State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

8/31/2009

Certified Mail
Facility ID: 0857043008
Permit Number: P0092995
County: Montgomery

Mohammed Ali
Stony Hollow Recycling and Disposal Facility
2460 South Gettysburg Avenue
Dayton, OH 45418-2323

RE: DRAFT AIR POLLUTION TITLE V PERMIT
Permit Type: Renewal

Dear Permit Holder:

A draft of the OAC Chapter 3745-77 Title V permit for the referenced facility has been issued. The purpose of this draft is to solicit public comments. A public notice will appear in the Ohio EPA Weekly Review and the local newspaper, Dayton Daily News. A copy of the public notice, the Statement of Basis, and the draft permit are enclosed. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page http://www.epa.state.oh.us/dapc in Microsoft Word and Adobe Acrobat format. Comments will be accepted as a marked-up copy of the permit or in narrative format. Any comments must be sent to the following:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
50 W. Town St., 7th Floor
Columbus, Ohio 43215

and

Regional Air Pollution Control Agency
117 South Main Street
Dayton, OH 45422-1280

Comments and/or a request for a public hearing will be accepted within 30 days of the date the notice is published in the newspaper. You will be notified in writing if a public hearing is scheduled. A decision on processing the Title V permit will be made after consideration of comments received and oral testimony if a public hearing is conducted. You will then be provided with a Preliminary Proposed Title V permit and another opportunity to comment prior to the 45-day Proposed Title V permit submittal to U.S. EPA Region 5. The permit will be issued final after U.S. EPA review is completed and no objections to the final issuance have been received. If you have any questions, please contact Regional Air Pollution Control Agency at (937)225-4435.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: U.S. EPA Region 5 - *Via E-Mail Notification*
RAPCA; Indiana; Kentucky

Montgomery County

PUBLIC NOTICE
ISSUANCE OF DRAFT AIR POLLUTION Title V Permit
Stony Hollow Recycling and Disposal Facility

Issue Date: 8/31/2009
Permit Number: P0092995
Permit Type: Renewal
Permit Description: Title V operating permit renewal.
Facility ID: 0857043008
Facility Location: Stony Hollow Recycling and Disposal Facility
2460 South Gettysburg Avenue,
Dayton, OH 45418-2323
Facility Description: Solid Waste Landfill

Chris Korleski, Director of the Ohio Environmental Protection Agency, 50 West Town Street, Columbus Ohio, has issued a draft action of an air pollution control Title V operating permit for the facility at the location identified above on the date indicated. Comments concerning this draft action, or a request for a public meeting, must be sent in writing no later than thirty (30) days from the date this notice is published. All comments, questions, requests for permit applications or other pertinent documentation, and correspondence concerning this action must be directed to Dale Davidson at Regional Air Pollution Control Agency, 117 South Main Street or (937)225-4435. The permit, which includes a detailed description of the operations, and associated statement of basis for the permit requirements, can be downloaded from the Web page: www.epa.state.oh.us/dapc

Statement of Basis For Air Pollution Title V Permit

Facility ID:	0857043008
Facility Name:	Stony Hollow Recycling and Disposal Facility
Facility Description:	Refuse system
Facility Address:	2460 South Gettysburg Avenue, Dayton, OH 45418-2323
Permit #:	P0092995, Renewal

This facility is subject to Title V because it is major for:

☐ Lead ☐ Sulfur Dioxide ☐ Carbon Monoxide **X Volatile Organic Compounds** ☐ Nitrogen Oxides
☐ Particulate Matter ≤ 10 microns ☐ Single Hazardous Air Pollutant ☐ Combined Hazardous Air Pollutants
☐ Maximum Available Control Technology Standard(s)

A. Standard Terms and Conditions

Has each insignificant emissions unit been reviewed to confirm it meets the definition in OAC rule 3745-77-01 (U)?	YES
Were there any Acommon control@ issues associated with this facility? If yes, provide a summary of those issues and explain how the DAPC decided to resolve them.	NO
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a minor permit modification per OAC rule 3745-77-08(C)(1)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a significant permit modification per OAC rule 3745-77-08(C)(3)	N/A

Please identify the affected unit(s)and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a reopening per OAC rule 3745-77-08(D)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document resulting from a renewal per OAC rule 3745-77-08(E)	N/A

B. Facility-Wide Terms and Conditions

Term and Condition (paragraph)	Basis		Comments
	SIP (3745-)	Other	
n/a			

C. Emissions Unit Terms and Conditions

Key:
EU = emissions unit ID
ND = negative declaration (i.e., term that indicates that a particular rule(s) is (are) not applicable to a specific emissions unit)
OR = operational restriction
M = monitoring requirements
St = streamlining term used to replace a PTI monitoring, record keeping, or reporting requirement with an equivalent or more stringent requirement
ENF = did noncompliance issues drive the monitoring requirements?
R = record keeping requirements
Rp = reporting requirements
ET = emission testing requirements (not including compliance method terms)
Misc = miscellaneous requirements

EU(s)	Limitation	Basis		ND	OR	M	St	ENF	R	St	Rp	St	ET	Misc	Comments
		SIP (3745-)	Other												
F001	123.61 tons/yr particulate	N	Y	N	N	Y	N	N	Y	N	Y	N	N	N	Other – The annual particulate emissions is specified by 3745-31-05(A)(3).
F001	No VE for	17-07(B)(4)	N	N	N	N	N	N	N	N	N	N	N	N	M - no monitoring requirements are necessary to show compliance

	any paved roadway or parking area except for a period of time not to exceed 1-minutes during any 60-minute observatio n period.														R - no record keeping requirements are necessary to show compliance Rp - no reporting requirements are necessary to show compliance ET - no emission testing is required to show compliance
F001	No VE for any unpaved roadway or parking area except for a period of time not to exceed 3-minutes during any 60-minute observatio n period.	17-07(B)(5)	N	N	N	N	N	N	N	N	N	N	N	N	M - no monitoring requirements are necessary to show compliance R - no record keeping requirements are necessary to show compliance Rp - no reporting requirements are necessary to show compliance ET - no emission testing is required to show compliance
F001	Reasonable available control measures that are sufficient	17-08(B)	N	N	Y	Y	N	N	Y	N	Y	N	N	N	OR - treat paved roadways and parking areas by flushing with water and sweeping at sufficient treatment frequencies to ensure compliance; treat unpaved roadways and parking areas with water and/or other suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance

	to eliminate or minimize fugitive dust.														ET - no emission testing is required to show compliance
P001	VE of fugitive dust shall not exceed 20% opacity, as a 3-minute average	17-07(B)(1)	N	N	N	N	N	N	N	N	N	N	N	N	M - no monitoring requirements are necessary to show compliance R - no record keeping requirements are necessary to show compliance Rp - no reporting requirements are necessary to show compliance ET - no emission testing is required to show compliance
P001	Reasonable available control measures that are sufficient to eliminate or minimize fugitive dust.	17-07(B)	N	N	Y	Y	N	N	Y	N	Y	N	N	N	OR - minimize drop heights, and water dusty materials either prior to dumping or during dumping, and employ good operating practices to ensure compliance ET - no emission testing is required to show compliance
P001	No VE of asbestos containing waste material	20-06(B)	Y	N	N	N	N	N	N	N	N	N	N	N	Other - 40 CFR Part 61, Subparts A and M M - no monitoring requirements are necessary to show compliance R - no record keeping requirements are necessary to show compliance Rp - no reporting requirements are necessary to show compliance ET - no emission testing is required to show compliance

P001	Comply with standards, requirements and work practice standards specified in 3745-20-06 and 40 CFR Part 61, Subparts A and M.	20-06	Y	N	N	Y	N	N	Y	N	Y	N	N	N	Other – The permittee is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subparts A and M. ET - no emission testing is required to show compliance
P001	Comply with applicable standards and requirements of 40 CFR Part 60, Subpart WWW	N	Y	N	Y	Y	N	N	Y	N	Y	N	Y	N	Other – The permittee is subject to the Standards of Performance for Municipal Solid Waste Landfills , 40 CFR Part 60, Subpart WWW. OR – install and operate the a landfill gas collection and control system; maintain wellhead parameters at specified levels
P001	Comply with applicable standards and requirements of 40 CFR Part 63, Subpart AAAA	N	Y	N	Y	Y	N	N	Y	N	Y	N	N	N	Other – The permittee is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills, 40 CFR Part 63, Subpart AAAA. OR - install and operate the a landfill gas collection and control system ET - no emission testing is required to show compliance
P001	Flares shall be designed and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive	N	Y	N	Y	Y	N	N	Y	N	Y	N	N	N	Other – The source is subject to Standards of Performance for New Stationary Sources , General Control Device Requirements, 40 CFR Part 60.18,. OR – a flame sensing device shall be maintained at all times in the flare's burner. ET - no emission testing is required to show compliance

	hours, and meet required control device requirements														

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

DRAFT

Air Pollution Title V Permit
for
Stony Hollow Recycling and Disposal Facility

Facility ID:	0857043008
Permit Number:	P0092995
Permit Type:	Renewal
Issued:	8/31/2009
Effective:	To be entered upon final issuance
Expiration:	To be entered upon final issuance

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Title V Permit
for
Stony Hollow Recycling and Disposal Facility

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Authorization

Facility ID: 0857043008
Facility Description: Refuse system
Application Number(s): A0024459
Permit Number: P0092995
Permit Description: Title V operating permit renewal.
Permit Type: Renewal
Issue Date: 8/31/2009
Effective Date: To be entered upon final issuance
Expiration Date: To be entered upon final issuance
Superseded Permit Number:

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Stony Hollow Recycling and Disposal Facility
2460 South Gettysburg Avenue
Dayton, OH 45418-2323

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Regional Air Pollution Control Agency
117 South Main Street
Dayton, OH 45422-1280
(937)225-4435

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Regional Air Pollution Control Agency. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months (540 days) and no later than 6 months (180 days) prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
(Authority for term: ORC 3704.036(A))

2. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.
(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))

b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) constitutes a violation of an emission limitation (or control requirement) and, therefore, is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any scheduled maintenance, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. Except as provided below, the written reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.
(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))

(4) Each written report shall be signed by a responsible official certifying that, "based on information and belief formed after reasonable inquiry, the statements and information in the report (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete."
(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Reports of any required monitoring and/or record keeping information shall be submitted to Regional Air Pollution Control Agency.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

4. Risk Management Plans

If applicable, the permittee shall develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. ("Act"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

(Authority for term: OAC rule 3745-77-07(A)(4))

5. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.
(Authority for term: OAC rule 3745-77-07(A)(5))

6. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
(Authority for term: OAC rule 3745-77-07(A)(6))

7. General Requirements

a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.

b) It shall not be a defense for the 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 federally enforceable terms and conditions of this permit.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with Standard Term and Condition A.11 below. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

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

e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:

(1) the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminent sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.
(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))

8. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78.
(Authority for term: OAC rule 3745-77-07(A)(8))

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.
(Authority for term: OAC rule 3745-77-07(A)(9))

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.
(Authority for term: OAC rule 3745-77-07(A)(10))

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate

statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))

12. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.
(Authority for term: OAC rule 3745-77-07(B))

13. Compliance Requirements

a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

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

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted (i.e., postmarked) on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

(a) An identification of each term or condition of this permit that is the basis of the certification.

(b) The permittee's current compliance status.

(c) Whether compliance was continuous or intermittent.

(d) The method(s) used for determining the compliance status of the source currently and over the required reporting period.

(e) Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))

14. Permit Shield

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

(Authority for term: OAC rule 3745-77-07(F))

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the appropriate Ohio EPA District Office or local air agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the

Administrator of the U.S. EPA and the appropriate District Office of the Ohio EPA or local air agency as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).
(Authority for term: OAC rules 3745-77-07(H)(1) and (2))

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.
(Authority for term: OAC rule 3745-77-07(G))

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.
(Authority for term: OAC rule 3745-77-07(I))

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the

permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Fed. Reg. 8314, Feb. 24, 1997), in the context of any future proceeding.
(This term is provided for informational purposes only.)

19. Insignificant Activities or Emissions Levels

Each IEU that has one or more applicable requirements shall comply with those applicable requirements.
(Authority for term: OAC rule 3745-77-07(A)(1))

20. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-07(A)(1))

21. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.
(Authority for term: OAC rule 3745-77-07(A)(1))

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the responsible official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the responsible official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

No emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-01)

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.

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

(Authority for term: OAC rule 3745-77-01(H)(11))

24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

25. Records Retention Requirements Under State Law Only

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

26. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio

EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.
(Authority for term: OAC rule 3745-77-07(C))

27. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.
(Authority for term: OAC rule 3745-77-01(C))

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potentials to emit; or

c) where the company's responsible official has certified that an emissions unit has been permanently shut down.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) 3

2. The following insignificant emissions units at this facility must comply with all applicable State and Federal regulations, as well as any emission limitations and/or control requirements contained within the identified permit to install for the emissions unit. The insignificant emissions units listed below are subject to one or more applicable requirement contained in a permit-to-install or in the SIP-approved versions of OAC Chapters 3745-17, 3745-18 and/or 3745-21.

   F002: Aggregate Storage Piles (PTI no. 08-2758)
   F003: Blasting, Mining and Aggregate Transfer, and Loading (PTI no. 08-2758)

3. The following insignificant emissions units located at this facility are exempt from permit requirements because they are not subject to any applicable requirements (as defined in OAC rule 3745-77-01(H)) or because they meet the "deminimis" criteria established in OAC rule 3745-15-05:

   T700: Leachate Collection
   P700: Parts Washer
   B700: Space Heater
   B701: Diesel Generators

   The permittee is hereby notified that this permit and all agency records concerning the operation of these permitted emissions units are subject to public disclosure in accordance with OAC rule 3745-49-03.

4. The only storage piles authorized by this permit are those identified in emissions unit F002 (which is an insignificant emissions unit). Furthermore, the permit does not authorize the permittee to establish and maintain any more storage piles at this facility.

5. [63.1930]
   This section contained within 40 CFR Part 63, Subpart AAAA, establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in Section 63.1935 to meet the requirements of 40 CFR Part 60, Subpart Cc or WWW and requires timely control of bioreactors. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements.

6. [63.1935]
   You are subject to this subpart if you meet the criteria in paragraph (a) or (b) of this section.

   a) You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition and meets any one of the three criteria in paragraphs a)(1) through a)(3) of this section:

      (1) Your MSW landfill is a major source as defined in 40 CFR 63.2 of Subpart A.

      (2) Your MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of Subpart A.

(3) Your MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m3) and has estimated uncontrolled emissions equal to or greater than 50 megagrams per year (Mg/yr) NMOC as calculated according to Section 60.754(a) of the MSW landfills new source performance standards in 40 CFR Part 60, Subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan that applies to your landfill.

b) You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition, that includes a bioreactor, as defined in Section 63.1990, and that meets any one of the criteria in paragraphs b)(1) through b)(3) of this section:

(1) Your MSW landfill is a major source as defined in 40 CFR 63.2 of Subpart A.

(2) Your MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of Subpart A.

(3) Your MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m3 and that is not permanently closed as of January 16, 2003.

7. [63.1940]

a) An affected source of this subpart is a MSW landfill, as defined in Section 63.1990, that meets the criteria in Section 63.1935(a) or (b). The affected source includes the entire disposal facility in a contiguous geographic space where household waste is placed in or on land, including any portion of the MSW landfill operated as a bioreactor.

b) A new affected source of this subpart is an affected source that commenced construction or reconstruction after November 7, 2000. An affected source is reconstructed if it meets the definition of reconstruction in 40 CFR 63.2 of Subpart A.

c) An affected source of this subpart is existing if it is not new.

8. [63.1945]

a) If your landfill is a new affected source, you must comply with this subpart by January 16, 2003 or at the time you begin operating, whichever is last.

b) If your landfill is an existing affected source, you must comply with this subpart by January 16, 2004.

c) If your landfill is a new affected source and is a major source or is collocated with a major source, you must comply with the requirements in Sections 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of Subpart WWW.

d) If your landfill is an existing affected source and is a major source or is collocated with a major source, you must comply with the requirements in Sections 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of Subpart WWW, the Federal plan, or EPA approved and effective State or tribal plan that applies to your landfill or by January 13, 2004, whichever occurs later.

e) If your landfill is a new affected source and is an area source meeting the criteria in Section 63.1935(a)(3), you must comply with the requirements of Sections 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of Subpart WWW.

f) If your landfill is an existing affected source and is an area source meeting the criteria in Section 63.1935(a)(3), you must comply with the requirements in Sections 63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of Subpart WWW, the Federal plan, or EPA approved and effective State or tribal plan that applies to your landfill or by January 16, 2004, whichever occurs later.

9. [63.1947]
You must comply with this subpart by the dates specified in Section 63.1945(a) or (b) of this subpart. If you own or operate a bioreactor located at a landfill that is not permanently closed as of January 16, 2003 and has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m3, then you must install and operate a collection and control system that meets the criteria in 40 CFR 60.752(b)(2)(v) of Part 60, Subpart WWW, the Federal plan, or EPA approved and effective State plan according to the schedule specified in paragraph a), b), or c) of this section.

a) If your bioreactor is at a new affected source, then you must meet the requirements in paragraphs (a)(1) and (2) of this section:

(1) Install the gas collection and control system for the bioreactor before initiating liquids addition.

(2) Begin operating the gas collection and control system within 180 days after initiating liquids addition or within 180 days after achieving a moisture content of 40 percent by weight, whichever is later. If you choose to begin gas collection and control system operation 180 days after achieving a 40 percent moisture content instead of 180 days after liquids addition, use the procedures in Section 63.1980(g) and (h) to determine when the bioreactor moisture content reaches 40 percent.

b) If your bioreactor is at an existing affected source, then you must install and begin operating the gas collection and control system for the bioreactor by January 17, 2006 or by the date your bioreactor is required to install a gas collection and control system under 40 CFR Part 60, Subpart WWW, the Federal plan, or EPA approved and effective State plan or tribal plan that applies to your landfill, whichever is earlier.

c) If your bioreactor is at an existing affected source and you do not initiate liquids addition to your bioreactor until later than January 17, 2006, then you must meet the requirements in paragraphs (c)(1) and (2) of this
section:

(1) Install the gas collection and control system for the bioreactor before initiating liquids addition.

(2) Begin operating the gas collection and control system within 180 days after initiating liquids addition or within 180 days after achieving a moisture content of 40 percent by weight, whichever is later. If you choose to begin gas collection and control system operation 180 days after achieving a 40 percent moisture content instead of 180 days after liquids addition, use the procedures in Section 63.1980(g) and (h) to determine when the bioreactor moisture content reaches 40 percent.

10. [63.1950]
You are no longer required to comply with the requirements of this subpart when you are no longer required to apply controls as specified in 40 CFR 60.752(b)(2)(v) of Subpart WWW, or the Federal plan or EPA approved and effective State plan or tribal plan that implements 40 CFR Part 60, Subpart Cc, whichever applies to your landfill.

11. [63.1952]
If you own or operate a landfill that includes a bioreactor, you are no longer required to comply with the requirements of this subpart for the bioreactor provided you meet the conditions of either paragraphs a) or b) of this section.

a) Your affected source meets the control system removal criteria in 40 CFR 60.752(b)(2)(v) of Part 60, Subpart WWW or the bioreactor meets the criteria for a nonproductive area of the landfill in 40 CFR 60.759(a)(3)(ii) of Part 60, Subpart WWW.

b) The bioreactor portion of the landfill is a closed landfill as defined in 40 CFR 60.751, Subpart WWW, you have permanently ceased adding liquids to the bioreactor, and you have not added liquids to the bioreactor for at least 1 year. A closure report for the bioreactor must be submitted to the Administrator as provided in 40 CFR 60.757(d) of Subpart WWW.

c) Compliance with the bioreactor control removal provisions in this section constitutes compliance with 40 CFR Part 60, Subpart WWW or the Federal plan, whichever applies to your bioreactor.

12. [63.1955]

a) You must fulfill one of the requirements in paragraph a)(1) or a)(2) of this section, whichever is applicable:

(1) Comply with the requirements of 40 CFR Part 60, Subpart WWW.

(2) Comply with the requirements of the Federal plan or EPA approved and effective State plan or tribal plan that implements 40 CFR Part 60, Subpart Cc.

b) If you are required by 40 CFR 60.752(b)(2) of Subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan to install a collection and control system, you must comply with the requirements in Sections 63.1960 through 63.1985 and with the general provisions of this part specified in Table 1 of this subpart.

c) For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, record keeping or reporting provisions, you must follow the procedures in 40 CFR 60.752(b)(2). If alternatives have already been approved under 40 CFR Part 60 Subpart WWW or the Federal plan, or EPA approved and effective State or tribal plan, these alternatives can be used to comply with this subpart, except that all affected sources must comply with the SSM requirements in Subpart A of this part as specified in Table 1 of this subpart and all affected sources must submit compliance reports every 6 months as specified in Section 63.1980(a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3 hour monitoring block average.

d) If you own or operate a bioreactor that is located at a MSW landfill that is not permanently closed and has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m3, then you must meet the requirements of paragraph (a) and the additional requirements in paragraphs d)(1) and d)(2) of this section.

(1) You must comply with the general provisions specified in Table 1 of this subpart and Sections 63.1960 through 63.1985 starting on the date you are required to install the gas collection and control system.

(2) You must extend the collection and control system into each new cell or area of the bioreactor prior to initiating liquids addition in that area, instead of the schedule in 40 CFR 60.752(b)(2)(ii)(A)(2).

13. [63.1960]
Compliance is determined in the same way it is determined for 40 CFR Part 60, Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), (c)(1), and (d) of Subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in this subpart and have deviated from the requirements of this subpart. Finally, you must develop and implement a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write, implement, or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

14. [63.1965]
A deviation is defined in Section 63.1990. For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in paragraphs a) through c) of this section.

a) A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) of Subpart WWW are exceeded.

b) A deviation occurs when 1 hour or more of the hours during the 3-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.

c) A deviation occurs when a SSM plan is not developed, implemented, or maintained on site.

15. [63.1975]
Averages are calculated in the same way as they are calculated in 40 CFR Part 60, Subpart WWW, except that the data collected during the events listed in paragraphs a), b), c), and d) of this section are not to be included in any average computed under this subpart:

a) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments.

b) Startups.

c) Shutdowns.

d) Malfunctions.

16. [63.1980]

a) Keep records and reports as specified in 40 CFR Part 60, Subpart WWW, or in the Federal plan, EPA approved State plan or tribal plan that implements 40 CFR Part 60, Subpart Cc, whichever applies to your landfill, with one exception: You must submit the annual report described in 40 CFR 60.757(f) every 6 months.

b) You must also keep records and reports as specified in the general provisions of 40 CFR Part 60 and this part as shown in Table 1of this subpart. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports.

c) For bioreactors at new affected sources you must submit the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) within 180 days after the date you are required to begin operating the gas collection and control system by Section 63.1947(a)(2) of this subpart.

d) For bioreactors at existing affected sources, you must submit the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) within 180 days after the compliance date specified in Section 63.1947(b) of this subpart, unless you have previously submitted a compliance report for the bioreactor required by 40 CFR Part 60, Subpart WWW, the Federal plan, or an EPA approved and effective State plan or tribal plan.

e) For bioreactors that are located at existing affected sources, but do not initiate liquids addition until later than the compliance date in Section 63.1947(b) of this subpart, you must submit the initial semiannual compliance report and performance tests results described in 40 CFR 60.757(f) within 180 days after the date you are required to begin operating the gas collection and control system by Section 63.1947(c) of this subpart.

f) If you must submit a semiannual compliance report for a bioreactor as well as a semiannual compliance report for a conventional portion of the same landfill, you may delay submittal of a subsequent semiannual compliance report for the bioreactor according to paragraphs f)(1) through f)(3) of this section so that the reports may be submitted on the same schedule.

(1) After submittal of your initial semiannual compliance report and performance test results for the bioreactor, you may delay submittal of the subsequent semiannual compliance report for the bioreactor until the date the initial or subsequent semiannual compliance report is due for the conventional portion of your landfill.

(2) You may delay submittal of your subsequent semiannual compliance report by no more than 12 months after the due date for submitting the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) for the bioreactor. The report shall cover the time period since the previous semiannual report for the bioreactor, which would be a period of at least 6 months and no more than 12 months.

(3) After the delayed semiannual report, all subsequent semiannual reports for the bioreactor must be submitted every 6 months on the same date the semiannual report for the conventional portion of the landfill is due.

g) If you add any liquids other than leachate in a controlled fashion to the waste mass and do not comply with the bioreactor requirements in Sections 63.1947, 63.1955(c) and 63.1980(c) through (f) of this subpart, you must keep a record of calculations showing that the percent moisture by weight expected in the waste mass to which liquid is added is less than 40 percent.

The calculation must consider the waste mass, moisture content of the incoming waste, mass of water added to the waste including leachate recirculation and other liquids addition and precipitation, and the mass of water removed through leachate or other water losses. Moisture level sampling or mass balances calculations can be used. You must document the calculations and the basis of any assumptions. Keep the record of the calculations until you cease liquids addition.

h) If you calculate moisture content to establish the date your bioreactor is required to begin operating the collection and control system under Section 63.1947(a)(2) or (c)(2), keep a record of the calculations including the information specified in paragraph (g) of this section for 5 years. Within 90 days after the bioreactor achieves 40 percent moisture content, report the results of the calculation, the date the bioreactor achieved 40 percent moisture content by weight, and the date you plan to begin collection and control system operation.

17. [63.1985]

a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or tribal agency. If the EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency as well as the U.S. EPA has the authority to implement and enforce this subpart. Contact the applicable EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency.

b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under Subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the EPA Administrator and are not transferred to the State, local, or tribal agency.

c) The authorities that will not be delegated to State, local, or tribal agencies are as follows. Approval of alternatives to the standards in Section 63.1955. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

18. [63.1990]
Terms used in this subpart are defined in the Clean Air Act, 40 CFR Part 60, Subparts A, Cc, and WWW; 40 CFR Part 62, Subpart GGG, and Subpart A of this part, and this section that follows:

Bioreactor means a MSW landfill or portion of a MSW landfill where any liquid other than leachate (leachate includes landfill gas condensate) is added in a controlled fashion into the waste mass (often in combination with recirculating leachate) to reach a minimum average moisture content of at least 40 percent by weight to accelerate or enhance the anaerobic (without oxygen) biodegradation of the waste.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including, but not limited to, any emissions limitation (including any operating limit) or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, (including any operating limit), or work practice standard in this subpart during SSM, regardless of whether or not such failure is permitted by this subpart.

Emissions limitation means any emission limit, opacity limit, operating limit, or visible emissions limit.

EPA approved State plan means a State plan that EPA has approved based on the requirements in 40 CFR Part 60, Subpart B to implement and enforce 40 CFR Part 60, Subpart Cc. An approved State plan becomes effective on the date specified in the notice published in the Federal Register announcing EPA's approval.

Federal plan means the EPA plan to implement 40 CFR Part 60, Subpart Cc for existing MSW landfills located in States and Indian country where State plans or tribal plans are not currently in effect. On the effective date of an EPA approved State or tribal plan, the Federal plan no longer applies. The Federal plan is found at 40 CFR Part 62, Subpart GGG.

Municipal solid waste landfill or MSW landfill means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes (see Section 257.2 of this chapter) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads. A municipal solid waste landfill may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion.

Tribal plan means a plan submitted by a tribal authority pursuant to 40 CFR Parts 9, 35, 49, 50, and 81 to implement and enforce 40 CFR Part 60, Subpart Cc.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the Clean Air Act.

19. As stated in Sections 63.1955 and 63.1980, you must meet each requirement in Table 1 of Subpart AAAA of Part 63: Applicability of NESHAP General Provisions to Subpart AAAA (see attachment) that applies to you.

C. Emissions Unit Terms and Conditions

1. F001, Roadways and Parking Areas

Operations, Property and/or Equipment Description:

Paved and unpaved roadways and parking areas.

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3) PTI 08-04663	The particulate emissions (PE) shall not exceed 123.61 tons/yr. There shall be no visible particulate emissions from any paved roadway or parking area except for a period of time not to exceed 1 minute during any sixty-minute observation period. There shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed 3 minutes during any sixty-minute observation period. The permittee shall employ reasonable available control measures in addition to specific control requirements to eliminate or minimize fugitive dust. See b)(2)a through b)(2)h.
b.	OAC rule 3745-17-07(B)(4)	The visible emission limitation specified by this rule is less stringent than the visible emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
c.	OAC rule 3745-17-07(B)(5)	The visible emission limitation specified by this rule is less stringent than the visible emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
d.	OAC rule 3745-17-08(B)	The control measures specified by this

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		rule are less stringent than the visible emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

(2) Additional Terms and Conditions

a. The paved and unpaved roadways and parking areas that are covered by this permit and subject to the requirements of OAC rule 3745-31-05(A)(3) are listed below:

<u>paved roadways:</u>
all paved roadways

<u>paved parking areas:</u>
all paved parking areas

<u>unpaved roadways:</u>
all unpaved roadways

<u>unpaved parking areas:</u>
all unpaved parking areas

b. The permittee shall employ reasonably available control measures on all paved and unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the paved roadways and parking areas by flushing with water and sweeping at sufficient treatment frequencies to ensure compliance. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved roadways and parking areas with water and/or other suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally effective control measures to ensure compliance.

c. The permittee shall employ reasonably available control measures on the unpaved shoulders of all paved roadways for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved shoulders of all paved roadways with water and/or suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally effective control measures to ensure compliance.

d. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for a paved and/or an unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure

compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

e. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled using water flushing and sweeping. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas as specified in the requirements of OAC rule 3745-31-05(A)(3) of this permit.

f. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means before the next scheduled visual inspection.

g. Upon entering the permittee's property, open-bodied vehicles transporting materials likely to become airborne as fugitive dust shall have such materials covered at all times.

h. In addition to the roadway and parking areas specific control requirements listed previously, the permittee shall employ an aggressive fugitive dust emissions control program which includes, but is not limited to the following:

i. The permittee shall apply water suppression, soil stabilization, or other suitable fugitive dust control measures on roadways and parking areas associated with the plant operations. The frequency of any wet suppression application to comply with this requirement shall be at least once daily during the period of April through October, and as needed during the period of November through March. Application of waste oil as a fugitive dust control measure is prohibited. The wet suppression requirement shall be waived during conditions when there is sufficient moisture to prevent visible emissions of fugitive dust.

ii. The permittee shall maintain roadways such that they are free of gross quantities of mud or dust to prevent tracking of material onto public roadways and to minimize dust emissions from the facility roadways. The permittee shall promptly remove and dispose of any material deposited on public streets from the operation of this facility to minimize emissions of fugitive dust.

iii. The permittee shall wash the tires and bodies of all heavy duty vehicles with high pressure water (wheel wash system) prior to leaving the facility, if necessary, to prevent carryover of dust or mud to public roadways.

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records for this emissions unit that identifies each day during which fugitive dust control measures were not implemented and the reason(s) why such control measures were not implemented.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

(2) Except as otherwise provided in this section, the permittee shall perform inspections of each of the paved and unpaved roadway segments and each parking area in accordance with the following frequencies:

paved roadways	minimum inspection frequency
all	once daily on days of operation

paved parking areas	minimum inspection frequency
all	once daily on days of operation

unpaved roadways	minimum inspection frequency
all	once daily on days of operation

unpaved parking areas	minimum inspection frequency
all	once daily on days of operation

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

(3) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week. The permittee may, upon receipt of written approval from the Regional Air Pollution Control Agency (RAPCA), modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

(4) The permittee shall maintain records of the following information:

a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;

c. the dates the control measures were implemented; and

d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(4)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

e) Reporting Requirements

(1) The permittee shall submit deviation reports that identify any of the following occurrences:

a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

f) Testing Requirements

(1) Compliance with the emission limitation(s) in Section b)(1) of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

The particulate emissions (PE) shall not exceed 123.61 tons/yr.

Applicable Compliance Method:

Compliance may be determined as follows:

i. The PE for paved roadways and parking areas was calculated by multiplying an emission factor per vehicle mile traveled (VMT) derived from equation (2) in Chapter 13.2.1 of AP-42, Compilation of Air Pollution Emission Factors, Volume I; Stationary Point and Area Sources; Fifth Edition, November 2006, by the annual VMT, multiplying by a control factor of (1 - 0.80) for the application of water and sweeping, and then dividing by 2000 pounds/ton.

[The maximum potential PE for paved roadways and parking areas was determined by multiplying 3.03 pounds per VMT by 99,908 annual VMT,

multiplying by the control factor (1 - 0.80), and then dividing by 2000 pounds/ton.]

ii. The PE for unpaved roadways and parking areas was calculated by multiplying an emission factor per VMT derived from equations (1a) and (2) in Chapter 13.2.2 of AP-42, Compilation of Air Pollution Emission Factors, Volume I: Stationary Point and Area Sources; Fifth Edition, November 2006, by the annual VMT, multiplying by a control factor of (1 - 0.75) for the application of water and/or other suitable dust suppression, and then dividing by 2000 pounds/ton.

[The maximum potential PE for unpaved roadways and parking areas was determined by multiplying 5.53 pounds per VMT by 119,412 annual VMT, multiplying by the control factor (1 - 0.75), and then dividing by 2000 pounds/ton.]

iii. The PE from construction and operational vehicles on unpaved haul roadways and landfill surfaces was calculated by multiplying an emission factor per VMT derived from equations (1a) and (2) in Chapter 13.2.2 of AP-42, Compilation of Air Pollution Emission Factors, Volume I: Stationary Point and Area Sources; Fifth Edition, November 2006, by the annual VMT, multiplying by a control factor of (1 - 0.50), multiplying by an additional control factor of (4/15) for average speed of less than 4.0 mile per hour derived from AP-42, Fifth Edition, Chapter 13.2.2.3, September 1998, and then dividing by 2000 pounds/ton.

[The maximum potential PE from construction and operational vehicles on unpaved haul roadways and landfill surfaces was determined by multiplying 6.11 pounds per VMT by 26,508 annual VMT, multiplying by the control factor (1 - 0.50), multiplying by an additional control factor (4/15), and then dividing by 2000 pounds/ton.]

iv. sum f)(1)a.i. through f)(1)a.iii. above.

*The control efficiency for the application of water and/or dust suppression chemicals is assumed to be 75% for unpaved roadways and the control efficiency for the application of water and sweeping is assumed to be 80% for paved roadways.

[The annual allowable fugitive PE limitation was established by the sum of the maximum allowable PE determinations described above in items f)(1)a.i. through f)(1)a.iii.]

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

b. Emission Limitation:

No visible PE from any paved roadway or parking area, except for 1 minute during any 60-minute period.

Applicable Compliance Method:

Compliance with the visible emission limitation for the paved roadways and/or parking areas identified in this permit shall be determined in accordance with U.S. EPA Method 22 and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

c. Emission Limitation:

No visible PE from any unpaved roadway or parking area, except for 3 minutes during any 60-minute period.

Applicable Compliance Method:

Compliance with the visible emission limitation for the unpaved roadways and/or parking areas identified in this permit shall be determined in accordance with U.S. EPA Method 22 and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI 08-04663]

g) Miscellaneous Requirements

(1) None.

2. P001, Landfill Operations

Operations, Property and/or Equipment Description:

Municipal solid waste landfill operations with active gas collection and control (flare) systems which can accept asbestos-containing waste materials.

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3) PTI No. 08-2758	See b)(2)f. through b)(2)l. below. The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(B), 40 CFR, Part 60, Subpart WWW, 40 CFR Part 60.18, OAC rules 3745-17-08(B) and 3745-20, the NESHAP (40 CFR Part 61, Subparts A and M) and 40 CFR Part 63, Subpart AAAA.
b.	OAC rule 3745-17-07(B)(1)	Visible emissions of fugitive dust shall not exceed 20% opacity, as a 3-minute average, from all waste materials, except asbestos-containing materials.
c.	OAC rule 3745-17-08(B)	The control measures specified by this rule are less stringent than the control measures established pursuant to OAC rule 3745-31-05 (A)(3). [See b)(2)l. below.]
d.	40 CFR Part 60, Subpart WWW	See b)(2)b through b)(2)e below.
e.	40 CFR Part 63, Subpart AAAA and Subpart A	See b)(2)a. below and B.5 through B.19 in Section B.
f.	OAC rule 3745-20 and the NESHAP (40 CFR Part 61, Subparts A and M)	See b)(2)m. through b)(2)x. below.
g.	40 CFR Part 60.18	Flares shall be designed and operated with no visible emissions, except for periods not to exceed a total of 5 minutes

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		during any 2 consecutive hours and meet required control device requirements.

(2) Additional Terms and Conditions

a. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subpart WWW and 40 CFR Part 60.18(c)(1).

b. When the calculated NMOC emission rate is equal to or greater than 50 megagrams (55 tons) per year, the permittee shall:

i. Submit a collection and control system design plan prepared by a professional engineer to the Administrator and the Regional Air Pollution Control Agency (RAPCA) within 1 year. The collection and control system design plan shall satisfy the requirements as specified in 40 CFR Part 60.752(b)(2)(ii). In accordance with the Tier 2 Landfill Gas Sampling Report notification dated June 9, 2003, the permittee is required to submit the collection and control system design plan by June 10, 2004. A design plan has been submitted by the permittee to satisfy these requirements.

ii. Install a collection and control system within 18 months after submittal of the aforementioned design plan. In accordance with the Tier 2 Landfill Gas Sampling Report notification dated June 9, 2003, the permittee shall have the collection and control system installed by December 10, 2005. A collection and control system has been installed by the permittee to satisfy these requirements.

iii. All of the collected gas shall be routed to a control system that complies with one of the following, in accordance with 40 CFR Part 60.752(b)(2)(iii):

(a) An open flare designed and operated in accordance with 40 CFR Part 60.18.

(b) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce the NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen.

(c) Route all of the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of 40 CFR Part 60.752(b)(2)(iii)(A) or 40 CFR Part 60.752(b)(2)(iii)(B). The reduction efficiency or parts per million by volume shall be established by an initial performance test to be conducted no later than 180 days after the initial startup of the approved control system using test methods specified in 40 CFR Part 60.754(d).

c. With an active gas collection system, the following requirements shall be satisfied, as specified in 40 CFR Part 60.752(b)(2)(ii)(A):

i. The 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.

ii. The system shall collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years or more if active, or 2 years or more if closed or at final grade.

iii. The system shall collect gas at a sufficient extraction rate.

iv. The system shall be designed to minimize off-site migration of subsurface landfill gases.

d. With a passive gas collection system, the following requirements shall be satisfied, as specified in 40 CFR Part 60.752(b)(2)(ii)(B):

i. The 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.

ii. The system shall collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years or more if active, or 2 years or more if closed or at final grade.

iii. The system shall be designed to minimize off-site migration of subsurface landfill gases.

iv. The system shall be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR 258.40.

e. When the collected gas is venting to an open flare, the open flare shall be designed and operated as follows:

i. The flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

ii. The flare shall be operated with a flame present at all times.

iii. The permittee shall comply with either the requirements following in e.iii.(a) and e.iii.(b) or the requirements in paragraph e.iii.(c):

Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined as follows:

$Ht = k \times (\sum Ci\ Hi;\ \text{for } i=1 \text{ through } i=n)$

where,

Ht = net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 degrees C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 degrees C;

k = constant, 1.740×10^{-7} (1/ppm) (g mole/scm) (MJ/kcal) where the standard temperature for (g mole/scm) is 20 degrees C.

Ci = concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77; and

Hi = net heat of combustion of sample component i, kcal/g mole at 25 degrees C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 (incorporated by reference as specified in section 60.17) if published values are not available or cannot be calculated.

(a) A steam-assisted and nonassisted flare shall be designed for and operated with an exit velocity of less than 18.3 m/sec. (60 ft/sec), except:

(i) steam-assisted and nonassisted flare shall be designed for and operated with an exit velocity of equal to or greater than 18.3 m/sec, but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf); and

steam-assisted and nonassisted flare shall be designed for and operated with an exit velocity of less than the velocity, Vmax, and less than 122 m/sec (400 ft/sec) are allowed; as determined by

$Log10(Vmax) = (Ht + 28.8)/31.7$

where,

Vmax = maximum permitted velocity, m/sec
28.8 = constant
31.7 = constant
Ht = the net heating value as determined in section 2.b)(2)e.iii(a) above.

(b) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, Vmax, as determined by the following equation:

$$V_{max} = (X_{h2} - K_1) * K_2$$

where,

Vmax = maximum permitted velocity, m/sec
K1 = constant, 6.0 volume-percent hydrogen
K2 = constant, 3.9 (m/sec)/volume-percent hydrogen
Xh2 = the volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77.

iv. Air-assisted flare shall be designed for and operated with an exit velocity of less than the velocity, Vmax, as determined by the following equation:

$$V_{max} = 8.706 + 0.7084\ (H_t)$$

where,

Vmax = maximum permitted velocity, m/sec
8.706 = constant
0.7084 = constant
Ht = the net heating value as determined in section 2.b)(2)e.iii.a. above.

f. With an active gas collection system, the collection and control system may be capped or removed provided that all of the following conditions, as specified in 40 CFR Part 60.752(b)(2)(v), are met:

i. The landfill shall be a closed landfill as defined in 40 CFR Part 60.751. A closure report shall be submitted to the Administrator as provided in 40 CFR 60.757(d).

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

iii. Following the procedures specified in 40 CFR 60.754(b) of this subpart, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams (55 tons) 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.

g. The landfill areas that are covered by this permit and subject to the requirements of OAC rule 3745-17-08 include all landfill areas where solid wastes are deposited.

h. The permittee shall employ reasonably available control measures (RACM) on all landfill operations associated with load-in of MSW for the purpose of ensuring compliance with the above-mentioned applicable requirements. The RACM shall include, but not be limited to, minimizing drop heights and watering of dusty materials, either prior to dumping or during dumping, and good operating practices to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally effective control measures to ensure compliance.

i. The above-mentioned control measures shall be employed for each MSW landfill cell if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during any such operation until further observation confirms that use of the measures in unnecessary.

j. The permittee shall employ RACM for wind erosion from the surface of the landfill for the purpose of ensuring compliance with the above-mentioned requirements. The RACM shall include, but not be limited to, the watering of portions of the landfill surface area and the watering of dusty loads prior to dumping during periods of high wind speed to ensure compliance.

k. The above-mentioned control measures shall be for wind erosion from the landfill if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measures shall not be necessary for the landfill cell that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.

l. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-17-08.

m. There shall be no visible emissions from asbestos-containing materials during on-site transportation, transfer, unloading, deposition or compacting operations.

n. Deposition and burial operations shall be conducted in a careful manner that prevents asbestos-containing waste materials from being broken up or dispersed before the materials are buried.

o. The permittee shall establish restricted access, adequate to deter the unauthorized entry of the general public and any unauthorized personnel, within 100 feet of the unloading, deposition, and burial areas of the asbestos-containing waste materials. A hazard warning shall be displayed on signs not less than 20 x 14 inches in size, posted so they are visible before entering an area with asbestos waste disposal operations in progress; or, alternatively, mark vehicles used to transport asbestos-containing waste materials with 21 x 14 inch signs so that the signs are displayed in such a manner and location that a person can

easily read the legend. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend:

DANGER
ASBESTOS DUST HAZARD
CANCER AND LUNG DISEASE HAZARD
Authorized Personnel Only

Notation
2.5 cm (1 inch) Sans Serif, Gothic or Block
2.5 cm (1 inch) Sans Serif, Gothic or Block
1.9 cm (3/4 inch) Sans Serif, Gothic or Block
14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper two lines.

p. The permittee shall cover and compact asbestos wastes in accordance with the following:

i. As soon as practical after the placement of friable asbestos, but no later than the end of each working day, the asbestos-containing waste materials deposited at the site during the operating day shall be covered with at least 12 inches of non-asbestos-containing materials. Once the asbestos-containing materials are covered, the area may be compacted.

ii. Care shall be taken to ensure that disposed asbestos shall not be re-excavated in subsequent operations. Any accidentally exposed material shall be immediately covered in accordance with the provisions of condition (p)i. above.

iii. Asbestos-containing waste materials shall be separated from the landfill final grade by no less than 24 inches of compacted non-asbestos-containing materials and a permanent cover of vegetation, or in accordance with current requirements for closure, whichever is most stringent.

q. The permittee shall implement and maintain an "Asbestos Disposal Operating Procedure and Spill Contingency Plan" (Plan) consisting of: authorized personnel training, inspection and disposal operating procedures, non-conforming load response procedures, inventory and maintenance procedures for safety and emission control equipment, record keeping procedures and emergency notification procedures. Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times.

r. The permittee shall have emission control equipment available for wetting and containing asbestos in the event of a release or non-conforming load disposal. All equipment required to implement the Plan shall be maintained in accordance

with good engineering practices to ensure equipment is in a ready-to-use condition, and in an appropriate location for use.

s. The permittee shall require that all waste shipments received from NESHAP regulated facilities as defined in 40 CFR 61.141, be accompanied by a Waste Shipment Record as described in 40 CFR 61.150(d)(1). Shipments less than one cubic yard generated by residential sources may be exempted. The waste shipment record forms shall be retained at the facility for at least two years, and shall be made available for inspection upon request.

The waste shipment records shall include, but not be limited to, the following information:

i. the name, address and telephone number of the waste generator;

ii. the name, address and telephone number of the transporter;

iii. the quantity of asbestos-containing waste material, in cubic meters (cubic yards);

iv. the name and telephone number of the disposal site operator;

v. the presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers;

vi. the name and physical site location of the disposal site; and

vii. the date of receipt.

t. If this emissions unit is permanently closed, a closure notification, as provided in 40 CFR Part 60.757(d), shall be submitted to the RAPCA. The permittee shall also comply with all applicable provisions of OAC rule 3745-20-07.

u. The permittee shall cover all wastes with at least 6 inches of soil or alternative cover at the end of each day.

v. All vehicles hauling waste shall be closed or covered upon entering the facility. Following inspection at the facility's entrance the vehicle may remain uncovered while on landfill property and during unloading operations at the working face of the landfill.

w. The permittee shall not accept any load of friable asbestos-containing waste material for disposal unless it has been labeled in accordance with the requirements below:

Each container of friable asbestos-containing waste material shall be labeled in accordance with the requirements of the NESHAP at 40 CFR Part 61, Subpart M; or the Ohio Administrative Code rule 3745-20-05; or the Occupational Safety and Health Administration; or the Department of Transportation or any subsequent revision to the preceding rule; and shall contain the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

R.Q. ASBESTOS, CLASS 9
NA 2212, III

Inspection of incoming loads of asbestos-containing material for compliance with proper labeling requirements may occur at the working face of the landfill.

x. All asbestos-containing waste materials shall be received in sealed, approved, leak-tight waste disposal containers in accordance with b)(2)x.i. or in approved alternative disposal containers in accordance with b)(2)x.ii, b)(2)x.iii., or b)(2)x.iv. below:

i. Asbestos-containing waste material shall be sealed in plastic bags having a thickness of at least 0.006 inch (six-mils). A second clean, leak tight plastic bag having a thickness of at least 0.006 inch (six-mils) shall fully contain the first bag.

ii. Whenever necessary to prevent any asbestos-containing waste material from penetrating a container, the material shall be sealed into a combination of 0.006 inch (six-mils) plastic bag and leak-tight steel, plastic, or fiber drums, or reinforced disposal box, leak-tight polypropylene woven fabric bag, or similar suitable and durable container. Drums shall be fitted with a matching lid and lock-rims, and boxes shall be banded and sealed with reinforced tape or in accordance with manufacturer's recommendations.

iii. Non-friable waste materials which have the potential to become friable during handling or disposal operations, and components coated with, covered or containing friable asbestos materials shall be wrapped in no less than 0.012 inch (twelve-mils) of leak tight plastic, or at least 0.01 inch (ten-mils) of leak tight polypropylene fabric. This facility shall not accept wrapped pipes or components for disposal, unless a system for unloading and disposing of the waste without causing emissions of asbestos can be assured.

iv. Alternative leak-tight containers or disposal systems for asbestos-containg materials may be approved by RAPCA for special utility. The permittee is authorized to accept any alternative container or load approved in writing by RAPCA. Acceptance of any alternative container or load is at the discretion of the landfill and shall be in accordance with the terms and conditions issued in the alternative container or disposal system approval as issued in writing by RAPCA.

c) Operational Restrictions

(1) In accordance with 40 CFR Part 60.753 (a), the permittee shall operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW

landfill in which solid waste has been in place for 5 years or more if active, or for 2 years or more if closed or at final grade.

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(2) In accordance with 40 CFR Part 60.753 (b), the permittee shall operate the collection system with negative pressure at each wellhead except under the following conditions:

a. 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 40 CFR Part 60.757(f)(1).

b. Use of a geomembrane or synthetic cover. (The permittee shall develop acceptable pressure limits in the design plan.)

c. 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 the Director of Ohio EPA.)

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(3) In accordance with 40 CFR Part 60.753 (c), the permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees Celsius and with either a nitrogen level less than 20% or an oxygen level less than 5%. The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

a. The nitrogen level shall be determined using Method 3C unless an alternative test method is established as allowed by 40 CFR Part 60.752(b)(2)(i).

b. Unless an alternative test method is established as allowed by 40 CFR Part 60.752(b)(2(i), the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that:

i. The span shall be set so that the regulatory limit is between 20 and 50 percent of span.

ii. A data recorder is not required.

iii. Only two calibration gases are required, a zero and span, and ambient air may be used as the span.

iv. A calibration error check is not required.

v. The allowable sample bias, zero drift, and calibration drift are plus or minus 10 percent of span.

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(4) In accordance with 40 CFR Part 60.753 (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.

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(5) In accordance with 40 CFR Part 60.753 (e), the permittee shall operate the collection system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR Part 60.752(b)(2)(iii), reference 2.b)(2)b above. In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(6) In accordance with 40 CFR Part 60.753 (f), the permittee shall operate the control or treatment system at all times when the collected gas is routed to the system.

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

(7) With a flare control system, a flame sensing device shall be maintained at all times in the flare's burner, in accordance with 40 CFR Part 60.18 (c)(2).

[Authority for term OAC rule 3745-77-07(A)(1) and PTI 08-2758]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall inspect each load of asbestos containing-material delivered to this facility as follows:

a. The inspection shall consist of visual examination to ensure that each shipment of asbestos-containing materials is received in intact, leak-tight containers labeled with appropriate hazard warning labels, the name of the waste generator, and the location of waste generation. The inspector also shall determine whether the waste shipment records (WSR) accompany the consignment and accurately describe the waste material and quantity.

b. If on the basis of the inspection, the asbestos-containing waste material is found to be improperly received, the load shall be disposed of in accordance with the procedures in the "Asbestos Spill Contingency Plan," and the discrepancy notation shall be made on the waste shipment record.

c. The owner or on-duty operator shall notify the RAPCA of any load of asbestos-containing material which is rejected, or non-conforming in accordance with the Asbestos Spill Contingency Plan. Notification shall be provided as soon as possible by a phone contact, followed in writing the next working day by providing a copy of the waste shipment record, if available, or when waste is not shipped with a WSR, by providing available information on vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. If possible, non-conforming loads of suspect friable material shall be detained or the location of disposal protected from damage until the Ohio EPA or RAPCA is informed and provided the opportunity to inspect.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(2) The permittee shall maintain records of the following information:

a. the waste shipment record form for each shipment of asbestos-containing materials; and

b. the location, depth and area, and quantity in cubic yards of all asbestos-containing materials within the disposal site, on a map or diagram, or a 3D grid log of the disposal area.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(3) In accordance with 40 CFR Part 60.756 (a), when an active gas collection system is employed, the permittee shall install a sampling port and a thermometer or other temperature measuring device at each wellhead and record the following information on a monthly basis:

a. the gauge pressure in the gas collection header;

b. the nitrogen or oxygen concentration in the landfill gas; and

c. the temperature of the landfill gas.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(4) After installation of the collection system, in accordance with 40 CFR Part 60.755 (c), the permittee shall monitor surface concentrations of methane on a quarterly basis as follows:

a. The permittee shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meters intervals (or a site-specific established spacing) for each collection area using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 60.755(d).

In accordance with 40 CFR 60.753(d), the permittee shall also conduct surface testing where visible observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

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

c. Surface emission monitoring shall be performed in accordance with 40 CFR Part 60, Appendix A, Method 21, section 4.3.1, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

d. Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements listed in 2.c)(4):

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

ii. Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be remonitored within 10 calendar days of detecting the exceedance.

iii. If the remonitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the remonitoring shows a third exceedance for the same location, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Ohio EPA for approval. No further monitoring of that location is required until the action specified has been taken.

iv. Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day remonitoring specified above shall be remonitored 1 month from the initial exceedance. If the 1-month remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified above shall be taken.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(5) In accordance with 40 CFR Part 60.756 (c), with an open flare control system, the permittee shall install, calibrate, maintain, and operate, according to the manufacturer's specifications, the following equipment for purposes of recording these parameters:

a. 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; and

b. a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes.

In accordance with 40 CFR Part 60.756 (c)(2)(ii), if a gas flow rate measuring device is not installed, then the permittee shall 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.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(6) In accordance with 40 CFR Part 60.755(a), the permittee shall maintain the following information:

a. the maximum expected gas generation flow rate as calculated based on the following:

i. For sites with unknown year-to-year solid waste acceptance rate:

$Qm = 2Lo \times R \times \{(e^{-kc}) - (e^{-kt})\}$

where,

Qm = the maximum expected gas generation flow rate, in cubic meters per year;
Lo = the methane generation potential, in cubic meters per megagram solid waste;
R = the average annual acceptance rate, in megagrams per year;
k = the methane generation rate constant, per year;
t = the age of the landfill at equipment installation plus the time the permittee intends to use the gas mover equipment or active life of the landfill, whichever is less (if the equipment is installed after closure, t is the age of the landfill at installation), in years; and
c = time since closure, in years (for an active landfill c = 0 and e^{-kc} = 1).

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

$Qm = \sum 2kLoMi\,(e^{-kti})$; for i = 1 through i = n

where,

Qm = the maximum expected gas generation flow rate, in cubic meters per year;
k = the methane generation rate constant, per year;
Lo = the methane generation potential, in cubic meters per megagram of solid waste;
Mi = the mass of solid waste in the i th section, in megagrams; and
ti = the age of the i th section, in years.

iii. If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in 2d)(6)a.i. and 2d)(6)a.ii. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using the equations in 2d)(6)a.i. and 2d)(6)a.ii. or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment. The

permittee may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Ohio EPA.

b. the density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR Part 60.759(a)(1) [40 CFR Part 60.758 (b)(1)(ii)].

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(7) With an open flare control system, the permittee shall record the following information, in accordance with 40 CFR Part 60.758 (b)(4):

a. the flare type (i.e., steam-assisted, air-assisted, or non-assisted);

b. all visible particulate emission readings;

c. the heat content determinations of the gas;

d. the flow rate or bypass flow rate measurements; and

e. the exit velocity determinations made during the performance test as specified in 40 CFR Part 60.18.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(8) In accordance with 40 CFR Part 60.758 (c)(4), with an open flare control system, the permittee shall properly install, operate, and maintain a device to continuously monitor and record information about the flame or flare pilot flame when the emissions unit is in operation. The monitoring device and recorder shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manuals.

The permittee shall continuously record the following information:

a. all periods during which there was no flame or flare pilot flame; and

b. the downtime for the flare and monitoring equipment when the collection and control system is in operation.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(9) In accordance with 40 CFR Part 60.758 (a), the permittee shall keep, for at least 5 years, up-to-date, readily accessible, on-site records of the landfill design capacity report which triggered 40 CFR60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either hardcopy or electronic formats are acceptable. These records, may be also required by the Ohio EPA, Division of Solid and Infectious Waste Management, and shall satisfy this permit condition.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(10) In accordance with 40 CFR Part 60.758 (d), the permittee shall maintain, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing

and planned collector in the system and providing a unique identification location label for each collector.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(11) Except as otherwise provided in this section, the permittee shall perform inspections of all the landfill operation areas daily on days of operation. The purpose of the inspections is to determine the need for implementing the above-mentioned RACM. The inspections shall be performed during representative, normal operating conditions. No inspection shall be necessary for a landfill operating area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(12) The permittee may, upon receipt of written approval from RAPCA, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements. Such modified inspection frequencies would not be considered a minor or significant modification that would be subject to Title V permit modification requirements in paragraph (C)(1) and (C)(3) of OAC rule 3745-77-08.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(13) The permittee shall maintain records of the following information:

a. the date and reason that any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;

c. the dates the control measures were implemented; and

d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in (13)d. shall be kept for (i) the solid waste unloading operations, (ii) the landfill access roads, and (iii) active landfill working face surface (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

e) Reporting Requirements

(1) This facility shall prepare and submit quarterly reports summarizing asbestos disposal activities. Each report shall contain the following information:

a. the name, address and location of this facility; the calendar period covered by the report; and changes in methods of storage or disposal operations; and

b. a list of all asbestos-containing waste consignments received including:

i. the date received;

ii. the name, address and telephone number of the waste generator;

iii. the name and location of the facility where the load originated;

iv. the name, address and telephone number of the transporter;

v. the quantity of asbestos-containing waste material received; and

vi. any discrepancy or non-conformity discovered.

These reports shall be submitted no later than January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarter.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(2) As soon as possible and no longer than 30 days after receipt of the waste, the permittee shall send a copy of the signed waste shipment record to the waste generator.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(3) Upon discovery of a discrepancy between the quantity of waste designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the RAPCA. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(4) The permittee shall submit, within 60 days of the facility becoming inactive and ceasing accepting waste, a copy of the records of the asbestos waste disposal locations and quantities to the RAPCA.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(5) The permittee shall notify the RAPCA in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall excavation being earlier than the date specified in the original notification. The following information shall be included in the notice:

a. scheduled starting and completion dates;

b. reason for disturbing the waste;

c. procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material (if deemed necessary, the Director may require changes in the proposed emission control procedures); and

d. location of any temporary storage site and the final disposal site.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(6) In accordance with 40 CFR Part 60.757 (b)(1), the permittee shall submit annual NMOC emission rate reports to the RAPCA. The reports shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR Part 60.754(a) or (b), as applicable, and all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions. These annual reports shall be submitted by June 10 in accordance with NSPS of each year and cover the previous calendar year.

In accordance with 40 CFR Part 60.757 (b)(3), the permittee is exempted from the above requirements after the installation and continued operation of a compliant collection and control system.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(7) In accordance with 40 CFR Part 60.757 (b)(1)(ii), if the estimated NMOC emission rate, as reported in the annual report to the RAPCA, is less than 50 megagrams (55 tons) per year in each of the next 5 consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the RAPCA. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the RAPCA. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

In accordance with 40 CFR Part 60.757 (b)(3), the permittee is exempted from the above requirements, after the installation and continued operation of a compliant collection and control system.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(8) In accordance with 40 CFR Part 60.757 (d), the permittee shall submit a closure report to the RAPCA within 30 days of waste acceptance cessation. The Ohio EPA or RAPCA may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR Part 258.60. If a closure report has been submitted to the Ohio EPA, no additional wastes may be placed into the landfill without filing a notification of modification as described in 40 CFR Part 60.7(a)(4).

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(9) The permittee shall submit deviation (excursion) reports to the RAPCA that identify any of the following:

a. each day of operation during which an inspection was not performed, as required in d)(11), by the required frequency, excluding an inspection which was not performed during an exemption for snow and/or ice cover or precipitation; and

b. each instance when a control measure that was to be implemented as a result of an inspection, was not implemented.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(10) In accordance with 40 CFR Part 60.757(f), the permittee shall submit an initial report within 180 days of the installation and start-up of the collection and control system and shall include the initial performance test report required under 40 CFR Part 60.8. In accordance with the Tier 2 Landfill Gas Sampling Report notification dated June 9, 2003, the permittee is required to submit this report by June 10, 2006. Pursuant to 63.1980 this report shall be submitted every 6 months thereafter. The first report after issuance of this permit shall be completed to set the reporting period equal to the standard reporting periods (January 1-June 30 and July 1-December 31). Therefore, one additional "short" report will be required which will include data between May 10-June 30 or November 10-December 31, which ever period occurs first. Thereafter, the reporting deadlines will be January 31 and July 31 of each year and include the following:

a. all periods when the collection system was not operating in excess of 5 days;

b. all periods when the control device was not operating for a period exceeding 1 hour and the length of time the control device was not operating;

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

d. any record which indicates that the gauge pressure in the gas collection header at each individual well was positive except for the three conditions allowed under 40 CFR Part 60.753(b);

e. any record which indicates that the nitrogen or oxygen concentration in the landfill gas at each interior wellhead in the collection system was greater than 20% or 5%, respectively, unless a higher operating value is established in accordance with 40 CFR Part 60.753(c);

f. any record which indicates that the temperature of the landfill gas at each interior wellhead in the collection system was greater than 55 degrees Celsius, unless a higher operating value is established in accordance with 40 CFR Part 60.753(c);

g. any record which indicates that the surface concentration of methane was greater than 500 parts per million above background, if applicable, unless a higher operating value is established in accordance with 40 CFR Part 60.753(c);

h. all periods during which the flare pilot flame was not functioning properly (the reports shall include the date, time, and duration of each such period); and

i. all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow or any record which indicates that the bypass line valve was not maintained in the closed position.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(11) In accordance with 40 CFR Part 60.757 (g), the permittee shall submit the following information with the initial performance test report required pursuant to 40 CFR Part 60.8:

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

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

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

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

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

f. the provisions for the control of off-site migration.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

f) Testing Requirements

(1) Compliance with the emission limitations in b)(1) of these terms and conditions shall be determined in accordance with the following method:

a. Emission Limitation :

There shall be no visible emissions from asbestos-containing materials during on-site transportation, transfer, unloading, deposition or compacting operations.

Applicable Compliance Method:

Compliance shall be demonstrated by satisfying the requirements specified in b)(1) and b)(2). If required, compliance shall be determine through visible emission observations performed in accordance with U.S. EPA Method 22 and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

b. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20% opacity, as a 3-minute average, from all waste materials, except asbestos-containing materials.

Applicable Compliance Method:

Compliance shall be determined through visible emission observations performed in accordance U.S. EPA Method 9 and the procedures specified in OAC rule 3745-17-03(B)(3).

[Authority for term OAC rules 3745-77-07(C)(1), 3745-17-07(B)(1) and PTI 08-2758]

c. Emission Limitation:

Flares shall be designed and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

Applicable Compliance Method:

Compliance with this limitation shall be determined through visible emission observations performed in accordance U.S. EPA Method 22.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(2) In accordance with 40 CFR Part 60.753 (c)(1), the permittee shall determine the nitrogen level by using Method 3C of 40 CFR Part 60, Appendix A, unless an alternative test method is established as allowed by 40 CFR Part 60.752(b)(2)(i).

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(3) In accordance with 40 CFR Part 60.753 (c)(2), the permittee shall determine the oxygen level by an oxygen meter using Method 3A of 40 CFR Part 60, Appendix A, unless an alternative test method is established as allowed by 40 CFR Part 60.752(b)(2)(i), except that:

a. the span shall be set so that the regulatory limit is between 20 and 50% of the span;

b. a data recorder is not required;

c. only two calibration gases are required, a zero and span, and ambient air may be used as the span;

d. a calibration error check is not required; and

e. the allowable sample bias, zero drift, and calibration drift are plus or minus 10%.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(4) The permittee shall conduct or have conducted, within 180 days after the installation of the collection and control system, an initial performance test to demonstrate the flare can operate in conformance with the requirements specified in 40 CFR Part 60.18. In accordance with 2.b)(2)b., this performance test shall be conducted no later than 180 days after December 10, 2005, i.e., June 8, 2006. The net heating value of the gas being combusted in the flare and the actual exit velocity of the flare shall be determined in accordance with the procedures and methods specified in 40 CFR Part 60.18. The visible emission evaluation shall be conducted in accordance with the procedures specified in f)(1)c.

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

(5) After the installation of a collection and control system in compliance with 40 CFR Part 60.755, the permittee shall calculate the NMOC emission rate for the purpose of determining when the system can be removed as provided in 40 CFR Part 60.752(b)(2)(v) in accordance with the equation and procedures specified in 40 CFR Part 60.754(b), (b)(1), and (b)(2). The permittee may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Ohio EPA as provided in 40 CFR Part 60.752(b)(2)(i)(B).

[Authority for term OAC rule 3745-77-07(C)(1) and PTI 08-2758]

g) Miscellaneous Requirements

(1) Any representative of the Director of the Ohio EPA may, upon presentation of proper identification, enter upon any portion of the property including any improvements thereon, at any reasonable time, to make inspections, take samples, conduct tests and examine records or reports pertaining to any emission of air contaminants and any monitoring equipment, emission control equipment or methods. No operator or agent of this facility shall act in any manner to refuse, hinder, or thwart legal right of entry.

Table 1 of Subpart AAAA of Part 63. - Applicability of NESHAP General Provisions to Subpart AAAA (Federal Register / Vol. 68, No. 11 / Thursday, January 16, 2003 / Rules and Regulations)

Part 63 Citation	Description	Explanation
63.1(a)	Applicability: general applicability of NESHAP in this part.	Affected sources are already subject to the provisions of paragraphs (a)(10)–(12) through the same provisions under 40 CFR, part 60 subpart A.
63.1(b)	Applicability determination for stationary sources.	
63.1(e)	Title V permitting.	
63.2	Definitions.	
63.4	Prohibited activities and circumvention.	Affected sources are already subject to the provisions of paragraph (b) through the same provisions under 40 CFR, part 60 subpart A.
63.5(b)	Requirements for existing, newly constructed, and reconstructed sources.	
63.6(e)	Operation and maintenance requirements,	

	startup, shutdown and malfunction plan provisions.	
63.6(f)	Compliance with nonopacity emission standards.	Affected sources are already subject to the provisions of paragraphs (f)(1) and (2)(i) through the same provisions under 40 CFR, part 60 subpart A.
63.10(b)(2)(i)–(b)(2)(v)	General recordkeeping requirements.	
63.10(d)(5)	If actions taken during a startup, shutdown and malfunction plan are consistent with the procedures in the startup, shutdown and malfunction plan, this information shall be included in a semi-annual startup, shutdown and malfunction plan report. Any time an action taken during a startup, shutdown and malfunction plan is not consistent with the startup, shutdown and malfunction plan, the source shall report actions taken within 2 working days after commencing such actions, followed by a letter 7 days after the event.	
63.12(a)	These provisions do not preclude the State from adopting and enforcing any standard, limitation, etc., requiring permits, or requiring emissions reductions in excess of those specified.	
63.15	Availability of information and confidentiality.	