New Source Review (6NYCRR Part 231-2), Prevention of Significant Deterioration (40CRF52.21), and 6NYCRR Part 227-2 shall be provided to the Department within 30 days of the recorded waste increase.

3. The site-specific and default parameters used in the analysis for Chautauqua County included:

(i) Permitted waste design capacity = 7,340,634 Mg;
(ii) Maximum annual waste acceptance rate and alternate daily cover (ADC) equal to 380,896 tons per year.
(iii) actual measured NMOC concentration = 292 ppmv as hexane
(iv) Default values of Lo = 170 m3/Mg, k = 0.05, methane concentration = 50%.

4. For the purposes of determining waste acceptance rates, waste shall include: municipal solid waste, industrial waste, construction and demolition debris, contaminated soil, sludge, tire waste, and any other solid waste material. Inert materials such as ash, asbestos and other materials may be excluded from the annual waste acceptance rate calculation upon written request and approval by the Region 9 Division of Air Resources. Such a request shall provide sufficient justification the waste in question is not degradable and does not contribute to landfill gas generation.

Parameter Monitored: MUNICIPAL SOLID WASTE
Upper Permit Limit: 380896 tons per year
Monitoring Frequency: PER DELIVERY

Averaging Method: ANNUAL TOTAL
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-2: Non Applicable requirements
Effective between the dates of 10/15/2009 and 10/28/2013

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

Replaces Condition(s) 24

Item 1-2.1:
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 sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.
(From Mod 1) 6 NYCRR Subpart 227-2

Reason: Facility wide NOx PTE emissions, including the proposed vertical expansion, are 79.3 tons/yr which is less than the NOx RACT threshold of 100 tons/yr. Therefore, the combustion sources at the landfill are not subject to the NOx RACT requirements of 6NYCRR Part 227-2.

6 NYCRR Subpart 231-2
Reason: Total facility potential NOx and VOC emissions from the proposed vertical expansion and the existing landfill are less than 100 and 50 tons/year, respectively. Therefore, the facility is not a major source of non-attainment contaminants and is not subject to New Source Review requirements.

40 CFR 52.21
Reason: The existing landfill is a major source of carbon monoxide (CO) emissions. As such, the proposed vertical expansion project emissions of the attainment area pollutants were compared against the PSD significant emission rates. The project PTE of the following pollutants and the corresponding PSD significant emission rate are summarized below:

	PTE	PSD
NOx	0.5	40 tpy
CO	9.0	100 tpy
SO2	0.04	40 tpy
PM-10	0.2	15 tpy
PM-2.5	0.2	10 tpy

As indicated above, the proposed vertical expansion will not cause emissions to increase above the significance thresholds and, therefore, is not subject to PSD review.

40 CFR Part 64
Reason: As stated in 40CFR64.2(b)(1)(i), the requirements of CAM

shall not apply to emission limits or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act. The EPA published a proposal for regulation of new MSW landfills under section 111(b) and for existing MSW landfills under section 111(d) of the CAA in the Federal Register on May 30, 1991 (56 FR 24468). The resulting emission limits for municipal solid waste landfills became effective on March 12, 1996 under 40CFR60 Subpart WWW. The Chautauqua County Landfill is subject to the requirements of Subpart WWW and is therefore, exempt from the CAM requirements of 40 CFR Part 64.

Condition 1-3: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 1-3.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-3.2:
Compliance Certification shall include the following monitoring:

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

1.) The federal regulation for landfills (40CFR 60 subpart WWW) does not require Chautauqua County to install and operate the landfill gas collection and control system (GCCS) until June 30, 2010. In the interim, Chautauqua County will operate and maintain the existing GCCS in accordance with this permit condition. Once the requirements of 40CFR60 Subpart WWW take effect, then this condition shall no longer be applicable.

2.) The non-methane organic compounds (NMOC) in the landfill gas have been assigned an Environmental Rating of 'A'. This shall require the capture of landfill gas to the best extent practical and the destruction of at least 98% of the NMOC in the collected gas or the installation of Best Available Control Technology (BACT).

3.) Chautauqua County shall operate and maintain the existing GCCS including: (1) active gas collection system; (2) open flare; (3) gas pre-treatment system; and (4) stationary internal combustion engines. Each component of the GCCS shall be monitored as follows:

ACTIVE GAS COLLECTION AND CONTROL SYSTEM

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

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

c.) Chautauqua Landfill 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.) Chautauqua 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.

e.) Chautauqua Landfill shall document the monthly measurements and the records shall be kept on-site and be made available to the Department upon request.

f.) 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.

OPEN FLARE

g.) The flare system shall be operated in accordance with the federal New Source Performance Standards established for open flares (40CFR60.18).

h.) Chautauqua County shall operate the landfill gas flare system when there is excess gas beyond the capacity of the engines. If flaring is needed, Chautauaqua County shall maintain a log documenting the description and duration of all periods when the flare system was not operating for a period exceeding 2 hours and report such instances to the Region 9 Division of Air Resources within 2 business days. Upon request, a letter shall be sent to the Department to document the cause of the event and a proposed plan for corrective action.

i.) Chautauqua County must demonstrate compliance with 40CFR60.18 for operation of the new flare installed in 2009. Appropriate data to demonstrate compliance must be collected within 60 days of achieving the maximum production rate but not later than 180 days after initial start-up of the Landfill Gas to Energy Plant. A compliance protocol must be submitted 30 days prior to collecting the data and a final data and anlaysis submitted within 45 days after the demonstration is complete. The Department must be notified 10 days prior to the scheduled compliance demonstration so a Department representative may be present during the data collection.

j.) On going compliance monitoring and operation of the landfill gas flare system shall include continuous monitoring of the flame and gas flow rate. Chautauqua County shall document and maintain records of the continuous presence of the flare pilot flame and gas flow rate. The records shall be kept on site and be made available to the Department upon request.

GAS PRE-TREATMENT SYSTEM
k.) 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.

l.) Chautauqua County shall operate the gas treatment system at all times when gas is routed to the engines for use or subsequent sale.

m.) Within 180 days of startup, Chautauqua County 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.

STATIONARY INTERNAL COMBUSTION ENGINES
n.) Chautauqua County shall operate the engines in accordance with 40CFR60 Subpart JJJJ, 40CFR63 Subpart ZZZZ and 6NYCRR Part 201-6 permit conditions.

Parameter Monitored: NMOC - LANDFILL USE ONLY
Lower Permit Limit: 98 percent reduction
Reference Test Method: SEE MONITORING DESCRIPTION
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-4: Subpart A provisions that apply to facilities subject to Subpart JJJJ
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4246, NSPS Subpart JJJJ

Item 1-4.1:
The following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

Condition 1-5: Standards for air emissions from MSW landfills
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.752(b)(2), NSPS Subpart WWW

Item 1-5.1:
If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall:

i) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year:

A) The collection and control system as described in the plan shall meet the design requirements of paragraph (ii)below.

B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR Part 60.753 through 60.758 proposed by the owner or operator.

C) The collection and control system design plan shall either conform with specifications for active collection systems in 40 CFR Part 60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to 40 CFR Part 60.759.

D) The Administrator shall review the information submitted under paragraphs (i)(A), (B) and (C) above and either approve it, disapprove it, or request that additional information be submitted. Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems.

ii) Install a collection and control system that captures the gas generated within the landfill as required by paragraphs (ii)(A) or (B) and (iii) below, within 30 months after the first

annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in 40 CFR Part 60.757(c)(1) or (2).

A) An active gas collection system shall:

1) be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

2) collect gas from each area, cell or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years (if active) or 2 years (if closed or at final grade);

3) collect gas at a sufficient extraction rate; and

4) be designed to minimize off-site migration of subsurface gas.

(B) A passive collection system shall:

(1) Comply with the provisions specified in paragraphs (A)(1),(2), and (4) above.

(2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR Part 258.40 of this title.

iii) Route all the collected gas to a control system that complies with either of the following:

A) is an open flare designed and operated in accordance with 40 CFR 60.18; or

B) is a control system designed and operated to reduce NMOC by 98% (by weight) or, when an enclosed combustion device is used for control, to either reduce NMOC by 98% weight or reduce the NMOC outlet concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in 40 CFR Part 60.754(d).

(1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.

(2) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in 40 CFR Part 60.756;

(C) 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 paragraph (iii)(A) or (B) above.

Condition 1-6: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW

Item 1-6.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The landfill gas pre-treatment system for the stationary internal combustion engines shall be designed and operated 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 dewatering process, and compresses the landfill gas.

b.) Chautauqua County Landfill 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, Chautauqua County shall submit to the Department a monitoring plan for proper operation of the gas treatment system. The plan shall include:

(1) Design specifications for the filtration, de-watering, and compression systems that demonstrate conformance with the treatment system definition contained in 40CFR60.751.

(2) The minimum pressure drop across the filtration system, or other monitoring parameter(s) and operating ranges that indicate proper performance of the filtration system. The collection and control plan must include information, such as manufacturer's recommendations or engineering analyses, to justify the minimum pressure drop or operating ranges for other monitoring parameters.

(3) The minimum landfill gas temperature reduction across a chiller based de-watering system, the minimum landfill gas dew point reduction for a non-chiller-based

de-watering system, or other operating parameters and operating ranges that indicate proper performance of the de-watering system. If the owner/operator requests approval to monitor temperature or dew point at a single location, such as the outlet of the chiller or de-watering system, rather than at both the inlet and outlet, the design plan must demonstrate that the proposed monitoring location and site specific maximum temperature or maximum dew point are sufficient to indicate that the dew point has been reduced by at least 20 degrees Fahrenheit, according to the treatment system definition. The collection and control plan must include information, such as manufacturer's recommendations or engineering analyses, to justify the operating ranges for temperature, dew point, or other monitoring parameters.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: TEMPERATURE
Lower Permit Limit: 20 degrees Fahrenheit
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-7: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW

Item 1-7.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
All collected landfill gas must be routed 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 40 CFR 60.752(b)(2)(iii)(A) or (B). For purposes of this rule, atmospheric vents located on the condensate storage tank are not part of the treatment

system and are exempt from the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (B). The owner/operator of the landfill gas treatment system must ensure compliance with these requirements. The owner/operator of a combustion device who uses or purchases treated landfill gas for fuel in a combustion device shall be exempt from further compliance with this 40 CFR 60 Subpart WWW. Since the treatment option is only valid when treated landfill gas is sold or used as a fuel in a combustion device, the gas must be used as a fuel, and venting of treated landfill gas to the ambient air is not allowed under this option.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-8: Operational standards for collection and control systems
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(a), NSPS Subpart WWW

Item 1-8.1:
Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of 40 CFR Part 60.752(b)(2)(ii) shall:

a) Operate the collection system such that gas is collected from each area, cell or group of cells in the MSW landfill in which solid waste has been in place for:

1) 5 years or more if active; or

2) 2 years or more if closed or at final grade.

Condition 1-9: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(b), NSPS Subpart WWW

Item 1-9.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-9.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Operate the collection system with negative pressure at each wellhead except under the following conditions:

1) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR Part 60.757(f)(1).

2) Use of a geomembrane cover or an equivalent synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan.

3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: PRESSURE
Upper Permit Limit: 0 pounds per square inch gauge
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-10: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(c), NSPS Subpart WWW

Item 1-10.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-10.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Operate each interior wellhead in the collection system with an oxygen level in the landfill gas less than 5%. The owner or operator may establish a higher operating

oxygen level at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: OXYGEN CONTENT
Upper Permit Limit: 4.9 percent
Reference Test Method: Method 3a
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-11: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(c), NSPS Subpart WWW

Item 1-11.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-11.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade. The owner or operator may establish a higher operating temperature at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken

as specified in §60.755(a)(3) through (5) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: LANDFILL GAS
Parameter Monitored: TEMPERATURE
Upper Permit Limit: 54.9 degrees Centigrade (or Celsius)
Monitoring Frequency: MONTHLY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-12: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(d), NSPS Subpart WWW

Item 1-12.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000074-82-8 METHANE

Item 1-12.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING
Monitoring Description:
Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall 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. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

If monitoring demonstrates that the operational requirements are not met, corrective action shall be taken as specified in §60.755(c) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section, however the permittee shall report these episodes as deviations.

Parameter Monitored: METHANE
Upper Permit Limit: 499 parts per billion by volume
Reference Test Method: Method 21
Monitoring Frequency: QUARTERLY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-13: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(e), NSPS Subpart WWW

Item 1-13.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-13.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Operate the collection system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR Part 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-14: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.753(f), NSPS Subpart WWW

Item 1-14.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-14.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Operate the control or treatment system at all times when the collected gas is routed to the system

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-15: Compliance Provisions - collection system
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.755(a), NSPS Subpart WWW

Item 1-15.1:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), the specified methods in paragraphs (1) through (6) below, shall be used to determine whether the gas collection system is in compliance with 40 CFR Part 60.752(b)(2)(ii).

1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(1), the following equation shall be used. The k and Lo kinetic factors should be those published in the most recent Compilation of Air Pollutant Emissions Factors (AP-42) or other site specific values demonstrated to be appropriate for this site and approved by the Administrator. If k has been determined as specified in 40 CFR Part 60.754(a)(4), the value of k determined from the test shall be used. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

ii) For waste sites with known year-to-year solid waste acceptance rate:

QM = S 2 k Lo Mi (e-kti) ,

where,

QM = maximum expected gas generation flow rate, cubic meters per year
k = methane generation rate constant, year-1
Lo = methane generation potential, cubic meters per megagram solid waste
Mi = mass of solid waste in the ith section, megagrams
ti = age of the ith section (years).

2) For the purposes of determining sufficient density of gas collectors for compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(2), the owner shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Administrator, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

3) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(3), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under 40 CFR Part 60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternate timeline for correcting the exceedance may be submitted to the Administrator for approval.

4) Owners or operators are not required to expand the system as required in paragraph (3) above during the first 180 days after gas collection system startup.

5) For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in 40 CFR Part 60.753(c). 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 cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

6) An owner or operator seeking to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR Part 60.759 shall provide information satisfactory to the Administrator as specified in 40 CFR Part 60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

Condition 1-16: Compliance Provisions - wells
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.755(b), NSPS Subpart WWW

Item 1-16.1:
For purposes of compliance with 40 CFR Part 60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in 40 CFR Part 60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

1) 5 years or more if active; or
2) 2 years or more if closed or at final grade.

Condition 1-17: Compliance Provisions - surface methane
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.755(c), NSPS Subpart WWW

Item 1-17.1:

The following procedures shall be used for compliance with the surface methane operational standard as provided in 40 CFR Part 60.753(d).

1) After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR Part 60.755(d) .

2) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

3) Surface emission monitoring shall be performed in accordance with section 8.3.1 of Method 21 of 40 CFR Part 60 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.

4) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in paragraphs (4)(i) through (v) below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR Part 60.753(d).

i) The location of each monitored exceedance shall be marked and the location recorded.

ii) 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.

iii) 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. If the re-monitoring shows a third exceedance for the same location, the action specified in paragraph (4)(v) below shall be taken, and no further monitoring of that location is required until the action specified in paragraph (4)(v) has been taken.

iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in paragraph (4)(ii) or (iii) below shall be re-monitored 1 month from the initial exceedance. If the 1-month remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified in paragraph (4)(iii) or (v) shall be taken.

v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Administrator for approval.

5) The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

Condition 1-18: Compliance Provisions - instrumentation specifications
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.755(d), NSPS Subpart WWW

Item 1-18.1:
Each owner or operator seeking to comply with the provisions in 40 CFR Part 60.755(c) of this section shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

1) The portable analyzer shall meet the instrument specifications provided in section 6 of Method 21 of 40 CFR Part 60 Appendix A, except that "methane" shall replace all references to VOC.

2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.

3) To meet the sample, collection, preservation, storage and transport requirements in Section 8.0 of Method 21 of 40 CFR Part 60 Appendix A, the instrument evaluation procedures of section 8.1 of Method 21 shall be used.

4) The calibration procedures provided in section 10 of Method 21 of 40 CFR Part 60 Appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

Condition 1-19: Compliance Provisions - Start-up, shutdown, or malfunction
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.755(e), NSPS Subpart WWW

Item 1-19.1:
The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

Condition 1-20: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.756(a), NSPS Subpart WWW

Item 1-20.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

(1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR Part 60.755(a)(3); and

(2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR Part 60.755(a)(5); and

(3) Monitor temperature of the landfill gas on a monthly basis as provided in 40CFR Part 60.755(a)(5).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-21: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.756(c), NSPS Subpart WWW

Item 1-21.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-21.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

1) 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.

2) 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-22: Monitoring of Operations - Other devices
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.756(d), NSPS Subpart WWW

Item 1-22.1:
Each owner or operator seeking to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii) using a device other than an open flare or an enclosed combustor shall provide information satisfactory to the Administrator as provided in 40 CFR Part 60.752(b)(2)(i)(B) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator shall review the information and either approve it, or request that additional information be submitted. The Administrator may specify additional appropriate monitoring procedures.

Condition 1-23: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.756(f), NSPS Subpart WWW

Item 1-23.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 000074-82-8 METHANE

Item 1-23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING
Monitoring Description:
Each owner or operator seeking to demonstrate compliance with 40 CFR Part 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR Part 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

Parameter Monitored: METHANE
Upper Permit Limit: 499 parts per million (by volume)
above background measurements
Reference Test Method: Method 21
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-24: Reporting requirements - Initial design capacity
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-24.1:
Owner or operator shall submit an initial design capacity report to the Administrator.

1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required under 40 CFR Part 60.7(a)(1) and shall be submitted no later than
90 days after the date of commenced construction.

2) The initial design capacity report shall contain the following information:

i) A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by NYSDEC;

ii) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by NYSDEC, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The State or Administrator may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

Condition 1-25: Reporting requirements - NMOC emission rate
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-25.1:
Owner or operator shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided in (1)(ii) or (3) below. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.

1) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate, calculated using the formula and procedures provided in 40 CFR Part 60.754(a) or (b), as applicable.

i) The initial NMOC emission rate report may be combined with the initial design capacity report required by 40 CFR Part 60.757(a) and shall be submitted no later than 90 days after the date of commenced construction. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in (1)(ii) and (3) below.

ii) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Administrator. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

2) The NMOC emission rate report shall include all data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

3) Owner or operator is exempted from the requirements in paragraphs (1) and (2) above, after installation of a collection and control system in compliance with 40 CFR Part 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR Part 60.753 and Part 60.755

Condition 1-26: Reporting Requirements - Collection and Control System Design Plan
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-26.1:
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 1-27: Reporting Requirements - Closure Report
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-27.1:
Each owner or operator of a controlled landfill shall submit a closure report to the Administrator within 30 days of waste acceptance cessation. The Administrator may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR Part 258.60 of this title. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR Part 60.7(a)(4).

Condition 1-28: Reporting Requirements - Control Equipment Removal
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-28.1:
Each owner or operator of a controlled landfill shall submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) The equipment removal report shall contain all of the following items:

(i) A copy of the closure report submitted in accordance with 40 CFR Part 60.757(d) of this section;
(ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR Part 60.752(b)(2)(v) have been met.

Condition 1-29: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-29.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator of a landfill seeking to comply with 40 CFR Part 60.752(b)(2) using an active collection system designed in accordance with 40 CFR Part 60.752(b)(2)(ii) shall submit to the Administrator annual reports of the recorded information in paragraphs (1) through (6) below. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR Part 60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under 40 CFR Part 60.756(a), (b), (c), and (d).

(2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR Part 60.756.

(3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.

(4) All periods when the collection system was not operating in excess of 5 days.

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR Part 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

(6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs 40 CFR Part 60.755(a)(3), (b), and (c)(4).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 1-30: Reporting requirements - Collection and control system

Effective between the dates of 10/15/2009 and 10/28/2013

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

Item 1-30.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(iii) shall include the following information with the initial performance test report required under 40 CFR Part 60.8:

1) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;

2) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;

3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;

4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

5) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and

6) The provisions for the control of off-site migration.

Condition 1-31: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.758(a), NSPS Subpart WWW

Item 1-31.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-31.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of 40 CFR Part 60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 40 CFR Part 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if

they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-32: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.758(b), NSPS Subpart WWW

Item 1-32.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraphs (1) through (4) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

1) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(ii):

i) The maximum expected gas generation flow rate as calculated in 40 CFR Part 60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.

ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR Part 60.759(a)(1).

2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or

process heater with a design heat input capacity greater than 44 megawatts:

i) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

ii) The percent reduction of NMOC determined as specified in 40 CFR Part 60.752(b)(2)(iii)(B) achieved by the control device.

3) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii)(B)(1) through use of a boiler or process heater of any size: a description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.

4) Where an owner or operator seeks to demonstrate compliance with 40 CFR Part 60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR Part 60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-33: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.758(c), NSPS Subpart WWW

Item 1-33.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in 40 CFR Part 60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

1) The following constitute exceedances that shall be recorded and reported under 40 CFR Part 60.757(f):

i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all 3-hour periods of operation during which the average combustion temperature was more than 28 degrees C below the average combustion temperature during the most recent performance test at which compliance with 40 CFR Part 60.752(b)(2)(iii) was determined.

ii) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under paragraph 40 CFR Part 60.758(b)(3)(i) of this section.

2) Each owner or operator shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR Part 60.756.

3) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR Part 60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State, local, Tribal, or Federal regulatory requirements.)

4) Each owner or operator seeking to comply by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR Part 60.756(c), and up-to-date, readily accessible records of

all periods of operation in which the flame or flare pilot flame is absent.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-34: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.758(d), NSPS Subpart WWW

Item 1-34.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-34.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

1) Each owner or operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under 40 CFR Part 60.755(b).

2) Each owner or operator shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR Part 60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in 40 CFR Part 60.759(a)(3)(ii).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-35: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.758(e), NSPS Subpart WWW

Item 1-35.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-35.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as provided in 40 CFR Part 60.752(b)(2)(i)(B), each owner or operator shall 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-36: Specifications for active collection systems
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.759(a), NSPS Subpart WWW

Item 1-36.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Administrator as provided in 40 CFR 60.752(b)(2)(i)(C) and (D):

1) The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.

2) The sufficient density of gas collection devices determined in paragraph (1) above shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

3) The placement of gas collection devices determined in paragraph (1) above

shall control all gas producing areas, except as provided by paragraphs (3)(i) and (3)(ii) below.

i) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40 CFR Part 60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to the Administrator upon request.

ii) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to the Administrator upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

Qi = 2 k Lo Mi (e-kti) (CNMOC) (3.6 x 10-9)

where,

Qi = NMOC emission rate from the ith section, megagrams per year
k = methane generation rate constant, year-1
Lo = methane generation potential, cubic meters per megagram solid waste
Mi = mass of the degradable solid waste in the ith section, megagram
ti = age of the solid waste in the ith section, years
CNMOC = concentration of nonmethane organic compounds, parts per million by volume
3.6 x 10-9 = conversion factor

iii) The values for k and CNMOC determined in field testing shall be used, if field testing has been performed in determining the NMOC emission rate or the radii of influence (the distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k, Lo and CNMOC provided in 40 CFR Part 60.754(a)(1) or the alternative values from 40 CFR Part 60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in paragraph (3)(i) above.

Condition 1-37: Specifications for active collection systems
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.759(b), NSPS Subpart WWW

Item 1-37.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

1) The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be

perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.

2) Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

3) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

Condition 1-38: Specifications for active collection systems
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.759(c), NSPS Subpart WWW

Item 1-38.1:
Each owner or operator seeking to comply with 40 CFR Part 60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with 40 CFR Part 60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (2) below shall be used.

2) For new collection systems, the maximum flow rate shall be in accordance with 40 CFR Part 60.755(a)(1).

Condition 53: Compliance Certification
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:40CFR 63.1955(b), Subpart AAAA

Item 53.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 53.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

If you are required by 40CFR60.752(b)(2) of subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan to install a collection and control system, you must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of part 63 as specified in table 1 of Subpart AAAA.

The facility shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

This plan must be developed by the facility by the compliance date of 40CFR63, subpart AAAA (the landfill NESHAP) and must comply with all of the provisions as listed in §63.6(e)(3)(ii)-(ix) which includes the following provisions:

- During periods of startup, shutdown, and malfunction, the facility must operate and maintain the affected source in accordance with the procedures specified in the SSM plan.

- When actions taken by the owner/operator during a startup, shutdown, or malfunction are consistent with the procedures specified in the affected source's SSM plan, the owner/operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. In addition, the owner/operator must keep records of these events as specified in §63.10(b), including records of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner/operator shall confirm that actions taken during the startup, shutdown, and malfunction were consistent with the SSM plan in the semiannual report as required in §63.10(d)(5).

- If an action taken by the facility is not consistent with the SSM plan, and the affected source exceeds the relevant emission standard, then the owner/operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the SSM plan, followed by a letter within 7 working days after the end of the event.

- EPA or NYSDEC may at any time request in writing that the facility submit a copy of the SSM plan (or a portion thereof) which is maintained at the affected source. Upon

receipt of such a request, the facility must promptly submit a copy of the requested plan to EPA or NYSDEC. EPA or NYSDEC must request that the facility submit a SSM plan whenever a member of the public submits a specific and reasonable request to examine or to receive a copy of that plan or portion of a plan. If the facility claims that any portion of such a SSM plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40CFR2.301, the material which is claimed as confidential must be clearly designated in the submission.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 54: Compliance Certification
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:40CFR 63.1980(a), Subpart AAAA

Item 54.1:
The Compliance Certification activity will be performed for the Facility.

Item 54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner or operator of a landfill seeking to comply with 40 CFR Part 60.752(b)(2) using an active collection system designed in accordance with 40 CFR Part 60.752(b)(2)(ii) shall submit to the Administrator semiannual reports of the recorded information in paragraphs (1) through (6) below. The initial semiannual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR Part 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR Part 60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under 40 CFR Part 60.756(a), (b), (c), and (d).

(2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under 40 CFR Part 60.756.

(3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.

(4) All periods when the collection system was not operating in excess of 5 days.

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR Part 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

(6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs 40 CFR Part 60.755(a)(3), (b), and (c)(4).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

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

Condition 55: Emission Point Definition By Emission Unit
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 55.1(From Mod 1):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-LFGAS

Emission Point: BKFLR
Height (ft.): 34 Diameter (in.): 10

Emission Point: FLARE
Height (ft.): 34 Diameter (in.): 10

Item 55.2(From Mod 0):
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.): 15

Emission Point: ENG02
Height (ft.): 28 Diameter (in.): 15
Building: ENGBLDG

Emission Point: ENG03
Height (ft.): 28 Diameter (in.): 15

Emission Point: ENG04
Height (ft.): 28 Diameter (in.): 15
Building: ENGBLDG

Emission Point: ENG05
Height (ft.): 28 Diameter (in.): 15
Building: ENGBLDG

Emission Point: ENG06
Height (ft.): 28 Diameter (in.): 15
Building: ENGBLDG

Condition 56: Process Definition By Emission Unit
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 56.1(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGAS
Process: GAS Source Classification Code: 5-01-004-10
Process Description:
Process 'GAS' includes the collected landfill gas from the gas collection system and the operation of the flare.

Emission Source/Control: 01FLR - Combustion

Emission Source/Control: BCKUP - Combustion

Emission Source/Control: LFGCS - Process

Item 56.2(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGTE
Process: 001 Source Classification Code: 2-01-008-07
Process Description:
Process 001 consists of six (6) Caterpillar G3520C gas internal combustion (IC) engine generator sets. The six (6) IC engines have individual maximum heat input rates of 14.67 MMBtu/hr LHV (88.02 MMBtu/hr combined). At the minimum fuel quality utilization value of 420 Btu/cf (LHV), the maximum fuel use rate of each IC engine is approximately 580 cfm.

The process also includes the following exempt sources: two radiator coolant tanks, one lube oil tanks, one used oil tank, a single emergency electricity generator and a diesel fuel storage tank.

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

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

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

Emission Source/Control: 04ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 05ENG - Combustion
Design Capacity: 1,600 kilowatts

Emission Source/Control: 06ENG - Combustion
Design Capacity: 1,600 kilowatts

Item 56.3(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-LFGAS
Process: FUG Source Classification Code: 5-01-004-02
Process Description:
Process FUG includes the uncollected, fugitive landfill gas emissions from the entire landfill. It is estimated approximately 25% of the generated landfill gas is not collected.

Emission Source/Control: LNDFL - Process

Condition 1-39: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 1-39.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN
CAS No: 000630-08-0 CARBON MONOXIDE

Item 1-39.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

1.) Chautauqua County shall comply with an emission limit for the internal combustion engines of 0.6 grams per brake horsepower-hour (g/bhp-hr) nitrogen oxides (NOx) and 3.0 g/bhp-hr carbon monoxide (CO). The Department has made these limits a requirement of the permit because the limits were used during the review of the engine project and proposed expansion.

2.) Chautauqua County is also required to comply with less restrictive federal emission rates of 3.0 g/bhp-hr NOx, 5.0 g/bhp-hr CO and 1.0 g/bhp-hr VOC. These emission rates are required by the New Source Performance Standards (NSPS) for Stationary Spark Ignition Internal Combustion Engines specified in 40 CFR 60 Subpart JJJJ.

3.) Chautauqua County is required to comply with specific performance test requirements for each engine as referenced in other permit conditions of this permit specified under 40 CFR 60 Subpart JJJJ.

4.) If the results of a performance test indicate one or more engines exceed the above referenced lower Department emission limits, then an evaluation of the potential impacts and applicability of the following regulations is required:

Non-attainment New Source Review (6NYCRR Part 231 2),

Prevention of Significant Deterioration (40CFR52.21,) and

Reasonably Available Control Technology for Oxides of Nitrogen (6NYCRR Part 227 2).

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 3.0 grams per brake horsepower-hour
Reference Test Method: EPA Method 10 for CO and Method 7 or 7E for NOx
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-40: Applicability of facilities subject to Subpart JJJJ
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ

Item 1-40.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-40.2: The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006,and where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

Condition 1-41: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-41.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 1-41.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

Upper Permit Limit: 5.0 grams per brake horsepower-hour
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-42: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-42.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 1-42.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

Upper Permit Limit: 1.0 grams per brake horsepower-hour
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-43: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-43.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 1-43.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

Upper Permit Limit: 3.0 grams per brake horsepower-hour
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-44: Length of time a facility is subject to Subpart JJJJ
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4234, NSPS Subpart JJJJ

Item 1-44.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-44.2: Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

Condition 1-45: Deadline for installation
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4236(b), NSPS Subpart JJJJ

Item 1-45.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-45.2: After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in §60.4233 may not be installed after January 1, 2010.

Condition 1-46: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 1-46.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Item 1-46.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a stationary SI internal combustion engine greater than 500 HP must 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. In addition an initial performance test must be performed and subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance must also be conducted.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-47: Test methods and procedures
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4244, NSPS Subpart JJJJ

Item 1-47.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-47.2:

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of 40 CFR 60.4244, including :

- Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.

- The performance tests shall not be conducted during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If the stationary SI internal combustion engine is non-operational, the facility does not need to startup the engine solely to conduct a performance test, but must conduct the performance test immediately upon startup of the engine.

- The facility conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

Condition 1-48: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4245(a), NSPS Subpart JJJJ

Item 1-48.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Item 1-48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-49: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4245(c), NSPS Subpart JJJJ

Item 1-49.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Item 1-49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the following:

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 1-50: Performance test requirements
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 60.4245(d), NSPS Subpart JJJJ

Item 1-50.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-50.2: 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.

Condition 1-51: New RICE at an area source of HAP
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 63.6590(a)(2), Subpart ZZZZ

Item 1-51.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-51.2:
A stationary reciprocating internal combustion engine (RICE) located at an area source of HAP emissions is new if construction or reconstruction commenced on or after June 12, 2006.

Condition 1-52: Stationary RICE subject to regulations under 40 CFR Part 60
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 63.6590(c), Subpart ZZZZ

Item 1-52.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-52.2: An affected source that is a new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines. No further

requirements apply for such engines under this part.

Condition 1-53: Compliance Dates for new RICE at an area source of HAP
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 63.6595(a)(7), Subpart ZZZZ

Item 1-53.1:
This Condition applies to Emission Unit: 1-LFGTE

Item 1-53.2:
If the facility starts up a new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, the facility must comply with the applicable emission limitations and operating limitations in subpart ZZZZ upon startup.

Condition 1-54: Compliance Certification
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable Federal Requirement:40CFR 63.6665, Subpart ZZZZ

Item 1-54.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

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

Item 1-54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
If you own or operate a stationary reciprocating internal combustion engine (RICE) located at an area source of hazardous air pollutant (HAP) emissions, you do not need to comply with any of the requirements of the General Provisions in §§ 63.1 through 63.15.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

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: **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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 63: Contaminant List
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable State Requirement:ECL 19-0301

Item 63.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000074-82-8
Name: METHANE

CAS No: 000630-08-0

Name: CARBON MONOXIDE

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

CAS No: 0NY210-00-0
Name: OXIDES OF NITROGEN

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

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

Condition 1-55: Unavoidable noncompliance and violations
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable State Requirement:6 NYCRR 201-1.4

Item 1-55.1:
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.

(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 64: Unavoidable noncompliance and violations
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable State Requirement:6 NYCRR 201-1.4

Item 64.1:
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.

(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 1-56: Air pollution prohibited
Effective between the dates of 10/15/2009 and 10/28/2013

Applicable State Requirement:6 NYCRR 211.2

Item 1-56.1:
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 65: Air pollution prohibited
Effective between the dates of 10/29/2008 and 10/28/2013

Applicable State Requirement:6 NYCRR 211.2

Item 65.1:
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.