

RIPUC Use Only

Date Application Received: ____/____/____
Date Review Completed: ____/____/____
Date Commission Action: ____/____/____
Date Commission Approved: ____/____/____

GIS Certification #:
_____**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM****The Standard Application Form**

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

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**Pursuant to the Renewable Energy Act****Section 39-26-1 et. seq. of the General Laws of Rhode Island****NOTICE:**

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

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

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

Attn: Renewable Energy Resources Eligibility

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

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

SECTION I: Identification Information

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

Primary Contact Person name and title: Stephanie Hamilton, Legal Affairs and Compliance_____

- 1.4 Primary Contact Person address and contact information:
Address: Conservation Services Group
40 Washington Street, MA 01581
- Phone: _____ 508-836-9500 ext.13285 Fax: _____ 508-836-3181 _____
Email: Stephanie.hamilton@csggrp.com_____
- 1.5 Backup Contact Person name and title: _____ Deborah. Razza, Operations Coordinator
-
- 1.6 Backup Contact Person address and contact information:
Address: Conservation Services Group
40 Washington Street, MA 01581
- Phone: 508-836-9500 ext.13386 Fax: _____ 508-836-3181 _____
Email: Deborah.Razza@csggrp.com

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

- 1.7 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):
_____Patricia Stanton
Appendix A or B (as appropriate) completed and attached? ☐ Yes ☐ No ☒ N/A
- 1.8 Authorized Representative address and contact information:
Address: Conservation Services Group
40 Washington Street, MA 01581

Phone: 508-836-9500 ext 13297 Fax: _____508-836-3181_____
Email: pat.stanton@csggrp.com
- 1.9 Owner name and title: _____Casella Waste Systems_____
_____Larry Lackey, Landfill District Manager_____
- 1.10 Owner address and contact information: Casella Waste Systems
Address: _____3 Pitkin Court_____
_____Montpelier, VT 05062_____

Phone: _____802-223-7221_____ Fax: _____802-249-2992_____
Email: _____larry.lackey@casella.com_____
- 1.12 Owner business organization type (check one):
☐ Individual
☐ Partnership
☒ Corporation
☐ Other: _____
- 1.13 Operator name and title: _____Innovative Energy Systems, Inc.
Peter Zeliff, President and CEO
- 1.14 Operator address and contact information:
Address: _____2999 Judge Rd_____
_____Oakfield, NY 14125_____

Phone: _____585-948-8580_____ Fax: _____585-948-8584_____
Email: _____pzeliff@ieslfge.com_____
- 1.15 Operator business organization type (check one):
☐ Individual
☐ Partnership
☒ Corporation
☐ Other: _____

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

- 2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): _____
- 2.2 Generation Unit Nameplate Capacity: _____ 4.8 _____ MW
- 2.3 Maximum Demonstrated Capacity: _____ MW
- 2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*
- ☐ Direct solar radiation
 - ☐ The wind
 - ☐ Movement of or the latent heat of the ocean
 - ☐ The heat of the earth
 - ☐ Small hydro facilities
 - ☒ Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
 - ☐ Biomass facilities using unlisted biomass fuel
 - ☐ Biomass facilities, multi-fueled or using fossil fuel co-firing
 - ☐ Fuel cells using a renewable resource referenced in this section
- 2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*
- ☐ ← check this box to certify that the above statement is true
 - ☐ N/A or other (please explain) _____
- 2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*
- ☐ ← check this box to certify that the above statement is true
 - ☐ N/A or other (please explain) _____
- 2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:
- A. Please specify the fuel or fuels used or to be used in the Unit: _____
_____ Methane Gas _____
- B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.
Appendix F completed and attached? ☒ Yes ☐ No ☐ N/A

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

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

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

SECTION III: Commercial Operation Date

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

- 3.1 Date Generation Unit first entered Commercial Operation: _09/ __ / 2008 at the site.

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

☐ Yes

X No

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

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

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

☐ Yes

X No

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

SECTION IV: Metering

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

X ISO-NE Market Settlement System

X Self-reported to the NEPOOL GIS Administrator

☐ Other (please specify below and see Appendix D: Eligibility for Aggregations):

Appendix D completed and attached?

☐ Yes ☐ No ☐ N/A

SECTION V: Location

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

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

5.2 Generation Unit address: _____
_____ 286 Sand Rd. Morrisonville, NY 12962 _____

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

A. Universal Transverse Mercator Coordinates: _____

B. Longitude/Latitude: ___-73.59378___ / ___44.690658___

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

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

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

Appendix E completed and attached?

☒ Yes ☐ No ☐ N/A

SECTION VI: Certification

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

Corporations

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

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

Evidence of Board Vote provided?

☐ Yes ☐ No ☒ N/A

Corporate Certification provided?

☒ Yes ☐ No ☐ N/A

Individuals

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

Appendix A completed and attached?

☐ Yes ☐ No ☒ N/A

Non-Corporate Entities

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

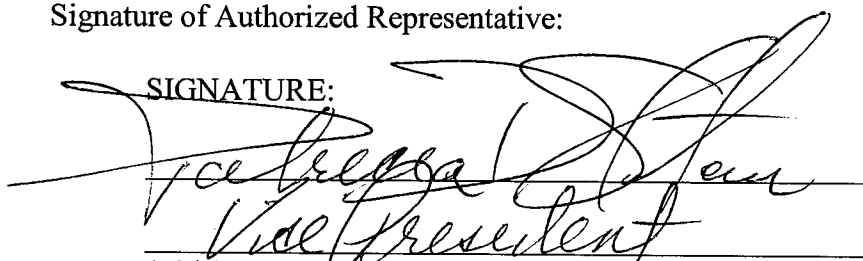
Appendix B completed and attached?

☐ Yes ☐ No ☒ N/A

6.2 Authorized Representative Certification and Signature:

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

Signature of Authorized Representative:

SIGNATURE:  DATE: 4/23/08
(Title) Vice President

APPENDIX E
(Revised 1/21/08)

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

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

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

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

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

☒ New York

☐ Hydro Quebec

☐ Maritimes (including Northern Maine Independent System Administrator)

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

☒ ← please check this box to acknowledge this requirement

☐ N/A or other (please explain) _____

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

☒ ← please check this box to acknowledge this requirement.

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

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

- i. Please describe the type of evidence to be provided to the GIS Administrator to demonstrate the existence of such unit-specific bilateral contract(s) for the sale and delivery of such energy into NEPOOL, including duration, quantity and counter-party in NEPOOL:
____ For evidence, a Power Purchase Agreement between Innovative Energy Systems, Inc., the operator of Clinton, and Seneca Energy II LLC, the counter-party in NEPOOL, for twenty years and for the entire output of Clinton, will be submitted to the GIS as proof of a unit-specific bilateral contract.
(attach more detail if the space provided is not sufficient)

☐ N/A or other (please explain): _____

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

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

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

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes⁵; agricultural waste, food and vegetative material; energy crops; landfill methane⁶ or biogas⁷, provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat biodiesel and other neat liquid fuels that are derived from such fuel sources.

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

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

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

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

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

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

Detailed description attached? ☐ Yes ☐ No ☒ N/A

Comments: Only Landfill Methane Gas is being used

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

Further substantiation attached? ☐ Yes ☐ No ☒ N/A

Comments: _____

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

Description attached? ☐ Yes ☐ No ☒ N/A

Comments: no co-firing

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

Description provided? ☒ Yes ☐ No ☐ N/A

Comments: _____

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

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

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

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

Documentation attached?

☐ Yes ☐ No ☒ N/A

Comments: _____

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

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

☐ N/A or other (please explain) _____

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

Valid Air Permit or equivalent attached?

☒ Yes ☐ No ☐ N/A

Comments: _____

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

 10 / 23 / 2008

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

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

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

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

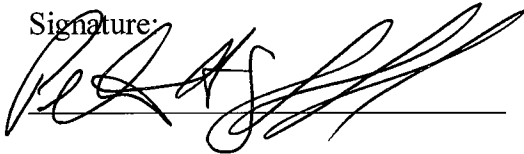
The Facility is not “co-fired” with ineligible fuels, only with eligible landfill gas. In addition, only eligible landfill gas is brought to the Facility’s generator.

Certification of Authorized Representative

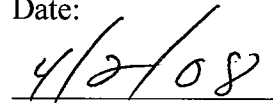
April 2, 2008
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888
Attn: Renewable Energy Resources Eligibility

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

Signature:

A handwritten signature in black ink, appearing to read 'Peter H. Zelff', written over a horizontal line.

Date:

A handwritten date '4/2/08' in black ink, written over a horizontal line.

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 5

1115 NYS Route 86, PO Box 296, Ray Brook, New York 12977

Phone: (518) 897-1234 • FAX: (518) 897-1394

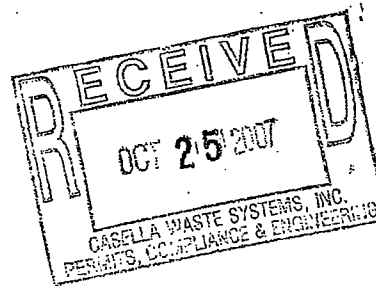
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

October 23, 2007

Mr. Larry B. Lackey
New England Waste Services, Inc.
3 Pitkins Court
Montpelier, VT 05602



Re: Air Title V Permit Modification
Facility: Clinton County Landfill
DEC #5-0946-00049/00008
Schuyler Falls (T), Clinton Co.

Dear Mr. Lackey:

Enclosed is the Final Title V Permit with associated conditions which has been modified to include construction and operation of a Landfill Gas to Energy Facility. Please refer to the permit Special Conditions for appropriate monitoring requirements and conditions.

Please note that it is the responsibility of the permittee and his agents to read and comply with all permit conditions. It is also the responsibility of the permittee to comply with any other applicable laws which may exist. You are advised to contact all appropriate federal, state and local agencies for any approvals that may be required.

If you should have questions concerning any aspect of this permit, please contact the Project Review Engineer, Mr. Steven Barlow of our Regional Air Resources staff at (518) 623-1212.

Sincerely,

Michael J. McMurray
Deputy Regional Permit Administrator

MJM:slq
enclosure

c: James Coutant, RAPCE, attn: Steven Barlow w/permit signature page
Steven Riva, EPA Region II w/permit signature page
Michael Zurlo, Clinton County w/permit
Carla Canjar, NEWSNY - Morrisonville Landfill w/permit
Cory McDowell, Barton & Loguidice w/permit

New York State Department of Environmental Conservation
Facility DEC ID: 5094600049

PERMIT

Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 5-0946-00049/00008
Mod 0 Effective Date: 08/02/2004 Expiration Date: 08/02/2009
Mod 1 Effective Date: 10/23/2007 Expiration Date: 08/02/2009

Permit Type: Solid Waste Management
Permit ID: 5-0946-00049/00009
Effective Date: 10/23/2007 Expiration Date: 03/01/2009

Permit Issued To: NEW ENGLAND WASTE SERVICES OF N Y INC
25 GREENS HILL LN
PO BOX 866
RUTLAND, VT 05702-0866

Contact: LARRY B LACKEY
NEW ENGLAND WASTE SERVICES OF N Y INC
3 PITKIN CT
MONTPELIER, VT 05602
(802) 223-7221

Facility: CLINTON COUNTY REGIONAL LANDFILL
286 SAND RD
MORRISONVILLE, NY 12962

Description:
6 NYCRR Part 360 landfill currently operating under a NYSDEC Air Facility Title V Permit No. 5-0946-00049/00008 for 28 passive candlestick flares and an active landfill gas collection and flare control system. NEWSNY is not required to operate the collection system by regulation, but elected to install and operate the system to control off-site odors. NEWSNY is constructing a landfill gas to energy facility to be located at the Clinton County Landfill and operated by NEWSNY. The landfill gas to energy facility will combust scrubbed landfill gas collected from the landfill's active gas collection system to produce electrical power for sale to the open market. Combined emissions from the landfill and the LFGTE facility include NMOC, NOx, SO2, CO, PM, VOC and HAPs. The flare system will be used as a backup control device.

Mod 1/FINAL

New York State Department of Environmental Conservation

Facility DEC ID: 5094600049

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: *for* THOMAS W HALL
DIVISION OF ENVIRONMENTAL PERMITS
1115 ST RTE 86 PO BOX 296
RAY BROOK, NY 12977-0296

Authorized Signature:

Michael J. McManus

Date: 10 / 23 / 07

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 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 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.

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Facility Level

- 4 Submission of Applications for Permit Modification or Renewal -REGION 5
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- 4 Submission of application for permit modification or renewal-REGION 5
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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 1-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 1-1.1:

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 1-1.2:

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 1-1.3:

Permits are transferrable with the approval of the department unless specifically prohibited by the

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statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

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 1-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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

Item 4.1:

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,

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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 5: Submission of Applications for Permit Modification or Renewal -REGION 5
SUBOFFICE
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Hudson St, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

Condition 1-3: Submission of application for permit modification or renewal-REGION 5
SUBOFFICE - WARRENSBURG
Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Golf Course Road, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NEW ENGLAND WASTE SERVICES OF N.Y INC
25 GREENS HILL LN
PO BOX 866
RUTLAND, VT 05702-0866

Facility: CLINTON COUNTY REGIONAL LANDFILL
286 SAND RD
MORRISONVILLE, NY 12962

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

Mod 0 Permit Effective Date: 08/02/2004

Permit Expiration Date: 08/02/2009

Mod 1 Permit Effective Date: 10/23/2007

Permit Expiration Date: 08/02/2009

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- 18 24 40CFR 68: Accidental release provisions.
- 18 25 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 19 1 6NYCRR 201-6: Emission Unit Definition
- 19 6 6NYCRR 201-6.5(g): Non Applicable requirements
- 25 9 6NYCRR 208.3(b): Design Capacity Report
- 25 10 6NYCRR 208.5(a)(1)(i): NMOC Calculation - Waste Deposition KNOWN
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- 27 14 6NYCRR 208.8(b): Reporting Requirements - NMOC Emission Rate Report
- 27 15 6NYCRR 208.9(a): Compliance Certification
- 28 18 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 28 19 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 29 20 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 29 21 40CFR 60.9, NSPS Subpart A: Availability of information.
- 29 22 40CFR 60.12, NSPS Subpart A: Circumvention.
- 29 1-15 40CFR 60.14, NSPS Subpart A: Modifications.
- 30 23 40CFR 61.154, NESHAP Subpart M: Asbestos-containing waste material standard for active waste disposal sites

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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 - 6NYCRR Part 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 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 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part

201-6.3(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 Part

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 Part

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 Part 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 Part 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 Part 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 Part 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 Part 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 Part 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)

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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 1-1: Acceptable Ambient Air Quality

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 200.6

Item 1-1.1:

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

Condition 1-2: Fees

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-2.1:

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 2: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 08/02/2004 and 08/02/2009

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

Item 2.1:

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 3: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 08/02/2004 and 08/02/2009

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

Item 3.1:

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 4: Compliance Certification
Effective between the dates of 08/02/2004 and 08/02/2009

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

Item 4.1:

The Compliance Certification activity will be performed for the Facility.

Item 4.2:

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 (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 above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. 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 an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation.

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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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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 Quality Assurance (BQA) 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 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 08/02/2004 and 08/02/2009

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

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:

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 which are identified as being subject to certification, 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 Quality Assurance (BQA) 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:

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Region 5 Suboffice
232 Hudson Street
P.O. Box 220
Warrensburg, NY 12885-0220

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
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 1/30/2005.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 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 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 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 1-3: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 215

Item 1-3.1:

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 1-4: Maintenance of Equipment
Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 200.7

Item 1-4.1:

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 1-5: Recycling and Salvage
Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 1-5.1:

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 1-6: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 1-6.1:

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 1-7: Exempt Sources - Proof of Eligibility

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-7.1:

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 1-8: Trivial Sources - Proof of Eligibility

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-8.1:

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 1-9: Standard Requirement - Provide Information

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-9.1:

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

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administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 1-10: General Condition - Right to Inspect

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-10.1:

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 1-11: Standard Requirements - Progress Reports

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-11.1:

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 1-12: Off Permit Changes

Effective between the dates of 10/23/2007 and 08/02/2009

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

Item 1-12.1:

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 1-13: Required Emissions Tests

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 1-13.1:

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 1-14: Visible Emissions Limited

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 211.3

Item 1-14.1:

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 24: Accidental release provisions.

Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 68

Item 24.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities

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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 25: Recycling and Emissions Reduction
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 25.1:

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 1: Emission Unit Definition
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 201-6

Item 1.1(From Mod 1):

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

Emission Unit: 1-LFGAS

Emission Unit Description:

- This unit consists of landfilled waste generating landfill gas by anaerobic decomposition. The emission unit will consist of the landfill gas to energy facility with up to (5) gas engine generator sets as the primary landfill gas control device for collected gas. The main flare and 28 portable candlestick flares will be used as

backup control devices. Emission points for this unit will be defined as the main flare, 28 portable candlestick flares, and the engine exhaust stacks for each of the (5) caterpillar 3520 engine generator sets. Landfill gas will also be released as a fugitive emission.

Condition 6: Non Applicable requirements
Effective between the dates of 08/02/2004 and 08/02/2009

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

Item 6.1:

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.

6NYCRR 208.5(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.8(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.8(c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.8(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.8(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.8(f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50

Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.18(c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.18(c)(1)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.18(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.18(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-A.18(f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50

Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.753(g)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.754(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.754(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.755(a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.755(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50

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Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.755(c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.755(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.755(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.756(a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.756(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.756(f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.757(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.757(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50

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Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.757(f)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.757(g)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.758(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.758(c)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.758(d)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.758(e)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.759(a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 60-WWW.759(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50

Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 63-A.6(e)(3)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 63-AAAA.1955(b)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

40CFR 63-AAAA.1980(a)

Reason: The facility is not subject to performance testing until they meet the requirements of 40 CFR 60-WWW.752(b)(2) which is to equal or exceed 50 Mg/yr of NMOC and install gas collection and control. Using AP-42 defaults, facility never reaches 50 Mg/yr NMOC.

Condition 9: Design Capacity Report
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.3(b)

Item 9.1:

Each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall submit an initial design capacity report to the Department as provided in subdivision 8(a) of this Part and either comply with paragraph (2) of this subdivision or calculate and NMOC emission rate for the landfill using the procedures specified in section 5 of this Part. The NMOC emission rate shall be recalculated annually, except as provided in subparagraph 8(b)(1)(ii) of this Part. The owner or operator of an MSW landfill subject to this section with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters is subject to Title V permitting requirements under Part 201 of this Title.

Condition 10: NMOC Calculation - Waste Deposition KNOWN
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.5(a)(1)(i)

Item 10.1:

The following equation will be used to determine the NMOC emission rate, if the year-to-year solid waste acceptance rate is known:

$$M_{\text{NMOC}} = \sum_{i=1}^n \{2 k L_0 M_i e^{-kt_i} C_{\text{NMOC}} (3.6 \times 10^{-9})\};$$

where the NMOC emission rate is calculated for each cell (i) and n = the number of cells that are applicable to this rule and the other factors for this equation are used as defined in 6 NYCRR Part 208.5(a)(1)(i)

Condition 11: NMOC Calculation - Waste Deposition NOT known
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.5(a)(1)(ii)

Item 11.1:

The following equation will be used to determine the NMOC emission rate if the year-to-year waste acceptance rate is not known:

$$M_{\text{NMOC}} = 2 L_0 (e^{-k_c} - e^{-k_t}) (C_{\text{NMOC}}) (3.6 \times 10^{-9});$$

where the factors for the equation are used as defined in 6 NYCRR Part 208.5(a)(1)(ii).

Condition 12: Tier 2 Testing
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.5(a)(3)

Item 12.1:

The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25C of appendix A of 40 CFR Part 60 or Method 18 of appendix A. If using Method 18 of appendix A, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). If composite sampling is used, equal volumes shall be taken from each sample probe. If more than the required number of samples are taken, all samples shall be used in the analysis. The landfill owner or operator shall divide the NMOC concentration from Method 25C of appendix A by six to convert from CNMOC as carbon to CNMOC as hexane

Condition 13: Reporting Requirements - Initial Design Capacity Report
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.8(a)

Item 13.1:

Each owner or operator subject to the requirements of this section shall submit an initial design capacity report to the Department.

(1) The initial design capacity report shall be submitted no later than 90 days after the effective date of this section or 90 days after construction or reconstruction commences, whichever is later.

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

(i) A drawing of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste is authorized to be landfilled;

(ii) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit to construct and operate, 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 Department may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

Condition 14: Reporting Requirements - NMOC Emission Rate Report
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.8(b)

Item 14.1:

Each owner or operator subject to the requirements of this section shall submit an NMOC emission rate report to the Department initially and annually thereafter, except as provided for in clause (1)(ii) below or subparagraph (3) below. The Department 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 paragraph 208.5(a) or (b) as applicable.

(i) The initial NMOC emission rate report may be combined with the initial design capacity report required in paragraph 208.8(a) and shall be submitted no later than indicated in subparagraph 208.8(a)(1). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in clause (1)(ii) and subparagraph (3) below.

(ii) If the estimated NMOC emission rate as reported in the annual report to the Department 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 Department. 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 Department. 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 the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

(3) Each owner or operator subject to the requirements of this section is exempted from the requirements of subparagraphs (1) and (2) above, after the installation of a collection and control system in compliance with subparagraph 208.3(b)(2), during such time as the collection and control system is in operation and in compliance with subdivisions 208.4 and 208.6 of this section

Condition 15: Compliance Certification
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 208.9(a)

Item 15.1:

The Compliance Certification activity will be performed for the Facility.

Item 15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 6 NYCRR Part 208.3(b)(3)(i)(a), each owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) shall keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(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.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: EPA Region 2 address.
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 18.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Condition 19: Recordkeeping requirements.
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 19.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 20: Facility files for subject sources.
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A

Item 20.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 21: Availability of information.
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 21.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 22: Circumvention.
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 22.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

New York State Department of Environmental Conservation

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Facility DEC ID: 5094600049

Condition 1-15: Modifications.

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 1-15.1:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 23: Asbestos-containing waste material standard for active waste disposal sites

Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 40CFR 61.154, NESHAP Subpart M

Item 23.1:

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

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

Condition 26: Emission Point Definition By Emission Unit

Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 201-6

Item 26.1(From Mod 1):

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

Emission Unit: 1-LFGAS

Emission Point: 00001

Height (ft.): 23 Diameter (in.): 6
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00002

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00003

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00004

Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

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Permit ID: 5-0946-00049/00008

Facility DEC ID: 5094600049

Emission Point: 00005
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00006
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00007
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00008
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00009
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00010
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00011
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00012
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00013
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00014
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00015
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00016
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

New York State Department of Environmental Conservation
Permit ID: 5-0946-00049/00008 Facility DEC ID: 5094600049

Emission Point: 00017
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00018
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00019
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00020
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00021
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00022
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00023
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00024
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00025
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00026
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00027
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00028
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

New York State Department of Environmental Conservation
Permit ID: 5-0946-00049/00008 Facility DEC ID: 5094600049

Emission Point: 00029
Height (ft.): 10 Diameter (in.): 8
NYTMN (km.): 4948.364 NYTME (km.): 610.502

Emission Point: 00032
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00033
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00034
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00035
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Emission Point: 00036
Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4950.894 NYTME (km.): 611.115

Condition 27: Process Definition By Emission Unit
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 201-6

Item 27.1(From Mod 1):

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

Emission Unit: 1-LFGAS
Process: 001 Source Classification Code: 5-01-004-06

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the collection and control of the landfill gas emissions by flaring gas collected from the unlined landfill, West Side Development Area, East Side Development Area, and Overlay Development Area. All collected gas will be routed to the LFGTE facility. Flaring of gas will be used as a backup control device only.

Emission Source/Control: F0001 - Control
Control Type: FLARING

Emission Source/Control: F0002 - Control

New York State Department of Environmental Conservation

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Facility DEC ID: 5094600049

Control Type: FLARING

Emission Source/Control: F0019 - Control
Control Type: FLARING

Emission Source/Control: F0020 - Control
Control Type: FLARING

Emission Source/Control: F0021 - Control
Control Type: FLARING

Emission Source/Control: F0022 - Control
Control Type: FLARING

Emission Source/Control: F0023 - Control
Control Type: FLARING

Emission Source/Control: F0024 - Control
Control Type: FLARING

Emission Source/Control: F0025 - Control
Control Type: FLARING

Emission Source/Control: F0026 - Control
Control Type: FLARING

Emission Source/Control: F0027 - Control
Control Type: FLARING

Emission Source/Control: F0028 - Control
Control Type: FLARING

Emission Source/Control: F0029 - Control
Control Type: FLARING

Emission Source/Control: LFGCE - Process

Item 27.2(From Mod 1):

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

Emission Unit: 1-LFGAS

Process: 005

Source Classification Code: 2-01-008-02

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the collection of landfill gas for combustion. Collected landfill gas is combusted in up to five (5) Caterpillar G3520 gas engine generator sets consuming up to 460 cubic feet per minute of landfill gas each. LFGTE Facility will be the primary

Air Pollution Control Permit Conditions

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Control Type: FLARING

Emission Source/Control: F0003 - Control
Control Type: FLARING

Emission Source/Control: F0004 - Control
Control Type: FLARING

Emission Source/Control: F0005 - Control
Control Type: FLARING

Emission Source/Control: F0006 - Control
Control Type: FLARING

Emission Source/Control: F0007 - Control
Control Type: FLARING

Emission Source/Control: F0008 - Control
Control Type: FLARING

Emission Source/Control: F0009 - Control
Control Type: FLARING

Emission Source/Control: F0010 - Control
Control Type: FLARING

Emission Source/Control: F0011 - Control
Control Type: FLARING

Emission Source/Control: F0012 - Control
Control Type: FLARING

Emission Source/Control: F0013 - Control
Control Type: FLARING

Emission Source/Control: F0014 - Control
Control Type: FLARING

Emission Source/Control: F0015 - Control
Control Type: FLARING

Emission Source/Control: F0016 - Control
Control Type: FLARING

Emission Source/Control: F0017 - Control
Control Type: FLARING

Emission Source/Control: F0018 - Control

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landfill gas control device consuming all collected gas generated at the site.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 460 cubic feet per minute

Emission Source/Control: ENG02 - Combustion
Design Capacity: 460 cubic feet per minute

Emission Source/Control: ENG03 - Combustion
Design Capacity: 460 cubic feet per minute

Emission Source/Control: ENG04 - Combustion
Design Capacity: 460 cubic feet per minute

Emission Source/Control: ENG05 - Combustion
Design Capacity: 460 cubic feet per minute

Item 27.3(From Mod 0):

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

Emission Unit: 1-LFGAS

Process: 002

Source Classification Code: 5-01-004-02

Process Description:

This process consists of landfill waste generating landfill gas by decomposition and the fugitive emission of landfill gas to the atmosphere.

Emission Source/Control: LFGFE - Process

Condition 1-16: Emissions from new emission sources and/or modifications
Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 1-16.1:

This Condition applies to Emission Unit: 1-LFGAS
Process: 001

Item 1-16.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 1-17: Compliance Certification

Effective between the dates of 10/23/2007 and 08/02/2009

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 1-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS
Process: 001

Item 1-17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-18: Compliance Certification

Effective between the dates of 10/23/2007 and 08/02/2009

New York State Department of Environmental Conservation
Permit ID: 5-0946-00049/00008 Facility DEC ID: 5094600049

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

Item 1-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGAS
Process: 005

Item 1-18.2:

Compliance Certification shall include the following monitoring:

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

-Monitoring Description:

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

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent

New York State Department of Environmental Conservation

Permit ID: 5-0946-00049/00008

Facility DEC ID: 5094600049

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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 30: Contaminant List
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable State Requirement: ECL 19-0301

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

No contaminants.

Condition 31: Unavoidable noncompliance and violations
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable State Requirement: 6NYCRR 201-1.4

Item 31.1:

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.

New York State Department of Environmental Conservation

Permit ID: 5-0946-00049/00008

Facility DEC ID: 5094600049

Condition 32: Air pollution prohibited
Effective between the dates of 08/02/2004 and 08/02/2009

Applicable State Requirement: 6NYCRR 211.2

Item 32.1:

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.

Summary of Compliance Requirements
 *** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***
 READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Recv'd 02/18/2004 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Conc	Num	Regulated Contaminant	Monitored Parameter	Lower Limit	Upper Limit	Units	Activity Type
							Reporting Frequency
							Monitoring Frequency
							Averaging Method

RECORD KEEPING/MAINTENANCE
 PROCEDURES

SEMI-ANNUALLY (CALENDAR)

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 (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 ABOVE PARAGRAPHS (1) OR (2) ARE MET, THE SOURCE MUST NOTIFY THE PERMITTING AUTHORITY BY TELEPHONE DURING NORMAL BUSINESS HOURS AT THE REGIONAL OFFICE OF JURISDICTION FOR THIS PERMIT. ATTENTION REGIONAL AIR POLLUTION CONTROL ENGINEER (RAPCE) ACCORDING TO THE TIMETABLE LISTED IN PARAGRAPHS (1) AND (2) OF THIS SECTION. FOR DEVIATIONS AND INCIDENTS THAT MUST BE REPORTED OUTSIDE OF NORMAL BUSINESS HOURS, ON WEEKENDS, OR HOLIDAYS, THE DEC SPILL HOTLINE PHONE NUMBER AT 1-800-457-7362 SHALL BE USED. 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 AN OCCURRENCE FOR DEVIATIONS REPORTED UNDER (1) AND (2). ALL DEVIATIONS REPORTED UNDER PARAGRAPHS (1) AND (2) OF THIS SECTION MUST ALSO BE IDENTIFIED IN THE 6 MONTH MONITORING REPORT REQUIRED ABOVE.

*** No Data

A1

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***

READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Recv'd 02/18/2004 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Monitored Parameter

Cond	Regulated Contaminant	Lower Limit	Upper Limit	Units	Activity Type
Num	Process Material				Reporting Frequency
					Monitoring Frequency
					Averaging Method

THE PROVISIONS OF 6 NYCRR 201-1.4 SHALL APPLY IF THE PERMITTEE SEEKS TO HAVE A VIOLATION EXCUSED UNLESS OTHERWISE LIMITED BY REGULATION. 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. NOTWITHSTANDING ANY RECORDKEEPING AND REPORTING REQUIREMENTS IN 6 NYCRR 201-1.4, REPORTS OF ANY DEVIATIONS SHALL NOT BE ON A LESS FREQUENT BASIS THAN THE REPORTING PERIODS DESCRIBED IN PARAGRAPHS (1) AND (4) ABOVE.

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 QUALITY ASSURANCE (BQA) 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.

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 6-00946-00049/00008 Application Rec'd 02/18/2004 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Cond Num	Regulated Contaminant Process Material	Monitored Parameter	Lower Limit	Units	Upper Limit	Activity Type
						Reporting Frequency
						Monitoring Frequency
						Averaging Method

5

RECORD KEEPING/MAINTENANCE PROCEDURES

ANNUALLY (CALENDAR)

ANNUALLY

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 WHICH ARE IDENTIFIED AS BEING SUBJECT TO CERTIFICATION, 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 QUALITY ASSURANCE (BQA) 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:

*** No Data

A3

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***

READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Recv'd 02/18/2004 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Monitored Parameter

Regulated Contaminant

Cond Process Material

REGION 5 SUBOFFICE
232 HUDSON STREET
P.O. BOX 220
WARRENSBURG, NY 12885-0220

THE ADDRESS FOR THE BQA IS AS FOLLOWS:

NYSDEC
BUREAU OF QUALITY ASSURANCE
625 BROADWAY
ALBANY, NY 12233-3258

7

RECORD KEEPING/MAINTENANCE
PROCEDURES

ANNUALLY (CALENDAR)

EMISSION STATEMENTS SHALL BE SUBMITTED ON OR BEFORE APRIL 15TH EACH YEAR FOR EMISSIONS OF THE PREVIOUS CALENDAR
YEAR.

ANNUALLY

*** No Data

A4

Summary of Compliance Requirements

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READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Rec'd 02/18/2004 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Cond	Regulated Contaminant	Monitored Parameter	Lower Limit	Upper Limit	Units	Activity Type
						Reporting Frequency
Num	Process Material					Monitoring Frequency
						Averaging Method

15 ****

EXCEPT AS PROVIDED IN 6 NYCRR PART 208.3(B)(3)(I)(A), EACH OWNER OR OPERATOR OF AN MSW LANDFILL SUBJECT TO THE PROVISIONS OF 6 NYCRR PART 208.3(B) SHALL KEEP FOR AT LEAST 7 YEARS UP-TO-DATE, READILY ACCESSIBLE, ON-SITE RECORDS OF THE MAXIMUM DESIGN CAPACITY REPORT WHICH TRIGGERED 6 NYCRR PART 208.3(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.

RECORD KEEPING/MAINTENANCE PROCEDURES
AS REQUIRED - SEE MONITORING DESCRIPTION

**** No Data

A5

Summary of Compliance Requirements

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DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Rec'd 02/14/2007 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Cond	Num	Process Material	Regulated Contaminant	Lower Limit	Upper Limit	Units	Activity Type
			Monitored Parameter				Reporting Frequency
			Monitored Parameter				Monitoring Frequency
			Monitored Parameter				Averaging Method

Emission Unit: 1-LFGAS Process: 001

1-17

RECORD KEEPING/MAINTENANCE PROCEDURES

AS REQUIRED - SEE MONITORING DESCRIPTION

NO PERSON SHALL CAUSE OR ALLOW EMISSIONS HAVING AN AVERAGE OPACITY DURING ANY SIX CONSECUTIVE MINUTES OF 20 PERCENT OR GREATER FROM ANY PROCESS EMISSION SOURCE, EXCEPT ONLY THE EMISSION OF UNCOMBINED WATER. THE DEPARTMENT RESERVES THE RIGHT TO PERFORM OR REQUIRE THE PERFORMANCE OF A METHOD 9 OPACITY EVALUATION AT ANY TIME DURING FACILITY OPERATION.

THE PERMITTEE WILL CONDUCT OBSERVATIONS OF VISIBLE EMISSIONS FROM THE EMISSION UNIT, PROCESS, ETC. TO WHICH THIS CONDITION APPLIES AT THE MONITORING FREQUENCY STATED BELOW WHILE THE PROCESS IS IN OPERATION. THE PERMITTEE WILL INVESTIGATE, IN A TIMELY MANNER, ANY INSTANCE WHERE THERE IS CAUSE TO BELIEVE THAT VISIBLE EMISSIONS HAVE THE POTENTIAL TO EXCEED THE OPACITY STANDARD.

THE PERMITTEE SHALL INVESTIGATE THE CAUSE, MAKE ANY NECESSARY CORRECTIONS, AND VERIFY THAT THE EXCESS VISIBLE EMISSIONS PROBLEM HAS BEEN CORRECTED. IF VISIBLE EMISSIONS WITH THE POTENTIAL TO EXCEED THE STANDARD CONTINUE, THE PERMITTEE WILL CONDUCT A METHOD 9 ASSESSMENT WITHIN THE NEXT OPERATING DAY OF THE SOURCES ASSOCIATED WITH THE POTENTIAL NONCOMPLIANCE TO DETERMINE THE DEGREE OF OPACITY AND WILL NOTIFY THE NYSDEC IF THE METHOD 9 TEST INDICATES THAT THE OPACITY STANDARD IS NOT MET.

RECORDS OF VISIBLE EMISSIONS OBSERVATIONS (OR ANY FOLLOW-UP METHOD 9 TESTS), INVESTIGATIONS AND CORRECTIVE ACTIONS WILL BE KEPT ON-SITE. SHOULD THE DEPARTMENT DETERMINE THAT PERMITTEES RECORD KEEPING FORMAT IS INADEQUATE TO DEMONSTRATE COMPLIANCE WITH THIS CONDITION, IT SHALL PROVIDE WRITTEN NOTICE TO THE PERMITTEE STATING THE INADEQUACIES, AND PERMITTEE SHALL HAVE 90 DAYS TO REVISE ITS PROSPECTIVE RECORD KEEPING FORMAT IN A MANNER ACCEPTABLE TO THE DEPARTMENT.

**** No Data

As

Summary of Compliance Requirements
*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS.
READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 5094600049 Facility CLINTON COUNTY REGIONAL LANDFILL

Location 286 SAND RD MORRISONVILLE, NY 12962

Permit ID 5-0946-00049/00008 Application Rec'd 02/14/2007 Renewal No: 0 Mod No: 1 Report Only Includes Active Permit conditions

Permit Type ATV Status Issued

Compliance Assurance Monitoring

Monitored Parameter

Cond Regulated Contaminant

Num Process Material

Lower Limit

Units

Upper Limit

Activity Type

Reporting Frequency

Monitoring Frequency

Averaging Method

Emission Unit: 1-LFGAS Process: 005

1-18 OPACITY

percent

20

MONITORING OF PROCESS OR
CONTROL DEVICE PARAMETERS
AS SURROGATE
AS REQUIRED - SEE MONITORING
DESCRIPTION

DAILY

6-MINUTE AVERAGE (METHOD 9)

NO PERSON SHALL OPERATE A STATIONARY COMBUSTION INSTALLATION WHICH EXHIBITS GREATER THAN 20 PERCENT OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE-SIX-MINUTE PERIOD PER HOUR OF NOT MORE THAN 27 PERCENT OPACITY.
THE DEPARTMENT RESERVES THE RIGHT TO PERFORM OR REQUIRE THE PERFORMANCE OF A METHOD 9 OPACITY EVALUATION AT ANY TIME DURING FACILITY OPERATION.

THE PERMITTEE WILL CONDUCT OBSERVATIONS OF VISIBLE EMISSIONS FROM THE EMISSION UNIT, PROCESS, ETC. TO WHICH THIS CONDITION APPLIES AT THE MONITORING FREQUENCY STATED BELOW WHILE THE PROCESS IS IN OPERATION. THE PERMITTEE WILL INVESTIGATE, IN A TIMELY MANNER, ANY INSTANCE WHERE THERE IS CAUSE TO BELIEVE THAT VISIBLE EMISSIONS HAVE THE POTENTIAL TO EXCEED THE OPACITY STANDARD.

THE PERMITTEE SHALL INVESTIGATE THE CAUSE, MAKE ANY NECESSARY CORRECTIONS, AND VERIFY THAT THE EXCESS VISIBLE EMISSIONS PROBLEM HAS BEEN CORRECTED. IF VISIBLE EMISSIONS WITH THE POTENTIAL TO EXCEED THE STANDARD CONTINUE, THE PERMITTEE WILL CONDUCT A METHOD 9 ASSESSMENT WITHIN THE NEXT OPERATING DAY OF THE SOURCES ASSOCIATED WITH THE POTENTIAL NONCOMPLIANCE TO DETERMINE THE DEGREE OF OPACITY AND WILL NOTIFY THE NYSDEC IF THE METHOD 9 TEST INDICATES THAT THE OPACITY STANDARD IS NOT MET.

RECORDS OF VISIBLE EMISSIONS OBSERVATIONS (FOR ANY FOLLOW-UP METHOD 9 TESTS), INVESTIGATIONS AND CORRECTIVE ACTIONS WILL BE KEPT ON-SITE. SHOULD THE DEPARTMENT DETERMINE THAT PERMITTEE'S RECORD KEEPING FORMAT IS INADEQUATE TO DEMONSTRATE COMPLIANCE WITH THIS CONDITION, IT SHALL PROVIDE WRITTEN NOTICE TO THE PERMITTEE STATING THE INADEQUACIES, AND PERMITTEE SHALL HAVE 90 DAYS TO REVISE ITS PROSPECTIVE RECORD KEEPING FORMAT IN A MANNER ACCEPTABLE TO THE DEPARTMENT.

**** No Data

A7