West Virginia Department of Environmental Protection
Division of Air Quality

Earl Ray Tomblin
Governor

Randy C. Huffman
Cabinet Secretary

Permit to Operate

Pursuant to
Title V
of the Clean Air Act

Issued to:
Allied Waste Sycamore Landfill, LLC
Sycamore Landfill/ Hurricane, WV
R30-07900105-2015

William F. Durham
Director

Issued: August 18, 2015 • Effective: September 1, 2015
Expiration: August 18, 2020 • Renewal Application Due: February 18, 2020

Permit Number: **R30-07900105-2015**
Permittee: **Allied Waste Sycamore Landfill, LLC**
Facility Name: **Sycamore Landfill**
Permittee Mailing Address: **4301 Sycamore Ridge Road, Hurricane, WV 25526**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Hurricane, Putnam County, West Virginia
Facility Mailing Address:	Same as above
Telephone Number:	(304) 562-2611
Type of Business Entity:	LLC
Facility Description:	The facility is a municipal solid waste management facility that accepts municipal solid waste which is placed into active cells, compacted and covered with soil.
SIC Codes:	Primary 4953; Secondary NA; Tertiary NA
UTM Coordinates:	410.4 km Easting • 4250.3 km Northing • Zone 17

Permit Writer: Frederick Tipane

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

Table of Contents

1.0 Emission Units and Active R13, R14, and R19 Permits 3

2.0 General Conditions 4

3.0 Facility-Wide Requirements 13

Source-specific Requirements

4.0 Landfill Areas Cells 1-3 20

5.0 Flare 24

APPENDIX A

1.0 Emission Units and Active R13, R14, and R19 Permits

1.1. Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
Cells 1-3	1	Municipal Solid Waste Landfill	1972 (Expanded 2005)	6,502,932 Mg	Active Collection System w/ Flare
Flare	Flare1	Elevated (open style) Flare	2012	1,500 scfm	

1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-2242B	April 10, 2012

2.0 General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	**NSPS**	New Source Performance Standards
CBI	Confidential Business Information	**PM**	Particulate Matter
CEM	Continuous Emission Monitor	**PM_{10}**	Particulate Matter less than 10μm in diameter
CES	Certified Emission Statement	**pph**	Pounds per Hour
C.F.R. *or* CFR	Code of Federal Regulations	**ppm**	Parts per Million
CO	Carbon Monoxide	**PSD**	Prevention of Significant Deterioration
C.S.R. *or* CSR	Codes of State Rules	**psi**	Pounds per Square Inch
DAQ	Division of Air Quality	**SIC**	Standard Industrial Classification
DEP	Department of Environmental Protection	**SIP**	State Implementation Plan
FOIA	Freedom of Information Act	**SO_2**	Sulfur Dioxide
HAP	Hazardous Air Pollutant	**TAP**	Toxic Air Pollutant
HON	Hazardous Organic NESHAP	**TPY**	Tons per Year
HP	Horsepower	**TRS**	Total Reduced Sulfur
lbs/hr *or* lb/hr	Pounds per Hour	**TSP**	Total Suspended Particulate
LDAR	Leak Detection and Repair	**USEPA**	United States Environmental Protection Agency
m	Thousand	**UTM**	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	**VEE**	Visual Emissions Evaluation
mm	Million	**VOC**	Volatile Organic Compounds
mmBtu/hr	Million British Thermal Units per Hour		
$mmft^3$/hr *or* mmcf/hr	Million Cubic Feet Burned per Hour		
NA *or* N/A	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		
NO_x	Nitrogen Oxides		

2.3. Permit Expiration and Renewal

2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c. **[45CSR§30-5.1.b.]**

2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration. **[45CSR§30-4.1.a.3.]**

2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3. **[45CSR§30-6.3.b.]**

2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time. **[45CSR§30-6.3.c.]**

2.4. Permit Actions

2.4.1. 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. **[45CSR§30-5.1.f.3.]**

2.5. Reopening for Cause

2.5.1. This permit shall be reopened and revised under any of the following circumstances:

a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (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 the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.

b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.

c. The Secretary or U.S. EPA 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.

d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:

a. The change must meet all applicable requirements and may not violate any existing permit term or condition.

b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

c. The change shall not qualify for the permit shield.

d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.
[45CSR§30-5.8]

2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.
[45CSR§30-5.8.a.]

2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or

b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.

b. The permit shield shall extend to all terms and conditions under each such operating scenario; and

c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:

a. 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

b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.
[45CSR§30-5.1.f.2.]

2.17. Emergency

2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[45CSR§30-5.7.a.]

2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.
[45CSR§30-5.7.b.]

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

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
[45CSR§30-5.7.d.]

2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.
[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.
[45CSR§30-5.2.a.]

2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary 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 Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.
[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.
[45CSR§30-4.2.]

2.21. Permit Shield

2.21.1. Compliance with the conditions of this 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 this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.
[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.

c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.
[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.
[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.
[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.
[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. **[45CSR§6-3.1.]**

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR34]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]

3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]

3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]

3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.
[40 C.F.R. 68]

3.1.9. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.)
[45CSR§13-5.11.; 45CSR13 –Permit R13-2242 §4.1.9.]

3.1.10. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.
[45CSR§17-3.1]

3.1.11. The permittee shall submit a control program upon the request of the Secretary, when the permitted facility is in violation of rule 45CSR17. The Secretary may require the permittee to utilize a system to minimize fugitive particulate matter that may include, but is not limited to, the following:

a. Use, where practicable, of water or chemicals for control of particulate matter in demolition of existing buildings or structures, construction operations, grading of roads or the clearing of land;

b. Application of asphalt, water or suitable chemicals on unpaved roads, material stockpiles and other surfaces which can create airborne particulate matter;

c. Covering of material transport vehicles, or treatment of cargo, to prevent contents from dripping, sifting, leaking or otherwise escaping and becoming airborne, and prompt removal of tracked material from roads or streets; or

d. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of materials, including adequate containment methods during sandblasting, abrasive cleaning or other similar operations.

[45CSR§§17-3.2 & 4.1.]

3.2. Monitoring Requirements

3.2.1. *[Reserved]*

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language.

2. The result of the test for each permit or rule condition.

3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.; 45CSR13 –Permit R13-2242 §4.4.1.]

3.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
[45CSR13 –Permit R13-2242 §4.4.2.]

3.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13 –Permit R13-2242 §4.4.3.]

3.4.4. **Retention of records.** The permittee shall retain and maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. 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. The files shall be maintained for at least five (5) years following the date of each occurrence, monitoring sample, measurement, report, application, maintenance, corrective action, or record creation date. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
[45CSR§30-5.1.c.2.B.; 45CSR13 –Permit R13-2242 §3.4.1]

3.4.5. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§30-5.1.c. State-Enforceable only.]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
[45CSR§§30-4.4. *and* 5.1.c.3.D.]

3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
[45CSR§30-5.1.c.3.E.]

3.5.3. Except for the electronic submittal of the annual certification to the USEPA as required in 3.5.5 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. **[45CSR§30-8.]**

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: R3_APD_Permits@epa.gov. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.
[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.
[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.

2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.

3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.

4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary. **[45CSR§30-5.1.c.3.B.]**

3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement. **[45CSR§30-4.3.h.1.B.]**

3.6. Compliance Plan

3.6.1. *Not Applicable*

3.7. Permit Shield

3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

40 CFR §60.757(a)(3)	The design capacity of this facility is greater than 2.5 million megagrams and 2.5 million cubic meters. Therefore, amended design capacity reports are not required.
40 C.F.R. 60 Subpart Kb	The Leachate Tank's VOL vapor pressures are less than 3.5 kPa
40 C.F.R. §61.154	The facility does not receive asbestos-containing waste material from sources covered under 40 C.F.R. §61.149, §61.150, or §61.155.
40 C.F.R. 63 Subpart AAAA	This facility is not a major source of HAPs, nor is it collocated with a major source. It is an area source landfill that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m^3) but its estimated uncontrolled emissions are not equal to or greater than 50 megagrams per year (Mg/yr) NMOC.
40 CFR 64	The facility does not have a pollutant specific emissions unit with a control device to meet an applicable standard or limit. Therefore, the facility is not subject to the Compliance Assurance Monitoring (CAM) rule.

4.0 Landfill Areas Cells 1-3 [emission point ID(s): *1*]

4.1. Limitations and Standards

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart WWW including the following:

4.1.1. 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 either comply with paragraph (b)(2) of §60.752 or calculate a nonmethane organic compounds (NMOC) emission rate for the landfill using the procedures specified in §60.754. The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii). **[45CSR16; 45CSR23; 40 C.F.R. §60.752(b)]**

a. If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator shall:

i. Submit an annual emission report to the Administrator, except as provided in §60.757(b)(1)(ii) – *(5-year estimates in lieu of annual reports)*, and
[45CSR16, 45CSR23, 40 C.F.R. §60.752(b)(1)(i)]

ii. Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams/yr, or the landfill is closed.

[45CSR16, 45CSR23, 40 C.F.R. §60.752(b)(1)(ii)]

b. If the calculated NMOC emission rate, upon initial calculation or annual recalculation, is equal to or greater than 50 megagrams/yr, the owner or operator shall:

i. Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year of the NMOC emission report, in compliance with 40 CFR§60.752(b)(2), or
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(2)(ii)]

ii. Determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in §60.754(a)(3) - *(Tier 2)*.
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(2)(ii)]

4.1.2. **Tier 2 Requirements (when using site-specific NMOC concentration) [40 C.F.R. §60.754(a)(3)]**

a. **When Reported Annual NMOC Emission Rate is ≥ 50 megagrams/yr** – If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall:

i. Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year of the NMOC emission report, in compliance with §60.752(b)(2), or
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(3)(ii)]

ii. Determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in §60.754(a)(4) – *(see section 4.1.3 Tier 3 Requirements)*.
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(3)(ii)]

b. **When Reported annual NMOC Emission Rate is < 50 megagrams/yr** – If the calculated NMOC emission rate is less than 50 megagrams/yr, the owner or operator shall follow requirements specified in §60.757(b)(1) (see permit conditions 4.5.1., 4.5.2. & 4.5.3.) and retest the site-specific NMOC concentration every 5 years using the methods specified in this 40 C.F.R. §754(a)(3).
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(3)(iii)]

4.1.3. **Tier 3 Requirements (when using site-specific methane generation rate) [40 C.F.R. §60.754(a)(4)]**

a. **When Reported NMOC Emission Rate is ≥ 50 megagrams/yr** – If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year, the owner or operator shall submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year of the NMOC emission report, in compliance with §60.752(b)(2).
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(4)(i)]

b. **When Reported NMOC Emission Rate is < 50 megagrams/yr** – If the NMOC mass emission rate is less than 50 megagrams per year, then the owner or operator shall submit a periodic emission rate report as provided in §60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in §60.757(b)(1) using the equations in §60.754(a)(1) and using the site-specific methane generation rate constant and NMOC concentration obtained in §60.754(a)(3). The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.
[45CSR16, 45CSR23, 40 C.F.R. §60.754(a)(4)(ii)]

4.1.4. Within 30 months of the first annual emission rate report in which the emission rate equals or exceeds 50 megagrams per year of NMOC and the permittee cannot demonstrate compliance with Tier 2 or Tier 3 calculations, the permittee shall install a landfill gas collection and control system which conforms to 40 CFR §60.759 and:

a. Is designed to handle the maximum expected gas flow rate from the entire area of the landfill;

b. Collects gas from each area, cell or group of cells in which initial solid waste has been in place for a period of:

1. 5 years or more if active; or

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

c. Operate the collection system with negative pressure at each wellhead except conditions identified under 40 CFR §60.753(b).

d. Operate each interior wellhead in the collection system with a landfill gas temperature less than 55^{o}C and with either nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish higher value if they show supporting data that the elevated parameters does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

e. Collects gas at a sufficient extraction rate;

f. Is designed to minimize off-site migration of subsurface gas;

g. Reduces NMOC by 98 weight percent or for an enclosed combustion device, either reduces NMOC by 98 weight percent or reduces the outlet concentration to less than 20 ppmv, dry as hexane, at 3 percent oxygen;

h. Maintains the methane concentration at the surface of the landfill at less than 500 ppmv above the background level.

[45CSR16, 45CSR23, 40 C.F.R. § 60.752, 40 C.F.R. § 60.753]

4.1.5. **LFG Collection and Control System Design Plan** - The landfill gas collection and control design plan shall be submitted to the Division of Air Quality within one year after submitting the NMOC emission rate report, reporting an NMOC emission rate which equals or exceeds 50 megagrams per year.

a. If the permittee is required to install a gas collection and control system, the permittee shall apply for a Title V operating permit significant permit revision within 90 days of the date of the approval of the gas collection and control plan.

[45CSR16, 45CSR23, 40 C.F.R. § 60.757 (c)]

4.1.6. If a gas collection and control system design plan is required to be submitted and gas collection and control system is required to be installed in accordance with §60.752 (i.e., NMOC ≥ 50 megagrams per year), the permittee shall apply for a Title V permit modification for the purpose of incorporating any specific requirements of 40 CFR 60 Subpart WWW and 45CSR§23-3.3. pertaining to the gas collection and control system and design plan not already contained in this permit.
[45CSR§30-4.1.a.2.]

4.2. Monitoring Requirements

4.2.1. [Reserved]

4.3. Testing Requirements

4.3.1. See conditions 4.1.1.b. and 4.1.2.a.

4.4. Recordkeeping Requirements

4.4.1. Each owner or operator of a MSW landfill subject to the provisions of 40 CFR §60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, surface monitoring design plan, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Either paper copy or electronic format records are acceptable.
[45CSR16, 45CSR§23-3.3.c., 40 C.F.R. §60.758(a)]

4.4.2. Records of all emission data and operating parameters shall be maintained that include:

a. Description, location, amount, and placement date of all asbestos-containing or nondegradable waste excluded from gas collection as provided in 40 C.F.R. § 60.759(a)(3)(i) as well as any non-productive areas excluded from collection as provided in 40 C.F.R. § 60.759(a)(3)(ii).

b. Installation date and location of all vents, wells and flares.

These records shall be available on site for inspection by the Division of Air Quality and shall be current for the most recent five (5) years.

[45CSR16, 45CSR23, 40 C.F.R. §60.758]

4.5. Reporting Requirements

4.5.1. **Annual NMOC Emission Report** – Not later than June 30 of each year, unless the permittee elects to submit a five-year NMOC emission rate report, the permittee must submit an annual NMOC emission rate report to the Division of Air Quality. The NMOC emission rate shall be calculated in accordance with the methodology contained in §60.754(a) (1). The report shall include all data, calculations, sample reports and measurements used to estimate emissions.
[45CSR16, 45CSR23, 40 C.F.R. §60.757(b), 45CSR§30-5.1.c.]

4.5.2. **5-year NMOC Report** – If the estimated NMOC emission rate, as presented in the annual report is less than 50 Mg/yr in each of the next five consecutive years following the initial NMOC report, the permittee may elect to submit an estimate of the NMOC emission rate for the next five year period in lieu of the annual report. The estimate shall include the following:

a. Current amount of the solid waste in place, and

b. The estimated waste acceptance rate for each year of the five years for which an NMOC emission rate is estimated.

The NMOC emission rate shall be calculated in accordance with the methodology contained in §60.754(a)(1). All data, calculations, sample reports and measurements upon which the estimate is based shall be presented with the report to the Division of Air Quality. The estimate shall be revised at least every five (5) years.
[45CSR16, 45CSR23, 40 C.F.R. §60.757(b)(1)(ii)]

4.5.3. **Revision of 5-year NMOC Report** – 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 Division of Air Quality. The revised estimate shall cover the five year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate and shall be submitted within 180 days of the first exceedance of the estimated waste acceptance rate.
[45CSR16, 45CSR23, 40 C.F.R. §60.757(b)(1)(ii)]

4.5.4. **Closure Report** – The permittee shall submit a closure report to the Division of Air Quality within 30 days of the date the MSW landfill stopped accepting waste.
[45CSR16, 45CSR23, 40 C.F.R. §60.757(d)]

4.6. Compliance Plan

4.6.1. *Not Applicable*

5.0 Flare [emission point ID(s): *Flare1*]

5.1. Limitations and Standards

5.1.1. Only landfill gas generated from the Sycamore Landfill shall be routed to and combusted in the flare. **[45CSR13 –Permit R13-2242 §4.1.1.]**

5.1.2. The permittee shall install, calibrate, maintain, and operate according to the manufacturer's specifications a heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame. When the heat sensing device detects failure of the flame, the flare system shall automatically attempt to re-ignite the flame. In the event that the pilot flame fails-the automatic block valves for each blower shall automatic close. **[45CSR13 –Permit R13-2242 §4.1.2.]**

5.1.3. Emissions to the atmosphere shall not exceed the following limits:

Emission Point	Emission Point ID No.	Pollutant	Maximum Emission	
			lb/hr	ton/yr
Flare	1	Volatile Organic Compounds (VOC)	0.22	1.0
		Carbon Monoxide (CO)	16.7	73.0
		Oxides of Nitrogen (NOx)	3.06	13.4
		Sulfur Dioxide (SO_2)	2.77**	12.1
		Particulate Matter (PM/PM10)	0.77*	3.4
		Hazardous Air Pollutants(HAPs)	0.63	2.8

**Compliance with this streamlined particulate matter lb/hr limit assures compliance with 45CSR§6-4.1.*

***Compliance with this streamlined SO_2 lb/hr limit assures compliance with 45CSR§10-5.1.*

[45CSR13 –Permit R13-2242 §4.1.3.]

5.1.4. The annual amount of landfill gas routed to the flare shall not exceed 788.4 MM scf per year. This limit corresponds to the annual emission limits of Condition 5.1.3. **[45CSR13 –Permit R13-2242 §4.1.4.]**

5.1.5. The permittee shall install and maintain a device/system that continuously measures and records the total amount (on a volumetric basis) of landfill gas routed to the flare at all times. **[45CSR13 –Permit R13-2242 §4.1.5.]**

5.1.6. Visible particulate matter emissions from the flare (1) shall not exceed twenty (20%) percent opacity. **[45CSR§6-4.3.; 45CSR13 –Permit R13-2242 §4.1.6.]**

5.1.7. The provisions of Section 5.1.6. [45CSR§6-4.3] shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up. **[45CSR§6-4.4.; 45CSR13 –Permit R13-2242 §4.1.7.]**

5.1.8. The flare (1), including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors. **[45CSR§6-4.6.; 45CSR13 –Permit R13-2242 §4.1.8.]**

5.2. Monitoring Requirements

5.2.1. For the purpose of determining compliance with the opacity limits of 45CSR6, visible emission checks of the flare (1) shall be conducted. The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60, Appendix A, Method 22 or from the lecture portion of 40 C.F.R. Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source flare for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed while the flare is in operation and during appropriate weather conditions.

If visible emissions are present at a source(s) for three (3) consecutive monthly checks, the permittee shall conduct an opacity reading at that source(s) using the procedures and requirements of Method 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check. A Method 9 observation at a source(s) restarts the count of the number of consecutive readings with the presence of visible emissions.

[45CSR13 –Permit R13-2242 §4.2.1.]

5.2.2. The permittee shall record the total amount of landfill gas routed to the flare on a monthly basis and determine the 12-month rolling total to demonstrate compliance with the limits set forth in 5.1.4. and to determine actual emissions. Records of such monitoring shall be maintained in accordance with 3.4.4. of this permit.
[45CSR13 –Permit R13-2242 §4.2.2.]

5.3. Testing Requirements

5.3.1. [Reserved]

5.4. Recordkeeping Requirements

5.4.1. The permittee shall maintain records of all monitoring data required by Section 5.2.1, documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in METHOD 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.
[45CSR13 –Permit R13-2242 §4.4.4.]

5.4.2. For the purpose of demonstrating compliance with section 5.1.2., the permittee shall maintain records of the times and duration of all periods which the flame was absent and the blocking blower blocking valves failed to close. Said records shall be maintained in accordance with 3.4.4. of this permit.
[45CSR13 –Permit R13-2242 §4.4.5.]

5.4.3. The permittee shall maintain records of the visible emission opacity tests conducted. Said records shall be maintained on-site or in a readily accessible off-site location maintained in accordance with 3.4.4. of this permit.
[45CSR13 –Permit R13-2242 §4.4.6.]

5.5. Reporting Requirements

5.5.1. Any exceedance(s) of the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the exceedance(s), and any corrective measures taken or planned.
[45CSR13 –Permit R13-2242 §4.5.1.]

5.6. Compliance Plan

5.6.1. *Not Applicable*

APPENDIX A

Date of Observation: _____

Data Entered by: _____

Reviewed by: _____

Date Reviewed: _____

Describe the General Weather Conditions:

Emission Point ID	Emission Point Description	Observation Time	Visible Emissions Yes/No	Consecutive Months of Visual Emissions	Comments