State of Ohio Environmental Protection Agency

Street Address:
Lazarus Gov. Center
122 S. Front Street
Columbus, OH 43215

TELE: (614) 644-3020 **FAX:** (614) 644-2329

Mailing Address:
Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

10/10/01

RE: Proposed Title V Chapter 3745-77 Permit
14-83-11-0286
Browning-Ferris Industries, Bigfoot Run Landfill

Attn: Genevieve Damico AR-18J
United States Enviromental Protection Agency
Region V
77 West Jackson Blvd.
Chicago, IL 60604-3590

Dear Ms. Damico:

The proposed issuance of the Title V permit for Browning-Ferris Industries, Bigfoot Run Landfill, has been created in Ohio EPA's State Air Resources System (STARS) on 10/10/01, for review by USEPA. This proposed action is identified in STARS as 3-Title V Proposed Permit T+C covering the facility specific terms and conditions, and Title V Proposed Permit covering the general terms and conditions. This proposed permit will be processed for issuance as a final action after forty-five (45) days from USEPA's receipt of this certified letter if USEPA does not object to the proposed permit. Please contact Mike Ahern, DAPC Permit Management Unit supervisor at (614) 644-3631 by the end of the forty-five (45) day review period if you wish to object to the proposed permit.

Very truly yours,

Thomas G. Rigo

Thomas G. Rigo, Manager
Field Operations and Permit Section
Division of Air Pollution Control

cc: Hamilton County Dept. of Environmental Services
File, DAPC PMU

State of Ohio Environmental Protection Agency

PROPOSED TITLE V PERMIT

Issue Date: 10/10/01	Effective Date: To be entered upon final issuance	Expiration Date: To be entered upon final issuance

This document constitutes issuance of a Title V permit for Facility ID: 14-83-11-0286 to:
Browning-Ferris Industries, Bigfoot Run Landfill
2420 E Mason-Morrow-Millgrove Rd
Morrow, OH 45152

Emissions Unit ID (Company ID)/Emissions Unit Activity Description

F001 (Roadways and Parking Areas) Roadways and parking areas	F002 (MSW Landfill) MSW landfill- solid waste disposal operations; gas collection and control system.	

You will be contacted approximately eighteen (18) months prior to the expiration date regarding the renewal of this permit. If you are not contacted, please contact the appropriate Ohio EPA District Office or local air agency listed below. 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. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-04(A) and in accordance with the terms of this permit beyond the expiration date, provided that a complete renewal application is submitted no earlier than eighteen (18) months and no later than one-hundred eighty (180) days prior to the expiration date.

Described below is the current Ohio EPA District Office or local air agency that is responsible for processing and administering your Title V permit:

Hamilton County Dept. of Environmental Services
250 William Howard Taft Rd
Cincinnati, OH 45219-2660
(513) 946-7777

OHIO ENVIRONMENTAL PROTECTION AGENCY

Christopher Jones
Director

PART I - GENERAL TERMS AND CONDITIONS

A. State and Federally Enforceable Section

1. Monitoring and Related Recordkeeping and Reporting Requirements

a. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

i. The date, place (as defined in the permit), and time of sampling or measurements.
ii. The date(s) analyses were performed.
iii. The company or entity that performed the analyses.
iv. The analytical techniques or methods used.
v. The results of such analyses.
vi. The operating conditions existing at the time of sampling or measurement.

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.

c. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

i. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
ii. Quarterly written reports of (i) any deviations from federally enforceable <u>emission limitations</u>, <u>operational restrictions</u>, <u>and control device operating parameter limitations</u>, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. These quarterly written reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(i) and (ii) pertaining to the submission of monitoring reports every six months and OAC rule 3745-77-07(A)(3)(c)(iii) pertaining to the prompt reporting of all deviations except malfunctions, which shall be reported in accordance with OAC rule 3745-15-06. The written reports shall be submitted quarterly, i.e., 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.) See B.8 below if no deviations occurred during the quarter.
iii. Written reports, which identify any deviations from the federally enforceable <u>monitoring</u>, <u>recordkeeping</u>, <u>and reporting requirements</u> contained in this permit shall be submitted to

the appropriate Ohio EPA District Office or local air agency every six months, i.e., by January 31 and July 31 of each year for the previous six calendar months. These semi-annual written reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(i) and (ii) pertaining to the reporting of any deviations related to the monitoring, recordkeeping, and reporting requirements. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

iv. 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 are true, accurate, and complete.

2. 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, i.e., upset, 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. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports submitted pursuant to OAC rule 3745-15-06 shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(iii) pertaining to the prompt reporting of deviations caused by malfunctions or upsets.

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 emission unit(s) that is (are) served by such control system(s).

3. Risk Management Plans

If the permittee is required to 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"), the permittee shall comply with the requirement to register such a plan.

4. 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.

5. 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.

6. 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. 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.

7. 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.

8. 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.

9. 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 general terms and conditions shall apply to all operating scenarios authorized in this permit.

10. 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 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.

11. 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.

12. 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:

   i. 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.

ii. 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.

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

iv. 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:

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

ii. 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 appropriate Ohio EPA District Office or local air agency in the following manner and with the following content:

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

ii. 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.

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

13. 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.

14. 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).

15. 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.

16. 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, except that no such notice shall be required for changes that qualify as insignificant emission 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; and

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.

(For further clarification, the permittee can refer to Engineering Guide #63 that is available in their STARSHIP software package.)

17. 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.

18. Insignificant Activity

Each insignificant activity that has one or more applicable requirements shall comply with those applicable requirements.

B. State Only Enforceable Section

1. 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.

2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements

The permittee shall submit required reports in the following manner:

a. Reports of any required monitoring and/or recordkeeping 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 (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) 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. 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 quarterly, i.e., 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.)

3. Records Retention Requirements

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.

4. 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.

5. 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).

6. 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.

7. 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.

8. Additional Reporting Requirements When There Are No Deviations of <u>Federally Enforceable</u> Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)

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 quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

Part II - Specific Facility Terms and Conditions

A. State and Federally Enforcable Section

1. There are no storage piles being employed at this facility and the permit does not authorize the permittee to establish and maintain storage piles at this facility.

2. This facility is no longer accepting any waste. Therefore, this facility's only operations shall be to maintain and operate the control equipment and to conduct the quarterly testing for methane on the surface level.

B. State Only Enforceable Section

1. The following insignificant emissions unit is located at this facility:

G001 - gasoline dispensing facility

Each insignificant emissions unit at this facility must comply with all applicable State and federal regulations, as well as any emission limitations and/or control requirements contained within a permit to install for the emissions unit.

Part III - Terms and Conditions for Emissions Units

Emissions Unit ID: Roadways and Parking Areas (F001)

Activity Description: Roadways and parking areas

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/ Requirements	Applicable Emissions Limitations/Control Measures
paved roadways and parking areas	OAC rule 3745-31-05 (PTI 14-1338)	See sections A.I.2.f, h, j and l below.
	OAC rule 3745-17-08(B)	See section A.I.2.d below.
	OAC rule 3745-17-07(B)(1)	See section A.I.2.e below.
unpaved roadways and parking areas	OAC rule 3745-31-05 (PTI 14-1338)	See sections A.I.2.a, g, i, j and k below.
	OAC rule 3745-17-08(B)	See section A.I.2.d below.
	OAC rule 3745-17-07(B)(1)	See section A.I.2.e below.

2. Additional Terms and Conditions

2.a All unpaved roadways shall be covered with at least four inches of gravel. They shall be treated with water or other suitable dust suppressants to minimize or eliminate visible emissions of fugitive dust generated by vehicular traffic. Waste oil or brine from oil and gas production wells shall not be used as a dust suppresant.

2.b Speed zones of no more than 5 miles per hour shall be established, posted and enforced by the owner or operator for all vehicles operating within the facility.

2.c Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary to minimize or eliminate visible emissions of fugitive dust.

2.d This facility is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

2.e This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).

2. Additional Terms and Conditions (continued)

2.f The paved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

paved roadways:

all paved roadways

paved parking areas:

all paved parking areas

2.g The unpaved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

unpaved roadways:

all unpaved roadways

unpaved parking areas:

all unpaved parking areas

2.h The permittee shall employ best available control measures on all paved 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 sweeping and watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.i The permittee shall employ best available control measures on all 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 unpaved roadways and parking areas with water or other suitable dust suppressants at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.j 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 or 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.

2.k 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 with the control measure(s) specified above for paved surfaces. 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.

2.l 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.

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform inspections each of the roadway segments and each parking area in accordance with the following frequencies:

paved roadways and parking areas	minimum inspection frequency
all	each day of use

unpaved roadways and parking areas	minimum inspection frequency
all	each day of use

2. 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 semi-annual 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 in section A.III.2.d. shall be kept seperately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas and shall be updated on a semi-annual basis within 30 days after the end of each six months.

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.

4. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, 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.

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify:

a. each instance during which an inspection was required but not performed, 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.

If no deviations occurred during the reporting period, the permittee shall state so in the report. The permittee shall submit the reports to the Hamilton County Department of Environmental Services by January 31 of each year and shall cover the previous twelve calendar months.

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

B. State Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/ Requirements	Applicable Emissions Limitations/Control Measures
paved roadways and parking areas	none	none
unpaved roadways and parking areas	none	none

2. Additional Terms and Conditions

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Part III - Terms and Conditions for Emissions Units

Emissions Unit ID: MSW Landfill (F002)

Activity Description: MSW landfill- solid waste disposal operations; gas collection and control system.

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/ Requirements	Applicable Emissions Limitations/Control Measures
existing municipal solid waste landfill (no longer accepting waste), equipped with gas collection system and enclosed combustion device (enclosed flare)	OAC rule 3745-76-07	See section A.I.2.a below.
	40 CFR 60.18(c)(1)	No visible emissions from the flare, except as provided by rule.
	40 CFR, Part 60, Subpart Cc	See section A.I.2.c below.
	40 CFR, Part 61, Subpart M	See sections A.2.e and A.2.f below.

2. Additional Terms and Conditions

2.a Design, construction, and siting of the gas extraction wells and gas collection system shall be in accordance with Ohio's Chapter 111(d) plan for existing MSW landfills as approved by the US EPA, the gas collection and control system design plan, and standard industry methods and practices currently in use. The gas collection system shall:

i. be designed to handle the maximum expected gas flow rate, as calculated from equations specified in OAC rule 3745-76-10(A)(1), from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

ii. 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. collect gas at a sufficient extraction rate;

iv. be designed to minimize off-site migration of subsurface gas; and

v. meet all other specifications for active collection systems specified in OAC rule 3745-76-14.

2.b All landfill gas collected shall be routed to a control system designed and operated within the parameters demonstrated during the performance test to reduce non-methane organic compounds (NMOC) emissions by 98 weight-percent, or when an enclosed combustion device is used for control, to either reduce NMOC emissions 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. The NMOC concentration shall be determined by methods specified in OAC rule 3745-76-09(D).

2. Additional Terms and Conditions (continued)

2.c The equipment that constitutes the gas collection and control system shall be properly maintained and kept in good operating condition at all times.

2.d The collection and control system may be capped or removed provided that all the conditions of OAC rule 3745-76-07(B)(2)(e)(i), (ii) & (iii) are met.

2.e The permittee shall comply with one of the following requirements for this inactive waste disposal site containing asbestos:

i. discharge no visible emissions from the inactive waste disposal site; or

ii. cover the asbestos-containing waste material with at least six inches of compacted nonasbestos-containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material; or

iii. cover the asbestos-containing waste material with at least two feet of compacted nonasbestos-containing material, and maintain the cover to prevent exposure of the asbestos-containing waste material.

2.f Unless a natural barrier adequately deters access by the general public to the inactive asbestos waste disposal site, the permittee shall install and maintain warning signs and fencing as follows, or comply with OAC rule 3745-20-07(A)(2) or (A)(3) of this rule:

i. Display warning signs at all entrances and at intervals of three hundred feet or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:

(a) be posted in such a manner and location that a person can easily read the legend; and

(b) conform to the requirements for a twenty-inch by fourteen-inch upright format warning sign and display the following legend in the lower panel with letter sizes of at least one inch sans serif. Spacing between any two lines must be at least equal to the height of the upper of the two lines:

ASBESTOS WASTE DISPOSAL SITE
DO NOT CREATE DUST
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

ii. Fence the perimeter of the site in a manner adequate to deter access by the general public.

II. Operational Restrictions

1. Whenever the flare is in operation, a temperature of at least 1400 degrees Fahrenheit (or higher temperature needed to ensure a 98 weight-percent destruction of the NMOCs), measured by the temperature indicator, must be maintained.

2. 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.

3. All recording devices shall be synchronized based on the time of day.

4. The skin temperature of the flare shroud within four feet of all the source test ports shall not exceed 250 degrees Fahrenheit. If a heat shield is required to meet the requirement, its design shall be approved by the Ohio EPA prior to its construction. The heat shield, if required to meet the temperature requirement, shall be in place whenever a source test is conducted for the Ohio EPA.

II. Operational Restrictions (continued)

5. The gas collection system shall be operated in such a manner as to provide 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.)

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

c. A decomissioned well. (A well may experience a static positive pressure after shutdown to accomodate for declining flows. All design changes shall be approved by the Director of Ohio EPA.)

6. 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 the anaerobic decomposition by killing methanogens.

7. The permittee shall operate the collection system so that the methane concentration is less than 500 parts per million above the background at the surface of the landfill. As specified in OAC 3745-76-10(C)(3), compliance with the 500 parts per million limitation shall be determined at a distance between 5 and 10 centimeneters above the surface of the landfill.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall operate and maintain a continuous temperature monitor and recorder which measures and records the combustion temperature within the flare when the emissions unit is in operation. Units shall be in degrees Fahrenheit. The monitoring and recording devices shall be capable of accurately measuring the desired parameter. The temperature monitor and recorder shall be installed, calibrated, operated and maintained in accordance with the manufacturer's recommendations, with any modifications deemed necessary by the permittee.

The permittee shall collect and record the following information for each day:

a. all 3-hour blocks of time during which the average combustion temperature within the enclosed flare, when the emissions unit was in operation, was less than 1400 degrees Fahrenheit; and

b. a log of the downtime for the capture (collection) system, control device, and monitoring equipment, when the associated emissions unit was in operation.

2. The permittee shall calibrate, maintain, and operate according to the manufacturer's specifications a device that records the flow to the flare, treatment system, and bypass stack. The flow measuring device shall collect and record the flow at least every fifteen minutes; or secure the bypass line valve in the closed position with a car-seal or 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.

3. For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with OAC 3745-76-07(B)(2)(b)(i)(c), the permittee shall install a sampling port at each well and measure and record the gauge pressure in the gas collection header on a monthly basis.

4. The permittee shall, upon each visit to this closed facility, and at a minimum of once per month during normal operating conditions, visually inspect the flare and record whether or not any visible emissions are present.

5. The gas collection and control system shall be equipped with an auto-dial communication mechanism incorporated into it so that should a malfunction develop with the flare and/or blower system, the gas system technician will automatically be paged by phone.

6. For the purpose of identifying whether excess air infiltration into the landfill is occurring, the permittee shall monitor each well on a monthly basis for temperature and nitrogen or oxygen. This monitoring shall be performed in accordance with the methodology specified in OAC rule 3745-76-08(C).

III. Monitoring and/or Record Keeping Requirements (continued)

7. On a quarterly basis, the permittee shall monitor surface concentrations of methane at the landfill. This monitoring shall be performed in accordance with the methodology specified in OAC rule 3745-76-10(C)&(D).

8. The permittee shall operate and maintain a temperature monitor and recorder which measures and records the skin temperature of the flare shroud when emissions testing is being conducted for the flare. Units shall be in degrees Fahrenheit. The monitoring and recording devices shall be capable of accurately measuring the desired parameter. The temperature monitor and recorder shall be calibrated, operated and maintained in accordance with the manufacturer's recommendations, with any modifications deemed necessary by the permittee.

9. The permittee shall maintain the maximum expected gas generation flow rate as calculated by equations specified in 3745-76-10(A)(1) on site for the life of the control device.

10. The permittee shall maintain, for the life of the collection system, an up-to-date, readily accesible plot map showing each existing and planned collector in the system and provide a unique identification location label for each collector.

11. The permittee shall keep for at least 5 years up-to-date, readily accesible, on-site records of the maximum design capacity of the landfill, the current amount of solid waste in-place, and the year-to-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 also be required by the Ohio EPA, Division of Solid and Infectious Waste Management, and shall satisfy this permit condition.

12. The permittee shall conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at 30-meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover.

13. The permittee shall maintain records of the following information:

a. The waste shipment record form for each shipment of ACMs.

b. The location, depth and area, and quantity in cubic yards of all ACMs within the disposal site, on a map or diagram of the disposal area.

14. The permittee shall monitor surface concentrations of methane on a quarterly basis as follows:

a. Monitor surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern spaced 30 meters apart (or a site-specific established spacing) for each collection area.

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 section 4.3.1 of Method 21 of Appendix A of 40 CFR, Part 60, 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 A.II.7:

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. Monitoring and/or Record Keeping Requirements (continued)

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.

IV. Reporting Requirements

1. Any breakdown or malfunction of the landfill gas flare resulting in the emission of raw landfill gas from the gas collection and control system for more than one hour shall be reported to the appropriate Ohio EPA District Office or local air agency within one hour after the occurrence, or as soon as reasonably possible, and immediate remedial measures shall be undertaken to correct the problem and prevent further emissions to the atmosphere.

2. In the event of a potential emergency, such as a fire within the landfill, wells affected may be temporarily shut off, which could result in a positive gauge pressure. The appropriate Ohio EPA District Office or local air agency shall be notified within one working day of any shutdowns of any wells.

3. The permittee shall submit quarterly deviation (excursion) reports that include the following information:

a. an identification of each month during which the gauge pressure in the gas collection header gave a positive pressure reading, and the actual gauge pressure reading for each such month;

b. an identification of each period during which the temperature in the combustion device was less than 1400 degrees Fahrenheit, and a copy of the recorded chart for each such period;

c. an identification of each month during which temperature and nitrogen or oxygen limitations specified in A.II.6. were exceeded;

d. an identification of each quarter during which the methane concentration measured at the surface of the landfill was greater than 500 parts per million above the background levels (as specified in OAC 3745-76-10(C)(3), compliance with the 500 parts per million limitation shall be determined at a distance between 5 and 10 centimeneters above the surface of the landfill);

e. all periods when the gas stream is diverted from the control device or recovery system 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; and

f. a listing of all periods when the collection system was not operating in excess of five days.

Should a deviation occur, the deviation report shall include details sufficient to determine compliance with the time line provisions established under OAC rule 3745-76-10.

All quarterly deviation reports shall be submitted in accordance with paragraph A.1.c of the General Terms and Conditions of this permit.

4. The permittee shall submit semi-annual reports which include an identification of any record showing that visible emissions were present from the flare. The reports shall be submitted by January 31 and July 31 of each year and shall cover the previous 6 calendar months.

IV. Reporting Requirements (continued)

5. The permittee shall submit an equipment removal report to the appropriate Ohio EPA District Office or local air agency thirty days prior to the removal or cessation of operation of the control equipment. This report shall contain the information specified in OAC rule 3745-76-12(E)(1).

The permittee shall submit an equipment installation report to the appropriate Ohio EPA District Office or local air agency for expansions added pursuant to OAC rule 3745-76-10(A)(3), (B), and (C)(4). This report shall include the date, location, and description of the expansion.

6. In addition to the intitial performance test report required in OAC rule 3745-76-07(B)(2)(c)(ii), the permittee shall submit the information required in OAC rule 3745-76-12(G)(1) through (5).

7. The permittee shall submit, upon closure of the facility, a copy of the records of the asbestos waste disposal locations and quantities.

8. The permittee shall notify the appropriate Ohio EPA District Office or local air agency 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).

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

V. Testing Requirements

1. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. The emission testing shall be conducted within 6 months after issuance of this Title V permit, within 2.5 after the issuance of this permit, and within 6 months prior to permit expiration.

b. The emission testing shall be conducted to demonstrate compliance with the control efficiency specified in A.I.2.c.

c. The following test methods shall be employed to demonstrate compliance with the control efficiency:

for NMOC - Method 25C or 18 of 40 CFR, Part 60, Appendix A

Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA; and

d. The tests shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

V. Testing Requirements (continued)

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Hamilton County Department of Environmental Services. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Hamilton County Department of Environmental Services refusal to accept the results of the emission test(s).

Personnel from the Hamilton County Department of Environmental Services shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Hamilton County Department of Environmental Services within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Hamilton County Department of Environmental Services.

2. Compliance with the no visible emission limitation from the flare shall be determined by Method 22 of 40 CFR, Part 60, Appendix A.

3. The nitrogen level shall be determined 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).

4. The oxygen level shall be determined by an oxygen meter using Method 3A of 40 CFR, Part 60, Appendix A, unless an alternative method is established as allowed by 40 CFR, Part 60.752(b)(2)(i), except that:

a. the span shall be set so 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%.

USEPA Region V, has approved the use of the LANDTEC GEM 500 Gas Extraction Monitor as an alternative to Method 3A for monitoring the oxygen level.

5. The permittee shall conduct or have conducted, within 90 days after the installation of the collection and control system, an initial performance test to demonstrate that the flare can operate in conformance with the requirements specified in 40 CFR, Part 60.18. 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 emissions evaluation shall be conducted in accordance with the procedures specified in Section A.V.2 of this permit.

6. 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 purposes 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 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).

VI. Miscellaneous Requirements

None

B. State Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/ Requirements	Applicable Emissions Limitations/Control Measures
existing municipal solid waste landfill (no longer accepting waste), equipped with gas collection system and enclosed combustion device	none	none

2. Additional Terms and Conditions

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

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