PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR QUALITY PERMIT

FORSYTH COUNTY
OFFICE OF ENVIRONMENTAL ASSISTANCE AND PROTECTION
WINSTON-SALEM, NORTH CAROLINA

January 30, 2014

Notice is hereby given by the Forsyth County Office of Environmental Assistance and Protection (EAP) of an opportunity for the public to review and comment on a draft Title V air quality permit for:

Hanes Mill Road Landfill
b/t Hanes Mill Road and Ziglar Road, west of U.S. 52
Winston-Salem, NC

This facility has applied for renewal of its Title V Air Quality operation permit. The draft permit meets the Title V requirements as specified in Forsyth County Air Quality Control Ordinance and Technical Code 3Q .0500.

EPA will process this draft permit as a proposed permit and perform its 45-day review provided by Rule 3Q .0522 *Review by EPA and Affected States* concurrently with the public notice period. If public comments are received that result in a change to the permit, EPA's 45-day review period will cease to be performed concurrently with the public notice period. The deadline for citizen's petitions to the EPA Administrator will be determined based on EPA's 45-day review period beginning after the public comment period has ended. The status regarding EPA's 45-day review of this project and the deadline for citizen's petitions can be found at the following website address:

http://www.epa.gov/region4/air/permits/northcarolina.htm

The EAP will issue a final Air Quality Permit, in accordance with the conditions of the draft/proposed Air Quality Permit, unless there are public comments which result in a different decision or significant change in the permit.

A copy of the draft permit and statement of basis is available at the EAP's website:

http://www.forsyth.cc/EAP/public_notices.aspx

Additional information regarding the draft permit may be obtained from the Office of Environmental Assistance and Protection, Forsyth County Government Center, 201 N. Chestnut St., Winston-Salem, North Carolina 271014120; telephone (336) 703-2440. The public may submit written comments on these proceedings to the address above or by e-mail to lloydpb@forsyth.cc on or before March 1, 2014, the close of the public comment period.

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Peter B. Lloyd, Ph.D., P.E., Manager
Compliance Assistance & Permitting Division

FORSYTH COUNTY OFFICE OF ENVIRONMENTAL ASSISTANCE AND PROTECTION

FORSYTH COUNTY GOVERNMENT CENTER
201 NORTH CHESTNUT STREET
WINSTON-SALEM, NC 27101-4120

PERMIT TO CONSTRUCT/OPERATE
AIR QUALITY CONTROL
CLASS: Title V

PERMIT NUMBER	EFFECTIVE DATE	EXPIRATION DATE	RENEWAL DUE
00913-TV-5	TBD	TBD	TBD

Facility Name: **Hanes Mill Road Sanitary Waste Landfill**
Mailing Address: **City of Winston-Salem, Public Works**
P.O. Box 2511
City, State, ZIP Code: **Winston-Salem, NC 27102-2511**

Facility Location: **b/t Hanes Mill Road & Ziglar Road, west of U.S. 52**
City: **Winston-Salem**

In accordance with the provisions set forth in the Forsyth County Air Quality Technical Code and Chapter 3 of the Forsyth County Code, “Air Quality Control”, the facility identified above is authorized to operate, as outlined in Part I, ”Air Quality Title V Operation Permit”, and to construct and operate, as outlined in Part II, “Air Quality Construction and Operation Permit”, the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations contained within this permit.

The permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete air quality permit application to the Forsyth County Office of Environmental Assistance and Protection and received an Air Quality Permit, except as provided in this permit or in accordance with applicable provisions of the Forsyth County Air Quality Technical Code.

This permit supersedes all previous permits issued to the permittee by the Forsyth County Office Of Environmental Assistance And Protection.

Peter B. Lloyd, Ph.D., P.E., Manager
Compliance Assistance & Permitting Division

DATE:

SECTION 1 - PERMITTED EQUIPMENT AND ASSOCIATED AIR POLLUTION CONTROL DEVICE(S)

Emission Source ID#	Emission Source Description	Control Device ID#	Control Device Description
ES-1	Municipal Solid Waste Landfill		Landfill gas collection system; and
		CD-1	Treatment System for Subsequent Sale or
		CD-2	Utility flare

SECTION 2 - FACILITY GENERAL ADMINISTRATIVE CONDITIONS

2.1 **General Provisions [Subchapter 3A and Rule 3Q .0508(i)(16)]**

A. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in Subchapters 3D and 3Q of the Forsyth County Air Quality Technical Code (FCAQTC).

B. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Subchapter 3A of the Forsyth County Air Quality Ordinance (FCAQO), including assessment of civil and/or criminal penalties. This permit is valid only for the specific processes and operations applied for and indicated in the air quality permit application. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and enforcement action by this Office.

C. This permit is not a waiver of or approval of any other permits that may be required for other aspects of the facility which are not addressed in this permit.

D. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore. This permit does not allow the permittee to cause pollution in contravention of local laws or rules, unless specifically authorized by an order from the Director, or to cause pollution in contravention of state laws or rules.

E. Terms and conditions contained herein shall be enforceable by this Office, the U.S. EPA and citizens of the United States as defined in the federal Clean Air Act, except those identified as ***Locally Enforceable Only*** requirements which are enforceable by this Office.

F. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained or modified without the appropriate and valid permits issued by this Office, unless the source is exempted by rule. This Office may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any

of the applicable requirements.

G. In addition to the authority found in Rules 3D. 0501 and 3Q .0508(i)(16), any deviation from the monitoring provisions of this permit may result in a request by this Office to submit data on rates of emissions in order to demonstrate compliance with any applicable regulation.

2.2 **Permit Availability [Rules 3Q .0507(k), .0508(i)(16), .0508(i)(9) and .0110]**

The permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of this Office or the U.S. EPA upon request.

2.3 **Submissions [Rules 3Q .0507(c), .0508(i)(16) and .0104]**

All documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required to be sent to this Office by this permit shall be submitted to the Forsyth County Office of Environmental Assistance and Protection, Forsyth County Government Center, 201 N. Chestnut Street, Winston-Salem, NC 27101-4120.

2.4 **Severability Clause [Rule 3Q .0508(i)(2)]**

The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any specific circumstance, is challenged, the application of the provision in question to other circumstances, as well as the remainder of this permit's provisions, shall not be affected.

2.5 **Duty to Comply [Rule 3Q .0508(i)(3)]**

The permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2.6 **Need to Halt or Reduce Activity Not a Defense [Rule 3Q .0508(i)(4)]**

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.

2.7 **Permit Shield [Rule 3Q .0512(a)]**

A. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.

B. A permit shield shall not alter or affect:

1. the power of the Forsyth County Board of Commissioners, Director, or Governor under NCGS 143-215.3(a)(12) or the U.S. EPA under Section 303 of the federal Clean Air Act;
2. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
3. the applicable requirements under Title IV of the Clean Air Act; or
4. the ability of the Director or the U.S. EPA under Section 114 of the federal Clean Air Act to obtain information to determine compliance of the facility with its permit.

C. A permit shield shall not apply to any change made at a facility that does not require a permit or to any permit revision made under Rule 3Q .0523.

D. A permit shield shall not extend to minor permit modifications made under Rule 3Q .0515.

2.8 Circumvention [Rules 3D .0502 and 3Q .0508(i)(16)]

No person shall circumvent any permitted air pollution control device, or allow the emissions of regulated air pollutants without the applicable air pollution control device operating properly. Unless otherwise specified by this permit, no permitted emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

2.9 Good Air Pollution Control Practice [Rules 3D .0502 and 3Q .0508(i)(16)]

At all times, the equipment listed in *Section 1* shall be operated and maintained in a manner consistent with the design and emissions control as applied for in the application.

2.10 Reporting Requirements for Excess Emissions and Permit Deviations [Rules 3D .0535(f) and 3Q .0508(f)(2), 3Q .0508(i)(16) and 3Q .0508(g)]

"Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections 3D .0500, .0900, .1200 or .1400; or by a permit condition; or that exceeds a ***Locally Enforceable Only*** emission limit established in a permit issued under Section 3Q .0700. (*Note: This definition applies where the NSPS does not further define excess emissions for an affected NSPS emissions source.*)
"Deviation" - means any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions.

A. Sources subject to Rules 3D .0524, .1110 or .1111
<u>Excess Emissions and Permit Deviations</u>

1. If the source specific NSPS (3D .0524) or NESHAP (3D .1110 or .1111) defines "excess emissions", these shall be reported as prescribed in 3D .0524, .1110 or .1111.

2. If the source specific NSPS (3D .0524) or NESHAP (3D .1110 or .1111) does NOT define "excess emissions", the permittee shall report excess emissions as deviations from permit requirements as prescribed in paragraph 3, below.

3. In addition to any specific NSPS or NESHAP reporting requirements the permittee shall upon becoming aware:

    a. report to this Office any deviations from permit requirements by the next business day, unless an alternative reporting schedule is specifically provided in the permit, and

    b. report in writing to this Office all deviations from permit requirements or any excess emissions within two business days, unless an alternative reporting schedule is specifically provided in the permit. The written report shall include the probable cause of such deviations and any corrective actions or preventative actions taken. Reports of all deviations from permit requirements shall be certified by a responsible official.

B. Sources NOT subject to Rules 3D .0524, 1110 or .1111

1. Excess Emissions Greater than Four Hours in Duration [3D .0535(f)]
The permittee shall report excess emissions greater than four hours in duration as prescribed in Rule 3D .0535(f) including, but not limited to the following:

    a. Notify this Office of any such occurrence by 9:00 a.m. Eastern time of this Office's next business day of becoming aware of the occurrence as described in Rule 3D .0535(f)(1);

    b. Notify this Office immediately when corrective measures have been accomplished; and

    c. Submit, if requested, to this Office within 15 days after the request, a written report as described in Rule 3D .0535(f)(3).

2. Excess Emissions Less than Four Hours in Duration and Deviations [3Q .0508(f)]
The permittee shall report excess emissions less than four hours in duration and deviations from permit requirements as follows:

    a. Report to this Office any excess emissions less than four hours in duration and any deviations from permit requirements quarterly, unless an alternative reporting schedule is specifically provided in the permit; and

    b. Report in writing to this Office any excess emission less than four hours in duration or any deviations from permit requirements quarterly, unless an alternative reporting schedule is specifically provided in the permit. The written report shall include the probable cause of such excess emissions and deviations and any corrective actions or preventative actions taken. All reports of excess emissions and deviations from permit requirements shall be certified by a responsible official.

C. Other Requirements under Rule 3D .0535 (Rule 3D .0535(g) is ***Locally Enforceable Only***.)

The permittee shall comply with all other requirements contained in Rule 3D .0535.

2.11 Emergency Provisions <40 CFR 70.6(g)>

The permittee shall be subject to the following provision with regard to emergencies:

A. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility 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 preventive maintenance, careless or improper operation, or operator error.

B. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in paragraph C below are met.

C. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs, or other relevant evidence that include information as follows:

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency;
2. the permitted facility was at the time being properly operated;
3. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the standards, or other requirements in the permit; and
4. the permittee submitted notice of the emergency to this Office within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, and steps taken to mitigate emissions, and corrective actions taken.

D. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

E. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

2.12 Permit Fees [Rules 3Q .0206(b), .0508(i)(10) and .0519(a)(4)]

If, within 30 days after being billed, the permittee fails to pay an annual permit fee required under Subchapter 3Q .0200 of the FCAQTC, the Director may initiate action to terminate this permit under Rule 3Q .0519 of the FCAQTC.

2.13 Annual Emission Inventory Requirements [Rule 3Q .0207]

The permittee shall report to the Director by June 30th of each year the actual emissions of each air pollutant listed in Rule 3Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form(s) as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

2.14 Compliance Certification <40 CFR 70.6(c)> [Rules 3Q .0508(n) and .0508(i)(16)]

By March 1st unless another date is established by the Director, the permittee shall submit to this Office and the U.S. EPA **(U.S. EPA Region 4, Air Enforcement Section, Mail Code: 4APT-AEEB, 61 Forsyth Street, S.W., Atlanta, GA 30303)** a compliance certification by a responsible official with all terms and conditions in the permit, including emissions limitations, standards, or work practices. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the federal Clean Air Act. The compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):

A. the identification of each term or condition of the permit that is the basis of the certification;

B. the status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the methods or means designated in 40 CFR 70.6(c)(5)(iii)(B). The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR 64 occurred;

C. whether compliance was continuous or intermittent;

D. the identification of the method(s) or other means used by the owner and operator for determining the compliance status with each term and condition during the certification period; these methods shall include the methods and means required under 40 CFR Part 70.6(a)(3); and

E. such other facts as the Director may require to determine the compliance status of the source.

2.15 Retention of Records [Rule 3Q .0508(f)]

The permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit.

2.16 NESHAP - Recordkeeping Requirement for Applicability Determinations <40 CFR 63.10(b)(3)> [Rule 3D .1111]

If the permittee determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR Part 63, the permittee shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source. This record shall include all of the information required under 40 CFR 63.10(b)(3).

2.17 **Duty to Provide Information [Rule 3Q .0508(i)(9)]**

A. The permittee shall furnish to this Office, in a timely manner, any reasonable information that the Director 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.

B. The permittee shall furnish this Office copies of records required to be kept by the permit when such copies are requested by the Director.

2.18 **Duty to Supplement or Correct Application [Rule 3Q .0507(f)]**

The permittee, upon becoming aware that any relevant facts were omitted from the application or that incorrect information was submitted with the application, shall promptly submit such supplementary facts or corrected information to this Office. The permittee shall also provide additional information necessary to address any requirements that become applicable to the source after the date a complete application was submitted but prior to release of the draft permit.

2.19 **Certification by Responsible Official [Rule 3Q .0520]**

A responsible official (as defined in 40 CFR 70.2) shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that, based on information and belief formed after reasonable inquiry, the statement and information in the document are true, accurate, and complete.

2.20 **Inspection and Entry [Rule 3Q .0508(l)]**

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized representatives of this Office to perform the following:

1. enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;

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

3. inspect, at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

4. sample or monitor substances or parameters, at reasonable times and using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements.

Nothing in this condition shall limit the ability of the U.S. EPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

B. No person shall obstruct, hamper or interfere with any such authorized representative while

in the process of carrying out his official duties.

2.21 Averaging Times <40 CFR 70.6(a)(3)> [Rule 3Q .0508(f)]

Unless otherwise specified in *Section 3* of this permit for a specific emission standard or limitation, the applicable averaging period for determining compliance with an emission standard or limitation during compliance testing shall be based on the applicable U.S. EPA reference test method.

2.22 Compliance Testing [Rule 3D .2602(e)]

When requested by this Office for determining compliance with emission control standards, the permittee shall provide sampling ports, pipes, lines, or appurtenances for the collection of samples and data required by the test procedure; scaffolding and safe access to the sample and data collection locations; and light, electricity, and other utilities required for sample and data collection.

2.23 General Emissions Testing and Reporting Requirements [Rule 3D .2602 and Rule 3Q .0508(i)(16)]

Testing shall be conducted in accordance with FCAQTC Section 3D .2600 except as may be otherwise required in FCAQTC Rules 3D .0524, 3D .0912, 3D .1110, 3D .1111, 3D .1415 or a permit condition specific to the emissions source. Requests to use an alternative test method or procedure must be made in writing at least 45 days prior to the test and approved by this Office. Alternatives to test methods or procedures specified for emissions sources subject to test requirements under 40 CFR 60, 40 CFR 61 or 40 CFR 63, may require approval by the U.S. EPA. When required to conduct emissions testing under the terms of the permit:

A. The permittee shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved prior to air pollution testing. Emission testing protocols must be submitted at least 45 days before conducting the test for pre-approval prior to testing if requested by the permittee.

B. The permittee shall notify this Office of the specific test dates at least 15 days prior to the scheduled test date in order to afford this Office the opportunity to have an observer on-site during the sampling program.

C. During all sampling periods, the permittee shall operate the emission source(s) under operating conditions that best fulfill the purpose of the test and are approved by the Director or his delegate.

D. The permittee shall submit one copy of the test report to this Office not later than 30 days after sample collection. The permittee may request an extension to submit the final test report if the extension request is a result of actions beyond the control of the permittee. The test report shall contain at a minimum the following information:

    1. a certification of the test results by sampling team leader and facility representative;
    2. a summary of emissions results expressed in the same units as the emission limits given

in the rule for which compliance is being determined and text detailing the objectives of the testing program, the applicable state and federal regulations, and conclusions about the testing and compliance status of the emission source(s) as appropriate;
3. a detailed description of the tested emission source(s) and sampling location(s) process flow diagrams, engineering drawings, and sampling location schematics as necessary;
4. all field, analytical and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
5. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
6. documentation of facility operating conditions during all testing periods and an explanation relating these operating conditions to maximum normal operation. If necessary, provide historical process data to verify maximum normal operation.

E. This Office will review emission test results with respect to the specified testing objectives as proposed by the permittee and approved by this Office.

2.24 **Termination, Modification, and Revocation of the Permit [Rule 3Q .0519]**

The Director may terminate, modify, or revoke and reissue this permit if:

A. the information contained in the application or presented in support thereof is determined to be incorrect;

B. the conditions under which the permit or permit renewal was granted have changed;

C. violations of conditions contained in the permit have occurred;

D. the permit holder fails to pay fees required under Section 3Q .0200 within 30 days after being billed;

E. the permittee refuses to allow the Director or his authorized representative upon presentation of credentials:

1. to enter, at reasonable times and using reasonable safety practices, the permittee's premises in which a source of emissions is located or in which any records are required to be kept under terms and conditions of the permit;

2. to have access, at reasonable times, to any copy or records required to be kept under terms and conditions of the permit;

3. to inspect, at reasonable times and using reasonable safety practices, any source of emissions, control equipment, and any monitoring equipment or method required in the permit; or

4. to sample, at reasonable times and using reasonable safety practices, any emission sources at the facility;

F. the U.S. EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or

G. the Director finds that termination, modification, or revocation and reissuance of the permit is

necessary to carry out the purpose of Chapter 3 of the Forsyth County Code.

2.25 **Permit Reopenings, Modifications, Revocations and Reissuances, or Terminations [Rule 3Q .0508(i)(5)]**

The Director may reopen, modify, revoke and reissue, or terminate this permit for reasons specified in Rule 3Q .0517 or .0519. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition in this permit.

2.26 **Permit Renewal [Rule 3Q .0508(e) and Rule 3Q .0513]**

This permit is issued for a term not to exceed five years. Permits issued under Title IV of the Clean Air Act shall be issued for a fixed period of five years. This permit shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete renewal application is submitted at least nine months before the date of permit expiration. If the permittee or applicant has complied with Rule 3Q .0512(b)(1), this permit shall not expire until the renewal permit has been issued or denied. All terms and conditions of this permit shall remain in effect until the renewal permit has been issued or denied.

2.27 **Reopening for Cause [Rules 3Q .0517 and .0508(g)]**

This permit shall be reopened and revised in accordance with Rule 3Q .0517 prior to its expiration date, for any of the following reasons:

A. Additional applicable requirements become applicable to the facility with remaining permit term of three or more years.

B. Additional requirements, including excess emissions requirements, become applicable to this source under Title IV of the Clean Air Act. Excess emissions offset plans for this source shall become part of this permit upon approval by the U.S. EPA.

C. The Director or the U.S. EPA finds that a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

D. The Director or the U.S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

2.28 **Construction and Operation Permits [Sections 3Q .0100 and .0300]**

A construction and operating permit shall be obtained by the permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of Sections 3Q .0100 and .0300.

2.29 **Permit Modifications [Rules 3Q .0514, .0515, .0516, .0517, .0523 and .0524]**

A. Permit modifications may be subject to the requirements of Rules 3Q .0514, .0515, .0516 and

.0524.

B. Changes made pursuant to Rules 3Q .0523(a) and (b) do not require a permit modification.

C. The permittee shall submit an application for reopening for cause in accordance with Rule 3Q .0517 if notified by this Office.

D. To the extent that emissions trading is allowed under FCAQTC Subchapter 3D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to Rule 3Q .0523(c).

2.30 **Insignificant Activities [Rules 3Q .0503 and .0508(i)(15)]**

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The permittee shall have available at the facility at all times and made available to an authorized representative of this Office upon request, documentation, including calculations if necessary, to demonstrate that an emission source or activity is insignificant.

2.31 **Standard Application Form and Required Information [Rules 3Q .0505 and .0507]**

The permittee shall submit applications and required information in accordance with the provision of Rules 3Q .0505 and .0507.

2.32 **Property Rights [Rule 3Q .0508(i)(8)]**

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

2.33 **Refrigerant Requirements (Stratospheric Ozone and Climate Protection) [Rule 3Q .0508(b)]**

A. If the permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR 82 Subpart A, Appendices A and B, the permittee shall service, repair, and maintain such equipment according to the work practices and personnel certification requirements, and the permittee shall use certified recycling and recovery equipment specified in 40 CFR 82 Subpart F.

B. The permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR 82 Subpart F.

C. The permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the U.S. EPA or its designee as required.

2.34 **Prevention of Accidental Releases - Section 112(r) [Rule 3Q .0508(h)]**

If the permittee is required to develop and register a risk management plan pursuant to Section 112(r) of the federal Clean Air Act, then the permittee is required to register this plan in accordance with 40 CFR Part 68.

2.35 **Title IV Allowances [Rule 3Q .0508(i)(1)]**

The facility's emissions are prohibited from exceeding any allowances that the facility lawfully holds under Title IV of the Clean Air Act. This permit shall not limit the number of allowances held by the permittee, but the permittee may not use allowances as a defense to noncompliance with any other applicable requirement.

2.36 **Air Pollution Alert, Warning or Emergency [Section 3D .0300]**

Should the Director of this Office declare an Air Pollution Alert, Warning or Emergency, the permittee will be required to operate in accordance with the permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in Section 3D .0300.

2.37 **Registration of Air Pollution Sources [Rule 3D .0202]**

The Director of this Office may require the permittee to register a source of air pollution. If the permittee is required to register a source of air pollution, this registration and required information shall be in accordance with Rule 3D .0202(b).

2.38 **Ambient Air Quality Standards [Rule 3D .0501(e)]**

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in Rule 3D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

2.39 **Odor [Rule 3D .0522]** ***Locally Enforceable Only***

The permittee shall not cause or permit the emission of odors beyond the facility's property lines which are harmful, irritating or which unreasonably interfere with the use and enjoyment of any person's properties or living conditions, or any public properties or facilities. Such odors are prohibited by Rule 3D .0522. No violation shall be cited, provided that the best practical treatment, maintenance, and control of odor(s) currently available is used. This requirement does not apply to normal agricultural practices, nor to accidental emissions of odors which are not normally produced during routine operations and activities as determined by the Director.

2.40 **Fugitive Dust Control Requirement [Rule 3D .0540]**

The permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR 60, Appendix A), the owner or operator may be required to submit and implement a fugitive dust control plan as described in 3D .0540(f).

New Source Performance Standards (NSPS) General Conditions - [Rule 3D .0524]

Following are conditions found in the 40 CFR Part 60 NSPS General Provisions. The following conditions only apply to sources subject to a relevant standard of a subpart of 40 CFR Part 60 except when otherwise specified in a particular subpart or in a relevant standard.

2.41 **NSPS - General Provisions <40 CFR 60 Subpart A> [Rule 3D .0524]**

The permittee shall comply with all applicable requirements specified in the general provisions of the New Source Performance Standards (40 CFR 60 Subpart A) including but not limited to requirements concerning notifications, testing, monitoring, recordkeeping, modifications and reconstruction.

2.42 **NSPS - Good Air Pollution Control Practice <40 CFR 60.11(d)> [Rule 3D .0524]**

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

2.43 **NSPS - Circumvention <40 CFR 60.12> [Rule 3D .0524]**

Permittee shall not 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 under 40 CFR 60. 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.

2.44 **NSPS - Maintain Records - Startup/Shutdown/Malfunction <40 CFR 60.7(b)> [Rule 3D .0524]**

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

2.45 **NSPS - Files Available for Inspection <40 CFR 60.7(f)> [Rule 3D .0524]**

The permittee shall maintain a file of all measurements, including, if applicable, performance test measurements and all other information required in 40 CFR 60 . This file shall be kept in a permanent form suitable for inspection and shall be retained at least two years following the date of such measurements, maintenance, reports, and records.

2.46 **NSPS - Performance Testing Facilities Provided by Permittee <40 CFR 60.8(e)> [Rule 3D .0524]**

For any performance testing, the permittee shall provide, or cause to be provided, performance testing facilities as follows:

A. Sampling ports adequate for the applicable test methods. This includes:

1. constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and

2. providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

B. Safe sampling platform(s) with safe access.

C. Utilities for sampling and testing equipment.

D. Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For purposes of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply.

National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) General Conditions - [Rule 3D .1111]

Following are conditions found in the 40 CFR Part 63 NESHAP General Provisions. The following conditions only apply to sources subject to a relevant standard of a subpart of 40 CFR Part 63 except when otherwise specified in a particular subpart or in a relevant standard.

2.47 **NESHAP - General Provisions <40 CFR 63 Subpart A> [Rule 3D .1111]**

The permittee shall comply with all applicable requirements specified in the general provisions of the National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR 63 Subpart A) including but not limited to requirements concerning notifications, testing, monitoring, recordkeeping, modifications, construction, and reconstruction.

2.48 **NESHAP - Startup Shutdown and Malfunction Plan <40 CFR 63.6(e)(3)> [Rule 3D .1111]**

The permittee shall develop and implement a written startup, shutdown and malfunction plan in accordance with the requirements in 40 CFR 63.6(e)(3).

2.49 **NESHAP - Good Air Pollution Control Practice <40 CFR 63.6(e) and 63.8(c)> [Rule 3D .1111]**

At all times, including periods of startup, shutdown, and malfunction, the permittee shall maintain and operate any affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions at least to the levels required by all relevant standards. The permittee also shall maintain and operate each continuous monitoring system (CMS) as specified in 40 CFR 63.8, or in a relevant standard, and in a manner consistent with good air pollution control practices. Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required by 40 CFR 63.6(e)(3). Operation and maintenance requirements established pursuant to Section 112 of the Clean Air Act are enforceable independent of emissions limitations or other requirements in relevant standards.

2.50 **NESHAP - Circumvention <40 CFR 63.4(b)> [Rule 3D .1111]**

The permittee shall not build, erect, install, or use any article, machine, equipment or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere, the use of diluents to achieve compliance with a relevant standard for visible emissions, and the fragmentation of an operation such that the operation avoids regulation by a relevant standard.

2.51 **NESHAP - Maintain Records <40 CFR 63.10(b)(2)> [Rule 3D .1111]**

For affected sources, the permittee shall maintain relevant records of:

A. the occurrence and duration of each startup, shutdown, or malfunction of operation;
B. the occurrence and duration of each malfunction of the air pollution control equipment;
C. all maintenance performed on the air pollution control equipment;
D. actions taken during periods of startup, shutdown, and malfunction;
E. all information necessary to demonstrate compliance with the affected source's startup,shutdown, and malfunction plan when all actions taken are consistent with the procedures specified in the plan;
F. each period during which a CMS is malfunctioning or inoperative;
G. all required measurement needed to demonstrate compliance with a relevant standard;
H. all results of performance tests, CMS performance evaluations, and opacity and visible emission observations;
I. all measurements as may be necessary to determine the conditions of performance tests and performance evaluations;
J. all CMS calibration checks;
K. all adjustments and maintenance performed on CMS;
L. any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements if the source has been granted a waiver under 40 CFR 63.10(f);
M. all emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test if the source has been granted such permission under 40 CFR

63.8(f)(6); and

N. all documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9.

2.52 **NESHAP - Files Available for Inspection <40 CFR 63.10(b)(1)> [Rule 3D .1111]**

The permittee shall maintain files of all information required by 40 CFR Part 63 recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two years of data shall be retained on site. The remaining three years of data may be retained off site.

2.53 **NESHAP - Performance Testing Facilities Provided by Permittee <40 CFR 63.7(d)> [Rule 3D .1111]**

For any performance testing for each new source and, at the request of the Director, for each existing source, the permittee shall provide performance testing facilities as follows:

A. Sampling ports adequate for test methods applicable to the affected source. This includes:
   1. Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and
   2. Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
B. Safe sampling platform(s).
C. Safe access to sampling platform(s).
D. Utilities for sampling and testing equipment.
E. Any other facilities that the Director deems necessary for safe and adequate testing of a source.
F. Unless otherwise specified in the applicable subpart, each performance test shall be conducted according to the requirements in 40 CFR 63.7.

SECTION 3
SPECIFIC LIMITATIONS AND CONDITIONS

The emission source(s) and associated air pollution control device(s) listed in **Section 1** are subject to the following specific terms, conditions, and limitations:

3.1 MUNICIPAL SOLID WASTE LANDFILL (ES-1), CONTROLLED BY GAS COLLECTION SYSTEM AND TREATMENT SYSTEM FOR SUBSEQUENT SALE (CD-1) OR UTILITY FLARE (CD-2)

The following provides a summary of the limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Applicable Standard	Applicable Regulation
NMOC	installation and operation of approved LFG collection system and control by routing collected LFG to: - a flare, designed and operated in accordance with 40 CFR 60.18, or - a treatment system for subsequent sale.	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW - NSPS for Municipal Solid Waste Landfills
HAP	Comply with NSPS; additional reporting requirements, SSM requirements	40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 63.1930 *et seq.*

A. **Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills [Rule 3D .0524 and 40 CFR Part 60, Subpart WWW, hereinafter referenced by Section number]**

1. **Standard** - [Rule **3D .0524**] - The permittee shall comply with all applicable standards and provisions, including the notification, testing, work practices, monitoring, recordkeeping, and reporting requirements of Rule 3D .0524, “New Source Performance Standards” (NSPS), promulgated in 40 CFR Part 60, Subpart WWW, including all applicable requirements and provisions specified by the general provisions of the New Source Performance Standards (40 CFR 60, Subpart A).

   a The provisions of subpart WWW apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [Rule 3D .0524, 40 CFR §60.755(e)]

   b. The permittee may propose for approval by this Office, alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of Sections 60.753 through 60.758 and of this permit. Until any such alternative is approved, and until such time as any required permit modification is made,

however, the permittee shall comply with Sections 60.753 through 60.758 and the permit conditions herein. [Rule 3D .0524, 40 CFR §60.752(b)(2)(i)(B) and (C), 40 CFR §63.1955(c)]

2. **Installation and maintenance of collection and control system** - [Rule 3D .0524, 40 CFR §752(b)(2)(ii)] - The permittee shall install and maintain a collection and control system that effectively captures the gas generated within the landfill and meets the specifications and requirements of 40 CFR §60.752(b)(2)(ii), including:

   a. The collection and control system shall be installed in conformance to this Office-approved design plan. Changes or additions to the collection and control system shall be made pursuant to an amended design plan prepared by a professional engineer. The permittee shall submit to this Office any amendments to the design plan. [Rule 3D .0524, 40 CFR §§60.752(b)(2(ii)(A)(1) and §60.755(a)(1)]

   b. The active collection system shall be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment. [Rule 3D .0524, 40 CFR §60.752(b)(2)(ii)(A)(1)]

   c. The active collection system shall collect gas from each area, cell, or group of cells in which the initial solid waste has been placed for a period of 5 years or more if active, or 2 years or more if closed or at final grade. The collection devices shall be located at a density sufficient to meet all operational and performance standards. [Rule 3D .0524, 40 CFR §§60.752(b)(2)(ii)(A)(2), 60.753(a), and 60.755(a)(2)]

   d. The collection system shall collect gas at a sufficient extraction rate. The permittee shall demonstrate the sufficiency of the extraction rate by following the procedures of Section 60.755(a)(3) and condition **3.1.A.6.c**. [Rule 3D .0524, 40 CFR §60.752(b)(2(ii)(A)(3)]

   e. The collection system shall be designed to minimize off-site migration of subsurface gas. [Rule 3D .0524, 40 CFR §60.752(b)(2(ii)(A)(4)]

   f. The permittee shall route landfill gas collected pursuant to the NSPS to a treatment system that processes the gas for subsequent sale or to a flare designed in accordance with 40 CFR §60.18 and that meets the requirements of **Section 3.2**. [Rule 3D .0524, 40 CFR §60.752(b)(2)(iii)]

   g. The collection and control system shall be operated in accordance with the operational standards, compliance provisions, and monitoring requirements of 40 CFR §§ 60.753, 60.755, and 60.756, and permit conditions **3.1.A.5, 6, and 7**. [Rule 3D .0524, 40 CFR §60.752(b)(2)(iv)]

3. **Specifications for active collection systems** - [Rule 3D .0524, 40 CFR §60.759] -

   a. The permittee shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the procedures set forth in Section 60.759(a)(1) through (3), unless alternative procedures have been approved by this Office as provided in Section 60.752(b)(2)(i)(C) and (D). [Rule 3D .0524, 40 CFR §60.759(a)]

   b. The collection devices within the interior and along the perimeter areas shall be certified to

achieve comprehensive control of surface gas emissions by a professional engineer. [Rule 3D .0524, 40 CFR §60.759(a)(1)]

c. The P.E. certified design shall address the following issues: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat. [Rule 3D .0524, 40 CFR §60.759(a)(1)]

d. The determination of the sufficient density of gas collection devices, as required in paragraph a, above, shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior. [Rule 3D .0524, 40 CFR §60.759(a)(2)]

e. The placement of gas collection devices shall control all gas producing areas, with the following exceptions:

   i. Any segregated area of asbestos or nondegradable material may be excluded, if documented as provided in Sections 60.759(a)(3)(i) and 60.758(d) and permit condition 3.1.A.8(h).

   ii. Any non-productive area of the landfill may be excluded, if the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill, using the procedures provided in Section 60.759(a)(3)(ii).

   [Rule 3D .0524, 40 CFR §60.759(a)(3)]

f. The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. [Rule 3D .0524, 40 CFR §60.759(b)(1)]

g. The collection system shall extend as necessary to comply with emission and migration standards. [Rule 3D .0524, 40 CFR §60.759(b)(1)]

h. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration. [Rule 3D .0524, 40 CFR §60.759(b)(1)]

i. Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. [Rule 3D .0524, 40 CFR §60.759(b)(2)]

j. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross section so as to allow for their proper construction and completion. [Rule 3D .0524, 40 CFR §60.759(b)(2)]

k. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. [Rule 3D .0524, 40 CFR §60.759(b)(2)]

l. Any gravel used around pipe perforations should be of a dimension that will not penetrate or block perforations. [Rule 3D .0524, 40 CFR §60.759(b)(2)]

m. Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness. [Rule 3D .0524, 40 CFR §60.759(b)(3)]

n. The permittee shall convey the landfill gas to a control system in compliance with §60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the procedures found in §60.759(c)(1) and (2). [Rule 3D .0524, 40 CFR §60.759(c)]

4. **Removal of collection and control system** -

a. The collection and control system may be capped or removed provided that all the conditions below are met, in accordance with Section 60.752(b)(2)(v)(A), (B), and (C).

i. The landfill shall be a closed landfill as defined in 40 CFR §60.751. A closure report shall be submitted to this Office as provided in Section 60.757(d);

ii. The collection and control system shall have been in operation a minimum of 15 years; and

iii. Following the procedures specified in §60.754(b) the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

[Rule 3D .0524, 40 CFR §60.754(b) and §60.752(b)(2)(v)]

b. The permittee shall calculate the NMOC emission rate for purposes of determining when the system can be removed using the equation and methods provided in §60.754(b). [Rule 3D .0524, 40 CFR §60.754(b) and §60.752(b)(2)(v)]

5. **Operational standards** - [Rule 3D .0524, 40 CFR §60.753] -

a. The permittee shall operate the collection system such that gas is collected from each area, cell, or group of cells in which solid waste has been in place for 5 years or more if active, or 2 years or more if closed or at final grade. [Rule 3D .0524, 40 CFR §60.753(a)]

b. The permittee shall operate the collection system with negative pressure at each wellead except under the following conditions:

i. A fire or increased well temperature. The permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in Section 60.757(f)(1) and permit condition **3.1.A.9(a)**.

ii. Use of a geomembrane or synthetic cover. The permittee shall develop acceptable

pressure limits in the design plan.

iii. A decommissioned well. A well may experience a static positive pressure after shutdown to accommodate for declining flows. All design changes shall be approved by this Office.

[Rule 3D .0524, 40 CFR §60.753(b)]

c. The permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees centigrade and with either a nitrogen level less that 20 percent or an oxygen level less than 5 percent. The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well by making a demonstration in accordance with Section 60.753(c).

i. The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by Section 60.752(b)(2)(i).

ii. The oxygen level shall be determined by an oxygen meter using Method 3A or 3C with the exceptions to the method described in Section 60.753(c)(2)(i) through (v), unless an alternative test method is established as allowed by Section 60.752(b)(2)(i).

[Rule 3D .0524, 40 CFR §60.753(c)]

d. The permittee shall operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. The permittee shall comply with this requirement as provided in Section 60.753(d) and as provided in the surface methane monitoring conditions of **3.1.A.7.d**. [Rule 3D .0524, 40 CFR §60.753(d)]

e. The permittee shall operate the system such that all collected gases are vented to a control system designed and operated in compliance with Section 60.752(b)(2)(iii). [Rule 3D .0524, 40 CFR §60.753(e)]

f. The permittee shall operate the control or treatment system at all times when the collected gas is routed to the system. [Rule 3D .0524, 40 CFR §60.753(f)]

g. If for any reason the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour. [Rule 3D .0524, 40 CFR §60.753(e)]

h. If monitoring demonstrates that the operational requirements of the NSPS and conditions 3(b) through (g) are not met, corrective action shall be taken as specified in Section 60.755(a)(3) through (5) or Section 60.755(c), and conditions **3.1.A.7(b) through (d)**. If such corrective action is taken, the monitored exceedance is not a violation of the operational standards. [Rule 3D .0524, 40 CFR §60.753(g)]

6. **Compliance provisions** - [40 CFR §60.755] - Except as provided in Section 60.752(b)(2)(i)(B), and permit condition **3.1.A.1(b)**, paragraphs (a)(1) through (a)(6) of §60.755 and the following conditions shall be used to determine whether the gas collection system is in compliance with Section 60.752(b)(2)(ii) and permit condition **3.1.A.2**. [Rule 3D .0524, 40 CFR §60.755(a)]

a. The permittee shall use an appropriate equation from Section 60.755(a)(1) to calculate the maximum expected gas generation flow rate to determine compliance with Section

60.752(b)(2)(ii)(A)(1) and permit condition **3.1.A.2.a**. [Rule 3D .0524, 40 CFR §60.755(a)(1)]

b. For the purposes of determining sufficient density of gas collection devices for compliance with Section 60.752(b)(2)(ii)(A)(2) and permit condition **3.1.A.2.c**, the permittee shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to this Office, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards. [Rule 3D .0524, 40 CFR §60.755(a)(2)]

   i. The permittee shall place each well or design component as specified in the approved design plan. [Rule 3D .0524, 40 CFR §60.755(b)]

   ii. Each well shall be installed within 60 days of the date on which the initial solid waste has been in place for 5 years or more, if active, or 2 years or more, if closed or at final grade. [Rule 3D .0524, 40 CFR §60.755(b)]

c. To demonstrate that the gas collection system flow rate is sufficient to determine compliance with Section 60.752(b)(2)(ii)(A)(3) and permit condition **3.1.A.2.d**, the permittee shall comply with the provisions of Section 60.755(a)(3) and permit condition **3.1.A.7.b**, regarding header pressure and corrective action. [Rule 3D .0524, 40 CFR §60.755(a)(3)]

d. To determine whether excess air infiltration into the landfill is occurring, the permittee shall conduct monitoring as provided in Section 60.753(c) and permit condition **3.1.A.7.c**. [Rule 3D .0524, 40 CFR §60.755(a)(5)]

e. For compliance with the surface methane requirements of Section 60.753(d) and permit condition **3.1.A.5(d)**, the permittee shall conduct monitoring and take corrective action as provided in Section 60.755(c) and permit condition **3.1.A.7(d)**. [Rule 3D .0524, 40 CFR §60.755(c)]

7. **Monitoring requirements and corrective action** -

a. The permittee shall install a sampling port and thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead. [Rule 3D .0524, 40 CFR §60.756(a)]

b. The permittee shall measure monthly gauge pressure in the gas collection system header at each individual well. If a positive pressure exists, action shall be initiated to correct the exceedance within 5 calendar days, except when there exists one or more of the three conditions noted in Section 60.753(b) and permit condition **3.1.A.5.b**. [Rule 3D .0524, 40 CFR §§60.755(a)(3) and 60.756(a)(1)]

   i. If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternate timeline for correcting the exceedance may be submitted to this Office for approval. [Rule 3D .0524, 40 CFR §60.755(a)(3)]

   ii. The permittee will not be required to install additional wells as required above during the first 180 days after gas collection system start-up. [Rule 3D .0524, 40 CFR §60.755(a)(4)]

c. To identify whether excess air infiltration is occurring, the permittee shall monitor each well monthly for temperature and nitrogen or oxygen as provided in Sections 60.753(c) and 60.756(a)(2) and permit condition **3.1.A.5(c)**. If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. [Rule 3D .0524, 40 CFR §§60.755(a)(5) and 60.753(a)(2)]

d. **Methane surface concentration monitoring** - On a quarterly basis after installation of the collection system, the permittee shall monitor surface concentrations of methane along the entire perimeter of each collection area and along a pattern that traverses the landfill at 30 meter intervals or a site specific spacing established under (i) below. [Rule 3D .0524, 40 CFR §60.755(c)(1)]

   i. Surfacing monitoring shall be conducted in accordance with the approved surface monitoring design plan, which includes a topographical map with the monitoring route. The permittee may establish an alternative traversing pattern that ensures equivalent coverage, providing the rationale for any site-specific deviations in the monitoring design plan. The permittee shall submit a new or amended surface monitoring design plan when it submits changes to the collection and control system design plan, as the collection and control system is expanded. [Rule 3D .0524, 40 CFR §60.753(d)]

   ii. Areas with steep slopes or other dangerous areas may be excluded from the surface testing. [Rule 3D .0524, 40 CFR §60.753(d)]

   iii. The permittee shall follow the equipment and instrumentation specifications, calibration requirements, monitoring conditions requirements, testing methods and procedures provided in Section 60.755. [Rule 3D .0524, 40 CFR §60.755(c)]

   iv. Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the action specified in paragraphs (c)(4)(i) through (v) of Section 60.755 shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of Section 60.753(d) or permit condition **3.1.A.5.d**. [Rule 3D .0524, 40 CFR §60.755(c)(4)]

   v. For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy and a corresponding time line for installation may be submitted to this Office for approval. [Rule 3D .0524, 40 CFR §60.755(c)(4)(v)]

   vi. The permittee shall comply with the instrumentation specifications and procedures for surface emission monitoring devices provided in Section 60.755(d). [Rule 3D .0524, 40 CFR §60.755(d)]

   vii. Upon closure of the landfill, if there are no monitored exceedances of the surface methane operational standard in three consecutive quarterly monitoring periods, the permittee may skip to annual monitoring. If a methane reading of 500 ppm or more

above background is detected during the annual monitoring, however, the permittee shall return to quarterly monitoring. [Rule 3D .0524, 40 CFR §60.756(f)]

e. The permittee shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis. [Rule 3D .0524, 40 CFR §60.755(c)(5)]

8. **Recordkeeping Requirements** -

a. All records and/or documentation required to be kept shall be up-to-date and readily accessible. If records are maintained off-site, they shall be retrievable within 4 hours. Paper and/or electronic formats are acceptable. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(a) – (e)]

b. The permittee shall keep for at least 5 years records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(a)]

c. The permittee shall maintain records for the life of the control equipment of the data listed below as measured during the initial performance test. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal. [Rule 3Q .0508(f), Rule 3D .0524 and 40 CFR §60.758]

i. The maximum expected gas generation flow rate of the collection system as calculated in §60.755(a)(1) or as calculated by another method, if the method has been approved by this Office. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(b)(1(i)]

ii. The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in Section 60.759(a)(1) and permit condition **3.1.A.3**. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(b)(1(ii)]]

iii. The flare type, all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR 60.18. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(b)(4)]

iv. During all periods when the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of an open flare, continuous records of the flame or flare pilot flame monitoring specified under §60.756(c),and records of all periods during which the pilot flame of the flare flame is absent. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(b)(4)]

d. The permittee shall keep for at least 5 years continuous records of the equipment operating parameters specified in section 60.756 and permit condition **3.1.A.5** as well as records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(c)(2)]

e. The permittee shall keep continuous records of the indication of flow to the control device and/or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under Section 60.756 and permit condition **3.1.A.5.f**. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(c)]

f. The permittee shall keep for the life of the collection system a plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(d)]

g. The permittee shall keep records of the installation date and location of all newly installed collectors as specified under Section 60.755(b) and permit conditions **3.1.A.6.b**. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(d)]

h. The permittee shall keep documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as well as any nonproductive areas excluded from collection pursuant to Section 60.759(a)(3)(i) and (ii) and permit condition **3.1.A.3.e**. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(d)]

i. The permittee shall keep for at least 5 years records of all collection and control system exceedances of the operational standards in Section 60.753 and permit condition **3.1.A.5**. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758(e)]

9. **Reporting Requirements** - [Rule 3Q .0508(f), 40 CFR §60.757 and 40 CFR §63.1980(a)] -

a. **Collection and control system compliance report** - The permittee shall submit to this Office, on or before January 30 for the period from July to December and on or before July 30 for the period from January through June, reports of the information recorded pursuant to Section 60.757(f)(1) through (6) and paragraphs (i) through (vi), below. Reportable exceedances for flares are defined under Section 60.758(c). The report shall include:

i. Value and length of time for exceedance of applicable parameters monitored under Section 60.756(a), (b), (c), and (d) and permit conditions **3.1.A.7**.
ii. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under Section 60.756 and permit conditions **3.1.A.5**.
iii. Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.
iv. All periods when the collection system was not operating in excess of 5 days.
v. The location of each exceedance of the 500 ppm methane concentration recorded at each location for which an exceedance was recorded in the previous month.
vi. The date of installation and the location of each well or collection system expansion added pursuant to Section 60.755(a)(3), (b), and (c)(4).
vii. The permittee shall note that 40 CFR Part 63, Subpart AAAA and Condition **3.1.B.3** requires that this report be submitted every six months.

[Rule 3D .0524, 40 CFR §60.757(f), 40 CFR §§63.1955(c) and 63.1980(a) and (b)]

b. **Closure report** - The permittee shall submit a closure report to this Office within 30 days of waste acceptance cessation.

i. This Office may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60.

ii. If a closure report has been submitted, no additional waste may be placed into the landfill without filing a notification of modification as described under 40 CFR Section 60.7(a)(4).

[Rule 3D .0524, 40 CFR §60.757(d)]

c. **Equipment removal report** - The permittee shall submit an equipment removal report to this Office 30 days prior to removal or cessation of operation of the control equipment. This Office may request additional information as may be necessary to verify that all of the conditions for removal in Section 60.752(b)(2)(ii) have been met, but the report shall contain all of the following items:

i. A copy of the closure report submitted in accordance with paragraph (b), above;

ii. A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and,

iii. Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

[Rule 3D .0524, 40 CFR §60.757(e)]

B. **National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills [Rule 3D .1110 and 40 CFR Part 63, Subpart AAAA, hereinafter referenced by Section number]**

1. **Standard** - [Rule 3D .1110**,** 40 CFR 63.1930 *et seq*.] - The permittee shall comply with all applicable standards and provisions, including the notification, testing, work practices, reporting, recordkeeping, and monitoring requirements of Rule 3D .1110, "National Emission Standards for Hazardous Air Pollutants" (NESHAP), promulgated in 40 CFR Part 63, Subpart AAAA, including all applicable requirements and provisions specified by the general provisions of the National Emission Standards for Hazardous Air Pollutants (40 CFR 63, Subpart A).

a. The permittee shall comply with this standard by compliance with 40 CFR part 60, subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. [Rule 3D .1110, 40 CFR §§63.1955(b) and 63.1960]

i. Continuous parameter monitoring data, collected under subpart WWW, will be used to demonstrate compliance with the operating conditions for the permittee's control systems. [Rule 3D .1110, 40 CFR 63.1960]

ii. Any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, that have been approved under 40 CFR part 60, subpart WWW and condition 3.1.A.1(b) may be used to comply with the NESHAP, with the exceptions noted in Section 63.1955(c). [Rule 3D .1110, 40 CFR 63.1955(c)]

iii. For approval of alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, the permittee must follow the procedures of 40 CFR 60.752(b)(2) and permit condition 3.1.A.1(b). [Rule 3D .1110, 40 CFR 63.1955(c)]

iv. If a deviation, as defined in 40 CFR §63.1990 or permit condition 3.1.B.1(d), occurs, the permittee has failed to meet the control device operating conditions of the NESHAP and

has deviated from its requirements. [Rule 3D .1110, 40 CFR 63.1960]

b. The provisions of subpart AAAA apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [Rule 3D .1111, 40 CFR 63.1960, 40 CFR 60.755(e)]

c. The permittee shall develop and implement a written Start-Up/Shutdown/Malfunction (SSM) plan according to the provision in 40 CFR 63.6(e)(3). A copy of the SSM shall be maintained on site. [Rule 3D .1111, 40 CFR 63.1960]

d. For the purposes of the landfill monitoring and SSM plan requirements, deviations include

i. Whenever the control device operating parameter boundaries described in 40 CFR §60.758(c)(1) are exceeded.

ii. Whenever one hour or more of the hours during the three-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour.

iii. When a SSM plan is not developed, implemented, or maintained on site.

[Rule 3D .1111, 40 CFR 63.1965]

2. **Monitoring** [Rule 3Q .0508(f**)** and 40 CFR 63.1960] - The permittee shall monitor the collection and control system as provided in 40 CFR §60.750 *et seq*. and Condition **3.1.A.7**.

3. **Recordkeeping Requirements** [Rule 3Q .0508(f) and 40 CFR 63.1980]

a. The permittee shall maintain all records specified in 40 CFR Part 60, Subpart WWW. [Rule 3D .1111, 40 CFR 63.1980]

b. The permittee shall maintain records as specified in the general provisions of 40 CFR Parts 60. [Rule 3D .1111, 40 CFR 63.1980]

c. The permittee shall maintain records as specified in Table 1 of 40 CFR Part 63, Subpart AAAA, noting the applicable NESHAP General Provisions. [Rule 3D .1111, 40 CFR 63.1980]

i. Records of all SSMs.
ii. Records of all required maintenance.
iii. Records of all actions taken during startup or shutdown whenever applicable emission limitations are exceeded and actions taken differ from those specified in the SSM plan.

[Rule 3D .1111, 40 CFR §§63.1990 and 63.10(d)(5)]

4. **Reporting Requirements** -

a. The **collection and control system report** described in 40 CFR 60.757(f) and required in Condition **3.1.A.9(a)** must be submitted every six months. The permittee shall submit the report on or before January 30 and on or before July 30 each year. [Rule 3Q .0508(f)**,** Rule 3D .1111 and 40 CFR 63.1980]

b. The permittee shall submit **periodic and immediate SSM reports** as required by 40 CFR 63.10(d)(5).

i. Startup, shutdown, and malfunction reports, containing the information specified in 40 CFR 63.10(d)(5) must be submitted on July 30 and January 30 for each preceding half year. [Rule 3Q .0508(f)**,** Rule 3D .1111 and 40 CFR 63.1980]

ii. In accordance with 40 CFR 63.10(d)(5), if actions taken during a startup or shutdown that caused an emissions exceedance are inconsistent with the SSM plan, or if a malfunction or actions taken to correct a malfunction are inconsistent with the SSM, then the permittee shall report what happened within 2 working days after commencing the inconsistent actions, followed by a letter within 7 working days after the end of the event. [Rule 3Q .0508(f)**,** Rule 3D .1111 and 40 CFR 63.1980]

[Rule 3D .111, 40 CFR §§63.1980, 63.1990, and 63.10(d)(5)]

3.2 UTILITY FLARE (ID No. CD-01)

Table 3.2: Summary of Emission Limits, Standards and Other Applicable Requirements.

Regulated Pollutant	Applicable Standard	Applicable Regulation
visible emissions	no visible emissions	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(1)
NMOC	flame present at all times	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(2)
NMOC	maximum exit velocity 60 ft/sec	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(3)(iii) and 60.18(f)(5)
SO2	SO2 emissions<2.3 lb/MMBtu	3D .0516 Sulfur Dioxide Emissions from Combustion Sources

A. Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills [Rule 3D .0524 and 40 CFR Part 60, Subpart WWW, hereinafter referenced by Section number]

1. **Standard** - [Rule **3D .0524**] - The permittee shall comply with all applicable standards and provisions, including the notification, testing, work practices, reporting, recordkeeping, and

monitoring requirements of Rule 3D .0524, “New Source Performance Standards” (NSPS), promulgated in 40 CFR Part 60, Subpart WWW, including all applicable requirements and provisions specified by the general provisions of the New Source Performance Standards (40 CFR 60, Subpart A).

a. The utility flare shall be designed and operated in accordance with 40 CFR 60.18. [Rule 3D .0524, 40 CFR §60.752(b)(2)(iii)(A)]

b. The utility flare, CD-02, shall be operated with no visible emissions as determined by method 22 as specified in 40 CFR §60.18(f), except for periods not to exceed a total of five minutes during any two consecutive hours, and except during periods of startup, shutdown, and malfunction.

c. During all periods when the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of CD-02, the flare shall be operated with a flame present at all times as determined by the methods specified in 40 CFR Section 60.18(f) and Condition 3.2.A.2(b). [Rule 3D .0524, 40 CFR §60.752(b)(2)(iii)(A)]

d. The utility flare, CD-02, shall combust no gas with net heating value of less than 200 Btu/scfm, as determined by the equation found at §60.18(f)(3). [Rule 3D .0524, 40 CFR §§60.752(b)(2)(iii)(A)and 60.18(c)(3)(ii)]

e. CD-02 shall be operated with an exit velocity less than 60 feet/second. [Rule 3D .0524, 40 CFR §§60.752(b)(2)(iii)(A)and 60.18(c)(3)(ii)]

f. During all periods when the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of CD-02, the flare shall be operated with a maximum flow rate of 1,000 scfm.

g. The provisions of subpart WWW apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [Rule 3D .0524, 40 CFR §60.755(e)]

2. **Monitoring** -

a. During all periods when the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of CD-02, the permittee shall make a daily observation of the flare to determine is visible emissions are present. This observation shall be made for at least 5 minutes. If visible emissions are observed during this observation, the permittee shall, within 30 minutes of observing visible emissions, conduct a Method 22 observation for 2 hours as specified in 40 CFR 60.18(f). [Rule 3Q .0508(f) and 40 CFR §§60.756 and 60.18]

b. When the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of CD-02, the permittee shall install, calibrate, maintain, and operate according to the manufacturer’s specification the following equipment:

   i. 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.
   ii. A device that records flow to or bypass of the flare. The permittee shall either: (1) install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the flare at least every 15 minutes, or (2) secure the bypass line valve in the closed position

with a car-seal or a lock-and-key type configuration. A **visual inspection** of the seal or closure mechanism shall be performed **at least once every month** to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

[Rule 3Q .0508(f) and 40 CFR §§60.756(c) and 60.18]

3. **Recordkeeping** -

   a. When the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of an open flare, the permittee shall keep a log of the daily flare observations conducted pursuant to **3.2.A.2.a**. In order to be deemed in compliance with this requirement, data shall be available for at least 90 percent of the flare's operating days at the facility during the six-month reporting period to ensure compliance with the no visible emissions requirement. The log shall contain the following:

      i. the date and time of visual observation,
      ii. the person(s) who performed visual observation,
      iii. where emissions are observed, the operating conditions under which the visual observation was conducted, and
      iv. any actions taken to eliminate the visible emissions.
      v. The date, time, and results of any two hour Method 22 VE tests.

      This log shall be retained for at least 5 years from the event recorded and shall be made readily available upon request by an authorized representative of this Office or the U.S. EPA. [Rule 3Q .0508(f) and 40 CFR §§60.752(b)(2)(iii)(A) and 60.18(c)(1)]

   b. During all periods when the permittee is seeking to comply with 40 CFR §§60.750 *et seq*. by use of an open flare, the permittee shall keep continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent. [Rule 3Q .0508(f) and 40 CFR 60, Subpart WWW, Section 60.758(b)(4)]

   c. The permittee shall maintain for the life of the flare all visible emissions readings, heat content determinations, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR Section 60.18. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the vendor specifications for the flare shall be maintained until removal. [Rule 3Q .0508(f) and 40 CFR 60, Subpart WWW, Section 60.758(b)(4)]

   d. All records and/or documentation required to be kept shall be up-to-date and readily accessible. If records are maintained off-site, they shall be retrievable within 4 hours. Paper and/or electronic formats are acceptable. [Rule 3Q .0508(f)**,** Rule 3D .0524 and 40 CFR §60.758]

4. **Reporting** [Rule 3Q .0508(f) and 40 CFR 60, Subpart WWW, Section 60.758]

   a. The following constitute exceedances that shall be recorded and reported in the annual report required under Section 60.757(f) and permit condition **3.1.A.9.a**.

      i. Exceedances of the parameter boundaries established during the most recent performance test.

ii. Any instance of visible emissions observed pursuant to condition **3.2.A.2.a**.
iii. The results of all two hour Method 22 visible emissions observations conducted as required due to these instances.

b. All instances of deviations from the requirements for this emission source and the duration of these deviations must be clearly identified and reported in writing to this Office by July 30th for the previous months of January through June, and by January 30th for the previous months of July through December. The report shall contain the results of investigations and any corrective actions taken as a result of a deviation and other malfunctions in excess of three hours. If no deviations have occurred, the permittee shall make this statement in the report.

B. Sulfur Dioxide Emissions from Combustion Sources [Rule 3D .0516]

1. **Standard** - [Rule 3D .0516] - Emissions of sulfur dioxide from CD-02, the utility flare, shall not exceed 2.3 pounds of sulfur dioxide per million Btu imput.

2. **Monitoring, Recordkeeping, Reporting** - [Rule 3Q .0508(f)] - No monitoring, recordkeeping, or -reporting is required with regard to this requirement.

SECTION 4
CONTROL OF TOXIC AIR POLLUTANTS - LOCAL ENFORCEMENT ONLY

The facility is subject to Subchapter **3D .1100** of the Forsyth County Air Quality Technical Code (FCAQTC). This section is locally enforceable only. The emission sources and associated air pollution control device(s) are subject to the following specific terms, conditions, and limitations, including the monitoring recordkeeping, and reporting requirements to which those requirements apply.

A. **Toxic Air Pollutants- General** - Specification of a listed toxic air pollutant (TAP) in this permit does not excuse the permittee from complying with the requirements of Sections 3D .1100 and 3Q .0700 of the FCAQTC with regard to any other listed TAP emitted from the regulated facility, nor does this permit exempt the permittee from compliance with any future air toxics regulations promulgated pursuant to the requirements of the Clean Air Act. **[Sections 3D .1100 and 3Q .0700]**

B. **De minimis Limits** - Total facility-wide emissions of the following pollutants shall not exceed their respective de minimis emissions limits as shown in Rule 3Q .0711 unless a modeling demonstration is first approved by this Office which shows that the emissions of the subject TAPs from the facility will not adversely affect human health. This demonstration shall be in accordance with the requirements set forth in Sections 3D .1100 and 3Q .0700 of the FCAQTC. This demonstration must be made with an up-to-date version of a U.S. EPA approved computer model or, upon approval by this Office, calculated using the results of a previous modeling analysis showing compliance with the acceptable ambient levels for the pollutants listed below. **[Section 3Q .0700]**

Pollutant (CAS Number)		De minimis level
1,1,1 trichlorethane (71556)		8.1 lb/yr
1,1,2,2,tetrachlorethane (79-34-5)		430 lb/yr
ethylene dichloride (107-06-2)		260 lb/yr
acrilonitrile (107-13-1)		10 lb/yr
carbon disulfide (75-15-0)		3.9 lb/day
carbon tetrachloride (56-23-5)		460 lb/yr
chlorobenzene (108-90-7)		46 lb/day
chloroform (67-66-3)		290 lb/yr
dichlorobenzene (106-46-7)		16.8 lb/hr
dichlorodifluoromethane (75-71-8)		5200 lb/day
dichlorofluoromethane (75-43-4)		10 lb/day
ethyl mercaptan (75-08-1)		0.025 lb/hr
ethylene dibromide (106-93-4)		27 lb/yr
hexane (110-54-3)		23 lb/day
mercury and compounds (199)		0.013 lb/day
methyl ethyl ketone (78-93-3)		78 lb/day and 22.4 lb/hr
methyl isobutyl ketone (108-10-1)		52 lb/day and 7.6 lb/hr
perchloroethylene (127-18-4)		13000 lb/yr
toluene (108-88-3)		98 lb/day
trichloroethylene (79-01-6)		4000 lb/yr
xylenes (1330-20-7)		57 lb/day and 16.4 lb/hr

C. **Dispersion Modeling Emission Limits (2013 Model)** - Combined emissions of the following TAPs

from all sources not exempted by Rule 3Q .0702(a) and (b) at this facility shall not exceed the emission rates listed below. Dispersion modeling using USEPA SCREEN3 model (version no. 96043), performed in February 2013, and approved by this Office in September 2013, demonstrated that the permitted emissions of the TAPs listed in the table below from this facility impacted the surrounding ambient air at levels below the acceptable ambient levels (AALs) specified in Rule 3D .1104 of the FCAQTC. The emission rates listed below shall be used as a basis for certifying that any future modifications or changes in the methods of operation will result in ambient impacts below these AALs. In no case shall actual emissions resulting from changes or modifications exceed any of the following emission rates without first applying for and receiving a permit: **[Section 3D .1100]**

Pollutant		Maximum facility-wide emission rate
benzene (71-43-2)		155.39 lb/yr
vinyl chloride (75-01-4)		137.77 lb/year
hydrogen sulfide (7783-06-4)		4.51 lb/day

D. **Modifications** - In accordance with Rule 3Q .0701(c), for the 5 year period beginning on September 8, 2008 modifications which increase the facility-wide emissions of, or which relocate an existing emission source of any TAP listed in the table in permit condition **4(C)** are allowed without further modeling analysis by the permittee except that actual emissions may not increase above those emissions rates listed in that table without first applying for and obtaining a permit. This does not prevent this Office from conducting a modeling analysis of the facility and, furthermore, does not affect the ability of the Director to require the permittee to conduct another modeling analysis pursuant to Rule 3Q .0712. This permit condition does not exempt the permittee from the requirement to apply for a permit to comply with any future National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 63). **[Rule 3Q .0701(c)]**

E. **Toxic Air Pollutant Recordkeeping Requirements** - The permittee shall maintain updated records of production rates, throughputs, material usage, and other process operational information as is necessary to determine compliance with the emission rates specified in permit conditions **4(B) and (C)**. At a minimum these records shall include data sufficient to calculate monthly averaged emission rates (in pounds per hour of emission source operation) for TAPs with 1-hour or 24-hour emission limits and yearly emission rates (in pounds per calendar year) for TAPs with annual emission limits.

Copies of these records shall be retained by the permittee for a period of three years after the date on which the record was made. If requested by an agent of this Office, the permittee shall readily supply copies of these records at the time of inspection. Likewise, the permittee shall submit copies of the records upon request by this Office. **[Rules 3D .0605, 3D .1105, and 3Q .0308(a)(1)]**

F. **Toxic Air Pollutant Reporting Requirements** - No reporting is required to demonstrate compliance with these requirements.

FORSYTH COUNTY OFFICE OF ENVIRONMENTAL ASSISTANCE AND PROTECTION
STATEMENT OF BASIS–TITLE V PERMIT RENEWAL

Applicant:	**Site Location:**	**New Permit No.**
Hanes Mill Road MSWL	Hanes Mill Road	00913-TV-5
Technical Contact:	**Phone:**	**Responsible Official/Title:**
Bob Dick, SCS Engineers	804/ 598-9480	Janice D. McHargue, Solid Waste Administrator, City County Utilities
Agency Reviewer:	**Signature:**	**Date:**
Van Sullivan		
Agency Q/A Manager:	**Signature:**	**Primary/Secondary SIC Code(s):** 4953

Date Application received: 02/28/13	Date Determined Complete: 2/28/13

I. FACILITY DESCRIPTION

Non-major Sources subject to MACT and NSPS Standards

Municipal solid waste landfills (design capacity ≥ 2.5 million mega-grams and 2.5 million m3) The Hanes Mill Road Sanitary Landfill (HM) is owned and operated by the City of Winston-Salem. It is located west of U.S. Highway 52, between Hanes Mill Road and Ziglar Road. The deposited waste is composed of both residential and industrial wastes that are typical of most municipal solid waste (MSW) landfills in the region.

The landfill now consists of the following features:

- an 80-acre closed, unlined landfill with final cap construction in 1998;
- a 37-acre closed, lined landfill lateral expansion identified by HM as Cells 1, 2/3 B, and 3A, which ceased waste acceptance in 2005;
- a 21-acre lined landfill expansion having received the initial placement of refuse in April 2007, identified as Phase 1, Cell 2;
- a 9-acre proposed expansion identified as Phase 1, Cell 3
- a 46-acre proposed expansion identified as Phases 2 and 3;
- a citizens' drop-off area for waste and recyclables; and,
- a landfill gas-to energy (LFGTE) electrical generation project (owned and operated by a separate permitted facility).

Together, the contiguous waste disposal areas are designated as ES-1. Landfill gas (LFG) from ES-1 is collected by a collection system of pipes and wells under negative pressure. The collected gas is used by another permitted source, Salem Energy Systems, LLC, to generate electricity, or the LFG is combusted by a utility flare.

TV permitting is required of HM pursuant to the landfill New Source Performance Standard (NSPS). HM is not a major source with regard to criteria pollutants or hazardous air pollutants (HAP).

HM submitted its Title V Renewal Application to the Office on February 28, 2013 and a revision to their toxic air pollutant dispersion modeling demonstration on February 28, 2013 (complete on January 28, 2014).

II. STATEMENT OF COMPLIANCE

The OFFICE has reviewed the compliance status of this facility. Based on a review of the application and knowledge of this facility based on our inspections, the facility was in compliance with all applicable requirements. The applicant has certified that the facility will be in compliance with all applicable requirements at the time of permit issuance and will continue to comply with these requirements. The applicant has also certified that the facility will be in compliance with all subsequent applicable requirements taking effect during the term of this permit and will meet such requirements on a timely basis.

III. SUMMARY OF EMISSION SOURCES AND CONTROL DEVICES (ES-1, CD-1, CD-2)

The following table identifies all emission sources and associated control devices for which the Title V Operating Permit is issued.

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES-1	Municipal Solid Waste Landfill		gas collection system and
		CD-1	treatment system for subsequent sale
		CD-2	utility flare

The permitted source is a subtitle D municipal solid waste landfill. The 490 acre site includes the MSW landfill areas, a citizens' drop-off area for waste and recyclable materials, a white goods management area, and a landfill gas-to-energy facility area, leased to Salem Energy Systems (SES). The remaining acreage is for landfill support activities, such as access, leachate management, buffer, and erosion control. The landfill consists of the following features:

- an 80-acre closed, unlined landfill with final cap construction in 1998;
- a 37-acre closed, lined landfill lateral expansion identified by HM as Cells 1, 2/3 B, and 3A, which ceased waste acceptance in 2005;
- a 21-acre lined landfill expansion having received the initial placement of refuse in April 2007, identified as Phase 1, Cell 2;
- a 9-acre proposed expansion identified as Phase 1, Cell 3
- a 46-acre proposed expansion identified as Phases 2 and 3;
- a citizens' drop-off area for waste and recyclables; and,
- a landfill gas-to energy (LFGTE) electrical generation project.

Emissions from ES-1 are controlled in one of two ways. LFG is collected through an NSPS

prescribed Collection & Control System (CCS). Collected gas is then either (1) treated and piped (CD-1) to Salem Energy Systems (SES), a permitted facility, which uses the LFG to generate electricity, or (2) piped to and combusted by a Utility Flare, CD-2. Both are NSPS-approved methods for control of collected LFG.

IV. APPLICABLE REGULATORY REQUIREMENTS

3.1 MUNICIPAL SOLID WASTE LANDFILL (ES-1), CONTROLLED BY GAS COLLECTION SYSTEM AND TREATMENT SYSTEM FOR SUBSEQUENT SALE (CD-1) OR UTILITY FLARE (CD-2)

The following provides a summary of the limits and/or standards for the emission source(s) described above. A review of the information in the application was performed to ensure the appropriate limits and associated calculations used to show compliance were correct.

Regulated Pollutant	Applicable Standard	ES-#	Applicable Regulation
NMOC	methane concentration of <500 ppm above background at surface; collected gas routed to approved control device or treated for subsequent sale if all emissions from treatment system meet NMOC reduction requirement	ES -01	40 CFR Part 60, Subpart WWW; codified in Forsyth County at 3D .0524, New Source Performance Standard for Municipal Solid Waste Landfills
HAP	Meet the requirements of NSPS, WWW, SSM requirements, additional reporting requirements	ES-01	40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 63.1930 *et seq.*

3.1.A 3D .0524 - New Source Performance Standards, and 40 CFR 60, Subpart WWW

Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills. Proposed 5/30/91 and promulgated 5/21/96. Regulates larger landfills and requires collection and control of landfill gas after actual emissions exceed threshold.

3.1.A.1 Standards of Performance - Regulatory Analysis - NSPS

Each owner/operator of an MSW landfill with a design capacity equal to or greater than 2.5 million megagrams must either comply with the requirements to submit for approval a collection and control system design plan and to install such a system, pursuant to 40 CFR 60.752(b)(2) or must calculate an NMOC emission rate for the landfill using the procedures given in 60.754 to show that actual NMOC emissions are less than the 50 megagrams per year threshold that would trigger the control requirements.

The permitted design capacity of HM's landfill was increased to greater than 2.5 million megagrams after May 30, 1991. Therefore, HM became subject to the NSPS, which requires HM to obtain a Part 70 operating permit. HM is not a major source of criteria pollutants or hazardous air pollutants (HAP).

In accordance with 60.752(b)(2), HM submitted a collection and control system design plan initially prepared by a P.E. in 1997. Since that time, in compliance with the regulation, and in compliance with its TV permit, HM has submitted updates to that plan. Updates to the design plan as mandated by the NSPS are required by permit condition 3.1.A.2(a).

Analysis of Destruction or Use of Collected LFG

Pursuant to 60.752(b)(2)(iii), all collected LFG must be routed to a control system that complies with one of three alternative requirements: (b)(2)(iii)(A), (B), or (C). Alternative (A) requires operation of an open flare designed and operated according to Section 60.18; (B) requires operation of a control system designed and operated to reduce NMOC by 98 weight percent with efficiency being shown by an initial performance test; and (C) requires that the collected gas be routed to a treatment system that processes the collected gas for subsequent sale or use.

Landfill gas has been collected for use in generating electricity since well before promulgation of the NSPS. The City has sold all "mining" rights to the LFG from the oldest section, the unlined area, to Salem Energy Systems (SES), a source permitted for such a process by the Office. SES owns and operates the collection system in place in the unlined older landfill and all related equipment. SES leases the land on which it operates its process from HM. SES is contractually bound by a provision requiring that it "cooperate to achieve regulatory compliance." SES uses the gas to operate a turbine. LFG is supplemented with natural gas whenever there is insufficient LFG to power the turbine. When LFG production drops more markedly, as in winter months, it becomes inefficient to operate the turbine, but SES is contractually obligated to flare any unused LFG. The SES utility flare and its turbine are also subject to an Office permit. Since HM could legally compel SES to comply with its contractual agreement, the Office was satisfied that NSPS compliance was adequately ensured.

With regard to expansion areas of the landfill, however, SES and HM do not have such an agreement, although both parties are operating in compliance with that original contract with regard to collected LFG. Contractual terms and obligations have reportedly been negotiated, but no contract has been signed finally by the parties. HM's reliance on SES's taking the LFG produced in expansion areas has been a concern of the Office and of HM. Thus, a minor modification was requested, and the Office permitted HM to construct a candlestick flare with which it may burn any LFG that, for whatever reason, is not accepted by SES.

Since there is no long term contractual obligation requiring a buyer to accept the LFG from HM, Office believes that HM cannot ensure ongoing compliance with the NSPS requirements using only alternative C. Therefore this TV permit requires that any gas not treated for subsequent resale to SES (or any other buyer) must be burned using HM's flare. (The SES permit requires that any gas accepted from HM must either be used to operate the turbine or flared with the SES flare.) HM intends to continue the use of alternative (C), selling the LFG to SES.

Alternatively, the permit assures compliance pursuant to alternative (A) of the NSPS (a utility flare), whenever HM cannot assure compliance pursuant to alternative (C). Permit conditions address requirements related to both a flare and to sale of the gas as alternative operating scenarios. HM may treat the gas for sale or it may flare the gas. The permit also allows LFG collected from certain sections of the landfill to be flared, while LFG from other sections may be sold to SES. Sale of any or all LFG to SES or flaring of any or all LFG by HM, gives HM flexibility in its contractual agreements, while ensuring that HM is capable of complying with the NSPS, regardless of any issues that may arise between HM and SES.

The Office is continuing to assess HM's compliance apart from SES's use of the collected gas, as if HM were routing the gas to a pipeline that transported it off-site. SES owns the pipeline that transports the gas to electricity generating turbines. SES also owns the section of the collection system which is located in the original, unlined, landfill. SES installed and operated it prior to the effective date of the NSPS. City-County Utilities has and will continue to operate all waste disposal operations at the landfill, and the local government agency retains ownership and control of the landfill. The Office believes it is appropriate to consider the City of Winston-Salem/Forsyth County Utilities Commission, the owner/operator of the landfill, as the sole responsible party for purposes of compliance with the NSPS. We will regard SES's operation of the collection and control system as a contractual relationship that the Office will disregard for compliance purposes, as if HM had hired another entity to operate the system. It is the Utilities Division's burden to ensure that its contractual agreements with SES guarantee compliance with the NSPS. Failure of SES to meet its contractual or to renew contractual obligations will not mitigate any failures to comply with the NSPS on the part of HM.

HM's Title V permit conditions were drafted to closely follow the NSPS requirements. The CCS must meet all operational standards, compliance provisions, and monitoring requirements of the NSPS, the appropriate sections of which are duly noted.

Permit condition 3.1.A.1 requires compliance with all requirements of the NSPS. 3.1.A.1(a) states that the NSPS applies at all times, except during SSM, and limits the duration of SSM for the CCS and treatment and piping system (CD-1) and the flare (CD-2). 3.1.A.1(b) allows alternatives to various operational and compliance standards to be proposed for Official approval, as allowed under 60.752(b)(2)(i)(C) and 63.1955(c)(NESHAP).

3.1.A.2 Installation of Collection and Control System **[§60.752(b)(2)(ii)]**

3.1.A.2, pursuant to the NSPS, requires HM to "install and maintain a collection and control system that effectively captures the gas generated within the landfill and meets the specifications and requirements of §60.752(b)(2)(ii)." It requires that the CCS "be designed to handle the maximum expected gas flow rate . . .over the intended use period of the gas control or treatment equipment." HM must "calculate the maximum expected gas generation flow rate in accordance with Section 60.755(a)(1)." It further mandates the collection of gas from each area, cell, or group of cells in which waste has been in place for 5 years, if active, or 2 years if closed or at final grade and that the collection wells be located at a density sufficient to meet all operational and performance standards. The permit requires the extraction rate to be determined by procedures in the NSPS. Off-site migration of subsurface gas must be minimized; the collected gas must be controlled by a method complying with the NSPS; and the CCS must be operated in accordance with the operational standards, compliance provisions,

and monitoring requirements of the NSPS.

3.1.A.3 Specifications for active collection systems [§60.759]

3.1.A.3 sets forth the TV permit requirements for HM's active collection system. These requirements come directly from the NSPS section 60.759, "Specifications for active collection systems," and all such CCS specification provisions are included in the permit. Pursuant to 60.759(a), HM must "site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density. . .using the procedures set forth in Section 60.759(a)(1) through (3), unless alternative procedures have been approved by the Office as provided in Section 60.752(b)(2)(i)(C) and (D)." Condition 3.1.A.3(a) requires this.

A Professional Engineer must certify that comprehensive control of surface gas emissions will be achieved. The CCS must be designed to address refuse depths, gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat. [60.759(a)(1)] Conditions 3.1.A.3(b) and (c) require this.

HM's original design plan, submitted before issuance of its initial TV permi,t was thoroughly reviewed by an Office P.E., and met these requirements. Changes to the Design Plan, which are submitted as necessary when new CCS sections are added or closed, are reviewed to ensure compliance with these requirements.

3.1.A.3(e) requires, pursuant to the 60.759(a)(3), collection devices in all gas producing areas with only the allowable exceptions being segregated areas containing asbestos or other nondegradeable material and non-productive areas that contribute less than 1 percent of total NMOC emissions. Condition 3.1.A.3 requires that gas extraction components be made of materials that comply with NSPS requirements, that the CCS extends as necessary for emission and migration standards, and that collectors are perforated such that gas entry does not produce loss that would impair performance.

3.1.A.3 provides that water occurrence be addressed and that vertical wells must not endanger the landfill's liners. Proper construction and completion of the piped wells and horizontal collectors is required; gravel must not be able to penetrate or block perforations of the collection devices. The CCS design must prevent indirect short circuiting of air into the cover or refuse into the collection system or gas into the air.

3.1.A.4 CCS Removal [§60.752(b)(2)(v), 60.754(b), 757(d)]

3.1.A.4 is derived from the above-noted NSPS sections, and ensures compliance with removal/capping requirements. This condition requires that the NSPS be followed to determine when and how the CCS may be removed or capped. It is not expected that this should occur during the period covered by this permit.

3.1.A.5 Operational Standards [§60.753]

Permit conditions **3.1.A.5 and 6** ensure compliance with operational standards of the NSPS

found in §60.753.

Condition 3.1.A.5 requires HM to operate its landfill in accordance with specific operational standards. The TV permit, referring to specific NSPS provisions, requires HM to operate the CCS such that gas is collected where waste has been in place for 5 years, or 2 years if the area is closed or at final grade. Negative pressure is required at each well, with exceptions listed specifically. Interior well temperature is limited; oxygen or alternatively nitrogen levels are limited. Higher values are allowed with a demonstration and approval. The CCS must be operated such that the methane concentration is less than 500 ppm above background at the LF surface. (§60.753 requires surface testing to assure methane concentrations of less than 500 ppm. Permit conditions to enforce this requirement are in the permit's monitoring section at 3.1.A.7(d).)

3.1.A.5 reiterates this NSPS section's requirement that the system be operated such that all collected gases are vented to a control system in compliance with §60.752(b)(2)(iii), and requires that the gas mover be shut down and all valves that may cause gas venting be closed within one hour, whenever the CCS is inoperable for any reason.

This NSPS section requires that if monitoring shows that these operational requirements are not met, specified corrective action must be taken. If the specified actions are taken, then there is no violation of operational requirements. 3.1.A.5 dictates this at (h).

3.1.A.6 .Compliance Provisions [60.755]

Compliance with 60.752(b)(2)(ii)–the CCS installation and operation requirement is to be determined by the methods in 60.755, unless alternatives are agreed to pursuant to 60.752(b)(2)(i)(B) and permit condition 3.1.A.1(b). Permit section 3.1.A.6 closely tracks 60.755. It dictates how the maximum expected gas generation flow rate should be determined, how the sufficiency of gas collector density should be determined, and how compliance with system flow rate requirements should be determined. The section provides that appropriate monitoring will determine whether excess air infiltration is occurring, and it notes that compliance with the surface methane limit is to be determined by monitoring and taking appropriate corrective action when needed.

3.1.A.7. Monitoring Requirements

To ensure proper operation of the CCS, as required by the NSPS, HM must follow all monitoring requirements specified in Sections 60.755 and 60.756. These sections provide for the monitoring of CCS parameters and surface methane concentrations and specify corrective action to take if the parameters are exceeded. These monitoring requirements are presumed to be adequate to satisfy periodic monitoring requirements for the standard. Monitoring conditions specified by the NSPS are required by permit conditions at **3.1.A.7**.

The following describes the monitoring requirements of 60.756. The permit condition imposing the requirement is noted.

60.756(a) - requires installation of a sampling port and a thermometer or other temperature measurer, or an access port for temperature measurements at each well. [3.1.A.7.(a)]

60.756(a)(1) - requires that the gauge pressure in the gas collection be measured monthly. [3.1.A.7(b)]

60.753(a)(2) - require monthly monitoring of nitrogen OR oxygen concentration as provided in 60.755(a)(5). 60.755(a)(5) provides that for the purpose of identifying whether excess air infiltration is occurring, monthly temperature and nitrogen or oxygen monitoring should be done as provided in 60.753(c). 60.753(c) requires that HM operate each interior well with a LFG temperature less than 55 degrees centigrade with either a nitrogen level less than 20 percent OR an O_2 level less than 5 percent. Higher values may be established at a particular well with data showing that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

Monitoring of flare parameters is discussed below.

3.1.A.8 Recordkeeping Requirements

The NSPS has specific recordkeeping requirements, which are set forth in permit condition **3.1.A.8**. The permit refers the permittee to 40 CFR 60.758, *Recordkeeping requirement*s, as well as repeating those requirements in specific conditions. HM must keep up-to-date and accessible records. For at least five years HM must keep records of the maximum design capacity, current amount of solid waste, and year-by-year waste acceptance rate. Performance tests results must be kept for the life of the control equipment. Records must also be kept of the gas generation flow rate of the CCS, the density of wells and horizontal and surface collectors.

Recordkeeping of flare parameters is discussed below.

3.1.A.9 Reporting Requirements

The NSPS has specific reporting requirements, which are set forth in permit condition **3.1.A.9**. The permit refers the permittee specifically to 40 CFR 60.757, *Reporting requirements*, as well as repeating those requirements in specific conditions. The collection and control system (CCS) compliance report required under 60.757(f) is due annually, however, the NESHAP, 63.1980(a) requires this report to be submitted semiannually.

The permittee is required by General Condition 2.14 of the permit to submit a report within 30 days after each calendar year certifying compliance with all terms and conditions in the permit, including emissions limitations, standards, and work practices.

Since the NSPS does not define excess emissions, the permittee is required by general condition 2.10 to report to the Office any deviations from permit requirements by the next business day, unless an alternative reporting schedule is specifically provided in the permit, and to report in writing all deviations from permit requirements or any excess emissions within two business days, unless an alternative reporting schedule is specifically provided in the permit. However the NSPS (and NESHAP) require a semi-annual CCS compliance report detailing deviations from all of the requirements specified in the NSPS standard. In addition, the NESHAP requires semi-annual Startup, shutdown, and malfunction reports. These requirements specifically provide an alternative reporting schedule. Consequently, the reporting

requirements in General Condition 2.10(A)(2) and (3) do not apply to this requirement.

HM must also report permanent closure within 30 days following the cessation of waste acceptance and give 30 days advance notice for the removal, or ceasing operation, of any control equipment.

Flare-related reporting is discussed below.

Alternative Operating Scenario

HM seeks to be permitted for two alternative operating scenarios: CCS, sending all collected LFG to SES; and CCS, sending all collected LFG to HM's utility flare for combustion. Both scenarios comply with NSPS requirements. Any switch in operating scenarios would have no affect on NSPS-prompted permit conditions with regard to the collection system. Use of the flare triggers additional NSPS requirements, which are addressed in **Section 3.2** of the TV permit.

3.1.B.1 Standards of Perfomaance - Regulatory Analysis - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, Subpart AAAA

40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR 63.1930 *et seq.* Promulgated January 16, 2003 and revised July 1, 2005. Regulates HAP from MSW landfills.

HM is subject to this NESHAP pursuant to 40 CFR 63.1935, which requires compliance by any landfill with a design capacity equal to or greater than 2.5 million megagrams with estimated uncontrolled emissions equal to or greater than 50 megagrams per year as calculated pursuant to Sec. 60.754(a) of the NSPS Subpart WWW. The affected source is the entire disposal facility in a "contiguous geographic space where household waste is placed in or on land." (Sec. 63.1940(a))

Pursuant to Sec. 63.1955(1), the NESHAP requires that HM apply Maximum Achievable Control Technology by complying with the landfill NSPS. If the NSPS requires installation of a CCS, as is required of HM, then the MACT requires:

(1) compliance with the NESHAP general provisions specified in Table 1 of AAAA, and
(2) compliance with Sections 63.1960 through 63.1985 of AAAA.

(1)The NESHAP General Provisions Sections noted in Table 1 of AAAA that HM must follow are:

63.1(a), general applicability of NESHAP;
No specific TV permit language is necessary to effectuate this Section, except a condition requiring compliance with the MACT. HM has been in compliance with the landfill NESHAP since its effective date.

63.1(b), Initial applicability determination -
This determination has been made. The Office and HM agree that HM emits HAP and is a

source subject to this MACT standard.

63.1(e), What to do if a 112j emission limitation has been established in a TV permit -
HM has no 112j emission limitation in its current TV permit, and thus this section is not relevant to HM.

63.2, definitions -
The Office has and will use these definitions in drafting MACT-related conditions of the TV permit and in determining compliance. See permit conditions **3.1.B.1 and 2.46**.

63.4, prohibited activities, circumvention, and fragmentation -
HM's TV permit prohibits these activities pursuant to both the NESHAP, the NSPS, and to local requirements.

63.5(b), Requirements for existing, newly constructed, and reconstructed sources -
HM "reconstructed" after the proposal date of the NESHAP and has met all compliance dates. Thus it is in compliance with 63(b)(1). (63(b)(2) is reserved.) 63(b)(3) requires that HM must obtain written permission in advance for construction of a "new affected source that is major-emitting and subject to such standard." The Section continues that such written approval must be obtained using the procedures of Section 63.5(d) and (e) (which, interestingly, are not listed in Table 1 of NESHAP AAAA as general provisions applicable to AAAA). Permit conditions **3.1.B.1, 2.46, 2.49** ensure compliance with this requirement.

63.6(e), Operation and maintenance requirements -
This general provision requires good air pollution control practices for minimizing emissions at all times. Startup, shutdown, and malfunction periods also require reduction of emissions to the greatest extent consistent with safety and good pollution control practices. This section requires that malfunctions be corrected as soon as practicable and emissions be minimized during any SSM event. The section dictates that operation and maintenance requirements are enforceable independent of emissions limitation or other requirements in relevant standards. Permit Conditions **2.46 and 2.47** ensure compliance with this requirement.

63.6(e)(3) requires that a written SSM plan must be developed by the compliance date for the standard. HM submitted its plan in a timely manner, and it includes the detail required by this section. Adherence to the plan is required by Permit Conditions **2.47, 3.1.B.3(c) and 3.1.B.4**.

63.6(f), Compliance with nonopacity emission standards -
HM is already subject to 63 (f)(1) and (2)(i) through the same provisions under 40 CFR, part 60 subpart A. This section requires that non-opacity emissions standards of the MACT shall apply at all times except during periods of SSM. The Section directs that compliance with nonopacity emission standards of the NESHAP be determined by conformance with operation and maintenance requirements, including monitoring data. Permit Conditions **3.1.B.1 and 2** and **2.46** assure compliance.

63.10(b)(2)(i)–(b)(2)(v), General recordkeeping requirements -
This section requires HM to maintain relevant records of all SSMs , records of all required maintenance, and all actions taken during startup or shutdown whenever applicable emission limitations are exceeded and actions taken differ from those specified in the SSM plan.

Compliance with this section also requires that maintenance of records regarding all information necessary to demonstrate conformance with HM's SSM plan. A "checklist" is specifically approved as meeting this requirement. Permit Condition **3.1.B.3** assures compliance with this requirement.

63.10(d)(5), Periodic and immediate SSM reports -
SSM reports, containing the information specified in this section, must be submitted on July 30 and January 30 for each preceding half year. If actions taken during startup or shutdown that caused an emissions exceedance are inconsistent with the SSM, or if a malfunction or actions taken to correct a malfunction are inconsistent with the SSM, then HM must report what happened within 2 working days after commencing the inconsistent actions. Alternative reporting requirements may be agreed to pursuant to this section, but HM has asked for no other procedure. Permit Condition **3.1.B.4** assures compliance with this requirement.

63.12(a), This section allows OFFICE and State to adopt any other regulation that is at least as stringent. This section is not relevant to this TV permit even though our air toxic regulations may also be applied to HM, these regulations are not federally enforceable.

63.15, Availability of information and confidentiality
This section requires that reports, records and other information that the Office collects pursuant to compliance with the NESHAP must be made publicly available. Any information that HM seeks to protect from disclosure must be separately submitted. This section needs no permit condition to assure compliance.

(2) The NESHAP AAAA requires compliance with the landfill NSPS, and §§63.1960 through 63.1985 of the NESHAP.

-Except for SSM and compliance report requirements, the NESHAP continues to allow HM to submit requests for Office approval of alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping, or reporting provisions of the NSPS. [§63.1955(c)] Citation of this NESHAP section has been added to permit condition **3.A.1(b)** to reflect this.

-The heretofore "annual" collection and control system compliance report has been made a semi-annual requirement by the NESHAP. The change in frequency was made in the TV permit at condition 3.1.A.9(a). [§63.1980(a)]

-Compliance with the NESHAP is determined in the same way compliance with the NSPS is determined. Citations to §63.1960 have been added to compliance provisions of the TV permit.

3.1.B.2 Monitoring Requirements

All monitoring requirements specified by the NESHAP are required in the TV permit and are presumed to be adequate to satisfy periodic monitoring requirements for the standard. Monitoring conditions specified by the NESHAP are required by permit condition **3.1.B.2.**

3.1.B.3 Recordkeeping Requirements

All recordkeeping requirements specified by the NESHAP are required in the TV permit. Recordkeeping conditions specified by the NESHAP are required by permit condition **3.1.B.3.**

3.1.B.4 Reporting Requirements

Reporting conditions specified by the NESHAP are required by permit condition **3.1.B.4..** As explained above, the NESHAP requires the annual CCS compliance report required under the NSPS (60. 757(f)) to be submitted semi-annually.

The NESHAP General Provisions Sec. 63.10(d)(5) requires both Periodic and Immediate SSM reports. The Periodic SSM reports must be submitted on July 30 and January 30 for each preceding half year. If actions taken during startup or shutdown that caused an emissions exceedance are inconsistent with the SSM, or if a malfunction or actions taken to correct a malfunction are inconsistent with the SSM, then HM must submit and Immediate SSM report within 2 working days after commencing the inconsistent actions, stating what happened. Alternative reporting requirements may be agreed to pursuant to this section, but HM has asked for no other procedure. Permit Condition 3.1.B.4 assures compliance with this requirement.

The permittee is required by General Condition 2.14 of the permit to submit a report within 30 days after each calendar year certifying compliance with all terms and conditions in the permit, including emissions limitations, standards, and work practices.

As explained above the permittee is also required by general condition 2.10 to report excess emissions as prescribed in 3D .0524, .1110 or .1111.

Alternative Operating Scenario

The permit provides for an AOS to be implemented if and when, for whatever reason, SES cannot or will not accept the LFG from HM to be used for the generation of electricity. HM intends to comply with the NSPS and the NESHAP by selling their LFG to SES to use in the production of electricity, one of the approved methods of NSPS (and thus MACT) compliance. In the alternative, HM will destroy the gas by combustion in a utility flare, a process that is also specifically approved in the NSPS (and thus the MACT).

3.2 UTILITY FLARE (ID No. CD-01)

The following provides a summary of the limits and/or standards for the emission source(s) described above. A review of the information in the application was performed to ensure the appropriate limits and associated calculations used to show compliance were correct.

Regulated Pollutant	Applicable Standard	Applicable Regulation
visible emissions	no visible emissions	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(1)
NMOC	flame present at all times	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(2)
NMOC	maximum exit velocity	3D .0524 New Source Performance Standards and 40 CFR Part 60, Subpart WWW, and 40 CFR Part 60, Subpart A, General Provisions, Section 60.18(c)(3)(iii) and 60.18(f)(5)
SO2	<2.5 lb/MMBtu	3D .0516 Sulfur Dioxide Emissions from Combustion Sources

HM's primary plan for NSPS and NESHAP compliance is to route the LFG to SES for electricity generation. As an alternative, HM wishes to be permitted for using a Utility Flare to combust the LFG, if SES cannot or will not accept the LFG. If that situation were to arise, HM would route all collected gas to an open flare.

A flare is an acceptable compliance option pursuant to §60.752(b)(2)(iii)(A). This section requires that any such flare be designed and operated in accordance with the NSPS general provision, 40 CFR §60.18. Although the flare could arguably be considered part of the collection and control system as a whole, it was separated out for TV permitting purposes, since it had separate and distinct requirements.

The utility flare being leased by HM as CD-2 is a nonassisted flare equipped with a propane-fired pilot flame. LFG flow is continuously measured via a flow meter. Although the flare has a rated capacity greater than 1,000 scfm, HM proposes that the LFG flow rate will be limited to a maximum yearly average of 1,000 scfm. This will require a permit condition limiting the LFG flow rate and recordkeeping of flow rate measurements.

3.2.A 3D .0524 - New Source Performance Standards, and 40 CFR 60, Subpart WWW

Standards of Performance for New Stationary Sources: Municipal Solid Waste Landfills. Proposed 5/30/91 and promulgated 5/21/96. Regulates larger landfills and requires collection and control of landfill gas after actual emissions exceed threshold.

3.2.A.1 Standards of Performance - Regulatory Analysis - NSPS

The flare must be able to handle the expected gas flow rate
Section 60.752(b)(2)(ii) requires that the CCS be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment.

The actual flare installed will have a maximum firing rate of 1000 scfm. Current LFG flow and the flare's capacity should be sufficient for the life of the collection system. Although future submissions regarding the gas flow rate should be monitored to ensure a continuing and future capability of the flare to handle the flow rate as additional cells mature, peak LFG flow can be handled by a 1000 scfm flare for the foreseeable future.

The Flare must meet the requirement of 40 CFR 60.18 See 2.2, below.

3.2.A.2 Performance Testing

Initial performance testing has been conducted.

3.2.A.3 Monitoring

Monitoring of the flare is required by 40 CFR 60.756. All monitoring requirements specified by the MSW landfill NSPS are required in the TV permit and are presumed to be adequate to satisfy periodic monitoring requirements for that standard, since the NSPS was promulgated after Part 70. Monitoring conditions specified by the landfill NSPS not specific to the flare are required by permit condition **3.1.A.7**. Monitoring of the flare, could have been put in this section, but it was decided that the more logical place was in the flare section 3.2.

3.1.A.4 Recordkeeping

These conditions require compliance with NSPS recordkeeping requirements. 3.2.A.4(c) requires the necessary recordkeeping for SSM purposes, imposed by the NESHAP.

3.1.A.5 Reporting

The NESHAP requires the reporting for the NSPS to be done to comply with the NESHAP, so (a) of that condition reiterates the NSPS reporting. Subparagraph (b) requires that the annual CCS report required by the NSPS be done semi-annually, as required by the NESHAP.

3.2.B 3D .0516 - Sulfur Dioxide Emissions from Combustion Sources

Pursuant to this rule, emissions of SO2 from a combustion source must not exceed 2.3 pounds per million Btu. Compliance with this requirement is assured since only LFG will be combusted. Compliance with the SO2 standard is required at permit condition 3.2.B.1. Combustion of any other fuel would require a permit modification. No monitoring, recordkeeping, or reporting is required. [3.2.B.2]

V. 3D .1100 - CONTROL OF TOXIC AIR POLLUTANTS - LOCAL ONLY ENFORCEMENT

NC Air Toxics "Evaluation"

The Office required HM to demonstrate compliance with the Forsyth County Toxic Air Pollutant program based on projected increased emissions of benzene, vinyl chloride and hydrogen sulfide. HM completed its demonstration, which was approved by the Office. The renewal TV permit for HM thus caps allowable toxics emissions to below modeled limits under Condition 4.C. .

Rule 3Q .0703(7): This rule provides the definition of "evaluation" for the purposes of the Air Toxics Program. To paraphrase this rule; an evaluation is either (1) a determination that all TAP emissions from the facility which are not exempted by Rule 3Q .0702 are below their associated TPER(s) as listed in Rule 3Q .0711, or (2) a determination of the ambient air concentrations resulting from all TAP emissions from the facility which are not exempted by Rule 3Q .0702 according to the procedures in Rule 3D .1106.

House Bill 952, dated June 28, 2012, removed the requirement for sources covered under 40 CFR 63 from the requirements of rules governing toxic air pollutants. The bill says, in part in Section 1(a)(5)a.:

Except as provided in sub-subdivision b. of this subdivision rules adopted pursuant to this subdivision that control emissions of toxic air pollutants shall not apply to an air emission source that is any of the following:
1. Subject to an applicable requirement under 40 C,F.R Part 61 as amended.
2. An affected source under 40 C.F.R. Part 63. as amended….

However, the permittee has not sought relief under this bill. Therefore current Air Toxics provisions will remain in the permit, including permitted emission limits.

HM submitted an Air Toxics evaluation on February 28, 2013 for benzene, vinyl chloride and hydrogen sulfide using SCREEN3 due to projected increases in these pollutants due to increasing LFG generation rates. The evaluation demonstrated the following emission rates as being full potential estimated for 2018 and did not contribute to a violation of their associated AALs:

Pollutant	Maximum facility-wide emission rate
benzene (71-43-2)	155.39 lb/yr
vinyl chloride (75-01-4)	137.77 lb/year
hydrogen sulfide (7783-06-4)	4.51 lb/day = (1664.6lb/yr / 365 d/yr)

Section 4 of the TV permit, which is only locally enforceable, addresses toxic air pollutants. Subparagraph B requires continuing adherence to the de minimis emission limits set forth in 3Q .0711. Subparagraph C requires that benzene, hydrogen sulfide and vinyl chloride remain below the modeled emission rates. The emission rates used in the demonstration were based on operation of the LFG collection system and utility flare operation in compliance with the

NSPS and NESHAP requirements at full capacity. Consequently, no additional monitoring or recordkeeping are required to ensure compliance with the TAP de minimis or modeled emission limits.

VI. PERMIT SHIELD (INCLUDING NON-APPLICABLE REQUIREMENTS)

In accordance with 3Q .0512, the permit will contain a provision stating that compliance with the terms, conditions, and limitations of the Title V permit shall be deemed in compliance with applicable requirements specifically identified in the permit, as of the date of permit issuance. If the permit does not expressly state that a permit shield exists then it shall be presumed not to provide such a shield.

VII. OTHER APPLICABLE REQUIREMENTS (visible emissions, etc.)

3D .0521 - Control of Visible Emissions

This rule was promulgated for the prevention, abatement, and control of emissions generated from fuel burning operations and other industrial processes where an emissions can be reasonably expected to occur, except during startups, shutdowns or malfunctions made in accordance with other conditions in the Title V permit.

The collection of landfill gas would not be expected to result in visible emissions. The operation of a landfill would not be expected to result in visible emissions, except those associated with haul roads and grading operations. Visible emissions from either of those situations should be considered fugitive.

Operation of the CD-2, the Utility Flare, could result in visible emissions. VE from the flare is limited to zero emissions by the NSPS general provisions for flares, which the landfill NSPS makes applicable to any flare used to meet NSPS requirements.

3D .0522 Control and Prohibition of Odorous Emissions

This regulation applies to all facilities and prohibits the emissions of odors beyond the property lines that are harmful, irritating or which unreasonably interfere with the use and enjoyment of any person's properties or living conditions, or any public properties or facilities. It is in the General Condition 2.39.

Violation of this regulation is determined by OFFICE upon investigation of a complaint. There is not currently a requirement for the permittee to perform any monitoring/recordkeeping/reporting activities for this rule. Any future requirements will only be in response to complaints received by this Department. No complaints have been received by the Department regarding odor for the last 5 years.

VIII. GENERAL CONDITIONS

The "General Conditions" section of the Title V Operating Permit lists additional applicable rule requirements that the permittee must adhere to, as with any other permit condition. These requirements in general are common to all Title V facilities. The general conditions include

provisions such as annual fee payment, permit renewal and expiration, transfer of ownership or operation, submission of documents, inspections and entry procedures, reopen for cause, severability, etc.

The permittee is required by General Condition 2.14 of the permit to submit a report by March 1 of each year, certifying compliance with all terms and conditions in the permit, including emissions limitations, standards, and work practices.

The permittee is also required by general condition 2.10 to report malfunctions, emergencies, and any other upset conditions and report deviations from permit conditions resulting in excess emissions within one business day for requirements covered under 3D .0524, .0535, .1110 and .1111. The permittee is required to report deviations resulting in excess emissions within two business days for all other requirements. In addition, all instances of deviations from the specific monitoring requirements not resulting in an excess emission (emissions above a limit established by rule or permit) must be reported semiannually for NSPS and MACT related deviations and quarterly for deviations from other requirements.

IX. INSIGNIFICANT ACTIVITIES

The insignificant activities listed in the application have been reviewed and verified. Although each activity is not listed in the Title V permit, these activities are listed in an attachment to the permit. A general condition is placed in the Title V permit stating that all insignificant activities shall comply with the applicable requirements.

Refrigerant reclamation from discarded appliances were not required to be permitted because of the size and production rate. Requirements under 40 CFR Part 82 for ozone depleting substances are included under General condition 2.33. These requirements are federally enforceable only.

The leachate storage tank was not permitted, because it is exempt per Rule 3D .0102(B)(1)(d)(iii), which exempts aqueous solutions (less than 10 percent VOC).

The Diesel Emergency Power Generator was not permitted because it is exempt because of size and production rate.

X. PUBLIC NOTICE

Pursuant to 3Q .0521, a notice of the draft Title V Operating Permit shall be placed on the Office's website at http://www.co.forsyth.nc.us/EAP/ . The notice will provide for a 30 day comment period, with an opportunity for a public hearing. Copies of the public notice shall be sent to persons on the Title V mailing list and EPA.

XII. EPA COMMENTS

This permit was forwarded to EPA for concurrent review during the period of public notice. _____ EPA responded with comments that (were/were not) "significant" on _____. Those comments and the Office's response follow.

EPA comment:

Permit Condition	Current Citation	Suggested Citation/Comment

Application Processing Checklist

HANES MILL ROAD SANITARY WASTE LANDFILL

Tracking #: **1068** SAR#: **18959** Action: **00913-TV5**

Task	NO	YES	If "yes" do the following:	DONE
Statement of Basis			Complete and approved	☑
Permit			Signed and mailed	☑
Application tracking form.			Submit form to close out action.	☑
SAR			Update. Close unless follow-up inspection required.	☑
Confidentiallity request?	☑	☐	Send determination letter	☐
Change in permit revision number?	☐	☑		☑
Change in permit expiration date?	☐	☑		☐
Change in operating status	☑	☐		☐
Change in classification?	☑	☐		☐
Was an air toxics review required?	☐	☑	Complete "IN-HOUSE" DATABASE form	☑
New facility?	☑	☐		☐
New federal standards?	☑	☐		☐
Change in major source status?	☑	☐		☐
Change in potential emissions?	☐	☑		☑
Increment consumed?	☑	☐		☐
New facility or revised contact info.?	☑	☐	Update Address Database	☐
New/Revised reporting requirement?	☑	☐	Complete Reporting Requirements Database Update form.	☐
Facility emits > 25 tons of VOC or Nox?	☑	☐	Notify Emissions Inventory Coordinator.	☐
Source test required?	☑	☐	Notify Stack Test Coordinator.	☑
Tax certification approved?	☑	☐	Prepare certification for signature.	☐
Public notice required?	☐	☑	Prepare notice and schedule publication, newspaper/website.	☐
Public hearing required?	☑	☐	Prepare notice and schedule venue.	☐

Comments/Other Information

Reviewed by: Date

Approved by: Date