



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Federal Operating Permit STATEMENT OF LEGAL AND FACTUAL BASIS

Brunswick Waste Management Facility, LLC
Lawrenceville, Virginia 23868
Permit No. PRO - 31007

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Brunswick Waste Management Facility, LLC has applied for a Title V Operating Permit for its Lawrenceville facility. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Engineer/Permit Contact:  Date: 5-21-2014
"Sparky" H.L. Lisle, Jr.
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Air Permit Manager:  Date: 5/21/2014
James E. Kyle, P.E.

Deputy Regional Director:  Date: 5/22/2014
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FACILITY INFORMATION

Permittee/Facility Name

Brunswick Waste Management Facility, LLC
 107 Mallard Crossing Road
 Lawrenceville, Virginia 23868

Responsible Official

Mr. Eric Spencer,
 Division Manager

Facility Contact

Mr. Eric Spencer
 (434) 848-9277

AIRS Identification Number: 51-025-0030

FACILITY DESCRIPTION:

NAICS Code 562212 - Brunswick Waste Management Facility, LLC is a Municipal Solid Waste (MSW) landfill. The facility is permitted to construct and operate a 17.7 million mega-grams (22,945,800 cubic yards) Municipal Solid Waste SLA facility (Cells 1A, 2, 3, 4, 5, and 6) and a landfill gas collection system using utility flares for controlling NMOC emissions. The facility consists of two distinct disposal areas; an area permitted to accept only municipal solid waste incinerator ash and non-putrescible materials known as the Northern Solid Waste Disposal Area (NSWDA) and an area accepting only municipal solid waste known as the Sanitary Landfill Area (SLA). The NSWDA has an estimated design capacity of 7,661,500 cubic yards (7,278,425 tons) and consists of six (6) permitted cells (Cells A1, A2, B, C, D, and E), with a landfill footprint of approximately 78.8 acres. The SLA has an estimated design capacity of 22,945,800 cubic yards (19,503,930 tons) and consists of six (6) cells (Cells 1A, 2, 3, 4, 5 and 6) with a landfill footprint of approximately 174 acres. LFG emissions estimate from the NSWDA is negligible and not quantified in the emission inventory. The facility operates under the terms of Solid Waste Permit No. 583, issued by the DEQ Waste Division. The facility is a Title V major source of non-methane organic compounds (NMOC's) as defined under the New Source Performance Standard (NSPS) 'Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills and the Landfill MACT (40 CFR 63 Subpart AAAA). Because the facility is subject to Subpart WWW, it is required to collect and control the emission of landfill gas and is subject to Title V permitting. The Brunswick Waste Management Facility began accepting waste in April of 1997. An Initial Design Capacity Report was received from Brunswick Waste Management Facility on September 1998. The Gas Collection and Control System (GCCS) Design Plan was submitted by the source on August 29, 2000 and the GCCS was installed in March of 2000. The latest GCCS Design Plan was approved on November 14, 2012. The initial Title V permit was issued on July 2, 1999 and amended on December 28, 2001 and September 25, 2008. The initial [semi-]annual report was submitted on October 30, 2000. The 1000 scfm open flare PCD-3 was permitted on January 28, 2010. The 1000 scfm utility flare has not been installed. The currently installed flares, PCD-1 and PCD-2 initial performance testing consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	Testing Date	Test Report Received	Approved
F-1	(Enclosed Flare Removed)		
PCD-1	December 13, 2006	January 22, 2007	March 16, 2007
PCD-2	February 4, 2003	February 28, 2003	March 4, 2003
PCD-3	(Not Installed)	NA	NA

* Installed flares met the operating and emission limitations of 40 CFR 60.18 during the initial performance Tests.

The facility is a Title V major source of NMOC. This source is located in an attainment area for all pollutants, and is a PSD minor source. The facility currently operates under the terms of a State Major Air Permit revised January 28, 2010. This air permit action is both a significant permit modification based on the January 28, 2010 State Major permit and is a Title V permit renewal. The renewal application was received on December 21, 2009 and was deemed timely and administratively complete. Therefore, the Title V permit application shield is in place.

COMPLIANCE STATUS

A full compliance evaluation (FCE) of this facility, including a site visit has been conducted on October 22, 2012. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance and is believed to be in compliance with 40 CFR 60, NSPS Subpart WWW and with 40 CFR 63, NESHAP Subpart AAAA requirements for the MSW landfill and GCCS system. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning and Process Equipment							
PCD-1	1	John Zink	105 mmBTU /Hour, 3500 scfm maximum	Open Flare System		NMOC, VOC	01/28/2010
PCD-2	2	PEI	60 mmBTU /Hour, 2000 scfm maximum	Open Flare System		NMOC, VOC	01/28/2010
PCD-3	3	PEI or equal	30 mmBTU /Hour, 1000 scfm maximum	Open Flare System		NMOC, VOC	01/28/2010
Process Equipment							
P01 (GCCS)		Municipal Solid Waste Landfill SLA, Solid Waste Permit No. 583 [Landfill Surface and Roads]	17,693,668 Megagrams/ 22,945,800 CY	See Flares above	1	NMOC	01/28/2010

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

EMISSIONS INVENTORY:

A summary of Brunswick Waste Management's most recent annual emissions is shown below. Emission levels are expected to increase over time as the landfill waste decomposes. Emissions from the 2012 annual emission update are summarized in the following table.

PLANTWIDE EMISSIONS SUMMARY [TONS PER YEAR]		
CRITERIA POLLUTANTS	POTENTIAL EMISSIONS	2012 ACTUAL EMISSIONS
Particulate Matter (PM10/PM2.5)	14.2	2.9/2.9
Nitrogen Oxides (NOx)	58.1	11.6
Sulfur Dioxide (SO2)	23.9	4.8
Carbon Monoxide (CO)	174.1	39.9
NMOC/VOC*	2.9*/1.7*	0.4*/0.4*

* Flare emissions.

FUEL BURNING AND PROCESS EQUIPMENT REQUIREMENTS –

(Emission unit ID# P01, PCD-1, PCD-2 and PCD-3.

Limitations, Standards for Air Emissions, and Operational Standards Overview

The permitted design capacity of the Brunswick Waste Management Facility, LLC landfill is 22,945,800 cubic yards and 17.7 million Mega-grams. Therefore, the landfill is regulated according to New Source Performance Standards (NSPS), Subpart WWWW. As stated in 40 CFR 60.752(b), landfills above the 2.5 million cubic meters and 2.5 million Mg design capacity are subject to Title V permitting requirements.

Brunswick Waste Management Facility, LLC is subject to a revised State Operating permit issued on January 28, 2010, which references the NSPS Subpart WWWW requirements and included NESHAP Subpart AAAA requirements, as well as established additional requirements. The age and size of the landfill make it applicable to 40 CFR 60, Subpart WWWW and 40 CFR 63, Subpart AAAA. Additional limitation requirements from the State Operating permit have also been included in the Title V permit.

The following Virginia Administrative Code, New Source Performance Standards and Maximum Achievable Control Standards have specific emission requirements that have been determined to be applicable:

- ▶ **40 CFR 60 Subpart WWWW** – “Standards of Performance for Municipal Solid Waste Landfills” - Applicable to Unit Nos. P01, PCD-1, PCD-2 and PCD-3.
- ▶ **40 CFR 63 Subpart AAAA** – “National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills” – Applicable to the entire landfill (P01) including the gas collection and control system (GCCS) and the flares PCD-1, PCD-2 and PCD-3.

The January 28, 2010 NSR permit conditions 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 are included (except Condition 8 and the General Conditions) in the Title V permit (Conditions 1 – 33). The Title V permit was completely revised to include the conditions from the NSR permit dated January 28, 2010 and those 40 CFR 60 NSPS Subpart WWWW and 40 CFR 63 MACT Subpart AAAA identified as applicable requirements. Some additional NSPS Subpart WWWW requirements that have been the subject of US EPA previous comments were added to the SOB.

Fuel Burning and Process Equipment Limitations

The landfill limitations are contained in conditions 4, 5, 10, 11, 12, 13, 14, 15, and 16 of the NSR permit dated January 28, 2010 and are included in the Title V permit (Conditions 1 – 9). These conditions limit the three open flares opacity, hourly and annual emissions, operational standards (NSPS 60.18), flare fuel types, flare fuel quantity by flare type, operational standards for the active gas collection/control system and mandates gas mover operation/shutdown to prevent venting for more than one hour.

Fuel Burning and Process Equipment Periodic Monitoring

Generally, the requirements of 40 CFR 64, Compliance Assurance Monitoring (CAM), apply to each emissions unit meeting all three of the following criteria on a pollutant-by-pollutant basis:

- ▶ The unit emits or has the potential to emit (in the absence of add-on control devices) quantities of one or more regulated air pollutants that exceed major source thresholds,
- ▶ The unit is subject to one or more emission limitations for the regulated air pollutants for which it is major before control, and
- ▶ The unit uses a control device to achieve compliance with one or more of these emission limitations.

The EPA periodic monitoring guidance, dated September 18, 1998, states periodic monitoring is required for each emission point at a source, subject to Title V of the Act, which is subject to an applicable requirement.

The Brunswick Waste Management Facility, LLC landfill periodic monitoring is a combination of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA requirements to monitor and control well pressure and parameter monthly (and as prescribed), surface monitoring design, quarterly surface monitoring, surface monitoring corrective actions, monthly cover integrity and monthly landfill gas temperature. The NSPS Subpart WWW requires the Facility to maintain records including design capacity of the landfill, the current amount of solid waste in place, and the year-by-year waste acceptance rate. Also, the permit requires calculation of NMOC emission rate using the procedures described in NSPS Subpart WWW.

Periodic monitoring for the operation of the gas collection system will be performed as follows: the gauge pressure, landfill gas (LFG) temperature, and the nitrogen or oxygen concentration for each well will be monitored each month, and the methane concentration at the landfill surface shall be monitored at least once every quarter. Periodic monitoring for the operation of the gas control system will be monitored as follows: gas flow, recorded at least once every 15 minutes or monthly inspection of bypass line seals, and the combustion temperature shall be continuously monitored and recorded for utility flare combustion devices. Also, monitoring demonstrates the source complies with NSPS Subpart WWW as follows:

- collects gas from each area, cell or group of cells in which 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;
- operates each wellhead under negative pressure except as provided in 40 CFR 60.753(b).

- is operated with each interior wellhead in the collection system having a landfill gas temperature less than 55 degrees C and having either a nitrogen content less than 20 percent, as determined by 40 CFR 60 Appendix A Method 3C, or an oxygen content less than 5 percent, as determined by 40 CFR 60 Appendix A Method 3A.
- reduces NMOC by 98 weight-percent or, for an utility or enclosed combustion device, either reduces NMOC by 98 weight-percent or reduces the outlet concentration to less than 20 ppmv, dry, as hexane, at 3 percent oxygen, as determined by 40 CFR 60 Appendix A Method 25C or 40 CFR 60 Appendix A Method 18.
- maintains the methane concentration at the surface of the landfill at less than 500 ppmv above the background level, then corrective actions shall be taken as specified in 40 CFR 60.755 (a) (3) through (5) or 40 CFR 60.755 (c). If corrective actions are taken as specified in 40 CFR 60.755(c)(4), the monitored exceedance is not a violation of the operational requirements of this permit or 40 CFR Subpart WWW. Criteria pollutant emissions (except VOCs) occur from combustion of fuel (LFG) as a result of utilizing the flare and are calculated based on AP-42 emission factors/vendor emission factors.

The utility flare emission factors were supplied by the vendor/manufacturer. The default values include: methane is 50% by volume of the flow rate and the collection system is 75% efficient. The facility is required to measure the flow rate and calculate emissions using these emission factors. An initial performance test for NMOC emissions and control efficiency from the flares were performed (Except PCD-03) to determine the NMOC concentration to calculate the NMOC emission rate. The January 28, 2010 NSR permit conditions 21, 22, 23, 24 and 25 are included in the Title V permit (Conditions 10-14).

Open flare pilot flame or flare flame presence continuous monitoring means in this case a thermocouple sampled at a regular interval via electronic means acceptable by the administrator (was paper recorder, now sampled and stored on a electronic hard-drive).

Flare Periodic Monitoring

At least once per week an observation of the presence of visible emissions from the operating flares shall be made. If visible emissions are observed, the Facility shall either take timely corrective action such that the flare(s) resumes operation with no visible emissions, or perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the flare are 5 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 5 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the flare(s) resumes operation with visible emissions of 5 percent or less. The Facility shall maintain a flare observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, and any necessary corrective action (Condition 15).

Record keeping

The permit includes requirements for maintaining records of all monitoring and testing required by the regulations. These records include the annual throughput of landfill gas, control efficiency tests of the control equipment, the annual placement of MSW in the landfill and all monitoring information for the GCCS and flares. These specific requirements are listed in 40 CFR 60.758 and the January 28, 2010 NSR permit condition 27 is included in the Title V permit (Condition 16). Removed term "New" from permit condition 16g as there is only one size of each flare.

Testing

The initial performance test to determine the net heating value of the gas being combusted and the actual exit velocity for the open flare has been satisfied (Except PCD-03). No other Facility emission testing is required. The Department and EPA has authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard. Test methods for required monitoring of oxygen or nitrogen content at each wellhead, as specified in Subpart WWW and the January 28, 2010 NSR permit conditions 18, 19, 20 and 32 are included in the Title V permit (Conditions 17 – 20).

The currently installed flares, PCD-1 and PCD-2 initial performance testing consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	Testing Date	Test Report Received	Approved
F-1	(Enclosed Flare Removed)		
PCD-1	December 13, 2006	January 22, 2007	March 16, 2007
PCD-2	February 4, 2003	February 28, 2003	March 4, 2003
PCD-3	(Not Installed)	NA	NA

* Installed flares met the operating and emission limitations of 40 CFR 60.18 during the initial performance Tests.

Reporting

All reports required by Subpart WWW (Section 60.755) shall be prepared and submitted to EPA and the Piedmont Regional Office in accordance with procedures outlined in Subpart WWW (Section 60.757) and the January 28, 2010 NSR permit conditions 28, 29, 30, 31 and 33 are included in the Title V permit (Conditions 21 –25).

The January 28, 2010 NSR permit conditions 28 - Landfill Reporting

Semi-Annual Compliance Report - A semi-annual compliance report shall be submitted to the Director, Piedmont Regional Office by the date specified below and shall contain the following:

- a. The initial performance test report for each new open flare shall contain the following information:
 - i. The type of flare.
 - ii. All visible emissions readings.
 - iii. Heat content determination.
 - iv. Gas flow rate or bypass measurement.
 - v. Exit velocity determination.
- b. Value and length of time for exceedance of applicable parameters monitored under sections 40 CFR 60.756 (a), (b), (c), and (d);
- c. Description and duration of all periods when the control device was not working for a period exceeding 1 hour and length of time control device was not operating;
- d. All periods when the collection system was not operating in excess of 5 days;
- e. The location of each exceedance of the 500 parts per million surface methane concentration, and the concentration recorded at each location for which an exceedance was recorded as provided in 40 CFR 60.755 (c);
- f. The date of installation and the location of each well or collection system expansion added pursuant to paragraphs (a) (3), (b), and (c) (4) of 60.755.

Items (b) through (f) shall be submitted every six months. Semi-annual report shall cover the calendar year (January through June and July through December). One copy of the reports shall be submitted to U.S. Environmental Protection Agency. The annual reports and semi-annual reports, to include 40 CFR 63 NESHAP Subpart AAAA reports (Subsection 63.1930), shall be submitted by March 1 and September 1 of the calendar year.

(40 CFR 60.756 (a), (b), (c), and (d), 40 CFR 60.755 (a) (3), (b), and (c) (4), and 40 CFR 63 NESHAP Subpart AAAA reports (Subsection 63.1980))

§ 60.756 Monitoring of operations.

Except as provided in § 60.752(b)(2)(i)(B),

(a) Each owner or operator seeking to comply with § 60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

- (1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in § 60.755(a)(3); and
- (2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in § 60.755(a)(5); and
- (3) Monitor temperature of the landfill gas on a monthly basis as provided in § 60.755(a)(5).

(b) Each owner or operator seeking to comply with § 60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.

(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or ± 0.5 degrees Celsius, whichever is greater. A temperature monitoring device is not required for boilers or process heaters with design heat input capacity equal to or greater than 44 megawatts.

(2) A device that records flow to or bypass of the control device. The owner or operator shall either:

- (i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
- (ii) 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.

(c) Each owner or operator seeking to comply with § 60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

- (1) 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.
- (2) A device that records flow to or bypass of the flare. The owner or operator shall either:
 - (i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
 - (ii) 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.

(d) Each owner or operator seeking to demonstrate compliance with § 60.752(b)(2)(iii) using a device other than an open flare or an enclosed combustor shall provide information satisfactory to the Administrator as provided in § 60.752(b)(2)(i)(B) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator shall review the information and either approve it, or request that additional information be submitted. The Administrator may specify additional appropriate monitoring procedures.

[40 CFR 60.755 (a)] (3) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with § 60.752(b)(2)(ii)(A)(3), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under § 60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

The January 28, 2010 NSR permit condition 30 –Notifications.

(e) Each owner or operator of a controlled landfill shall submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) The equipment removal report shall contain all of the following items:

- (i) A copy of the closure report submitted in accordance with paragraph (d) of this section;
- (ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
- (iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in § 60.752(b)(2)(v) have been met.

40 CFR 63.1930 and 63.1980 (MACT AAAA) – See Condition **26**.

§ 63.1930 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in § 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.

§ 63.1980 What records and reports must I keep and submit?

(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 1 of this subpart. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports.

40 CFR 60.753(b)(1) – See Condition 27.

(b) For purposes of compliance with § 60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in § 60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

(1) 5 years or more if active; or

(2) 2 years or more if closed or at final grade.

(c) The following procedures shall be used for compliance with the surface methane operational standard as provided in § 60.753(d)...

(4) 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 in paragraphs (c)(4)(i) through (v) of this section shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of § 60.753(d).

(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 re-monitored within 10 calendar days of detecting the exceedance.

(iii) If the re-monitoring 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 re-monitoring shows a third exceedance for the same location, the action specified in paragraph (c)(4)(v) of this section shall be taken, and no further monitoring of that location is required until the action specified in paragraph (c)(4)(v) 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 re-monitoring specified in paragraph (c)(4)(ii) or (iii) of this section shall be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring 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 re-monitoring shows an exceedance, the actions specified in paragraph (c)(4)(iii) or (v) shall be taken.

40 CFR 60.757 (f) Each owner or operator of a landfill seeking to comply with § 60.752(b)(2) using an active collection system designed in accordance with § 60.752(b)(2)(ii) shall submit to the Administrator annual reports of the recorded information in (f)(1) through (f)(6) of this paragraph. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under § 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under § 60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under § 60.756(a), (b), (c), and (d).

(2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under § 60.756.

- (3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.
- (4) All periods when the collection system was not operating in excess of 5 days.
- (5) The location of each exceedance of the 500 parts per million methane concentration as provided in § 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.
- (6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs a)(3), (b), and (c)(4) of § 60.755.

40 CFR 60.753 (b) Operate the collection system with negative pressure at each wellhead except under the following conditions:

- (1) A fire or increased well temperature. The owner or operator 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 §60.757(f)(1);

40 CFR 60.7 – See Condition 28.

§ 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

- (1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
- (2) [Reserved]
- (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.
- (6) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
- (7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

Facility Wide

The January 28, 2010 NSR permit conditions 6, 7, 9, 17 and 26 are included in the Title V permit (Conditions 29 – 33).

Streamlined Requirements

The requirement to submit an initial collection and control plan (60.752(b)(2)(i)) was streamlined out of the permit. This requirement was met.

8. The permittee shall submit a revised gas collection and control system design plan to take into account the use, testing, and monitoring of the open flare. The revised gas collection and control design plan shall be submitted to the Director, Piedmont Region for approval by December 31, 2006.
(9 VAC 5-80-10, Condition 9 of the NSR permit dated 11/7/2003, now Condition 8 of the NSR permit dated 01/28/2010)

Future Applicable Requirements

On May 23, 2002, EPA proposed significant revisions (67 FR 36476) in order to clarify: 1) responsibility for compliance activities on-site; 2) definition of treated landfill gas; 3) initial test performance test requirements; and 4) compliance activities conducted by third parties with control systems off-site. A copy of 67 FR 36476 is attached to the Title V permit for reference.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

General Conditions - Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement NO. 3-2001".

This general condition cites the Articles that follow:
Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80.
Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:
9 VAC 5-80-80. Application
9 VAC 5-80-140. Permit Shield
9 VAC 5-80-150. Action on Permit Applications

General Conditions - Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

This general condition cites the sections that follow:

- 9 VAC 5-40-41. Emissions Monitoring Procedures for Existing Sources
- 9 VAC 5-40-50. Notification, Records and Reporting
- 9 VAC 5-50-50. Notification, Records and Reporting

This general condition contains a citation from the Code of Federal Regulations as follows:
40 CFR 60.13 (h). Monitoring Requirements.

General Conditions - Permit Modification

This general condition cites the sections that follow:

- 9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190. Changes to Permits.
- 9 VAC 5-80-260. Enforcement.
- 9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources
- 9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas
- 9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Non-attainment Areas

General Conditions - Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F. This general condition cites the sections that follow:

- 9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction
- 9 VAC 5-80-110. Permit Content

General Conditions - Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos. This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

- 9 VAC 5-60-70. Designated Emissions Standards
- 9 VAC 5-80-110. Permit Content

STATE ONLY APPLICABLE REQUIREMENTS

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

- 9 VAC 5 Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions
- 9 VAC 5 Chapter 50, Part II, Article 3: Standards of Performance for Toxic Pollutants

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, record keeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110. The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted	Rated Capacity (5-80-720 C)
P02	Northern Solid Waste Disposal Area (NSWDA)	5-80-720 B.	NMOC (60.754(a)(1)(i))	6.6 million Mg/ 7,661,500 CY
T01	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	175,000 Gallon
T02	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	365,000 Gallon
T03	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	365,000 Gallon

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted	Rated Capacity (5-80-720 C)
T04	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	450,000 Gallon
T05	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	325,000 Gallon
T06	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	325,000 Gallon
T07	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	325,000 Gallon
T08	Fixed roof, vertical leachate storage tank (to be installed at a future date)	5-80-720 B.	VOC	325,000 Gallon
T09	Diesel fuel storage tank	5-80-720 B.	VOC	1,000 Gallon
T010	Diesel fuel storage tank	5-80-720 B.	VOC	1,000 Gallon
T011	Unleaded gasoline storage tank	5-80-720 B.	VOC	500 Gallon
T012	Motor Oil storage tank	5-80-720 B.	VOC	550 Gallon
T013	Transmission Fluid storage tank	5-80-720 B.	VOC	550 Gallon
T014	Differential Oil storage tank	5-80-720 B.	VOC	500 Gallon
T015	Used Oil storage tank	5-80-720 B.	VOC	275 Gallon
T016	Hydraulic Fluid storage tank	5-80-720 B.	VOC	1,000 Gallon
T017	Used Oil storage tank	5-80-720 B.	VOC	500 Gallon
T018	Lube Oil storage tank	5-80-720 B.	VOC	55 Gallon

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted	Rated Capacity (5-80-720 C)
T019	Gear Oil storage tank	5-80-720 B.	VOC	55 Gallon
T020	Used Oil storage tank	5-80-720 B.	VOC	55 Gallon
T021	Diesel fuel storage tank	5-80-720 B.	VOC	3,000 Gallon

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

INAPPLICABLE REQUIREMENTS

The following inapplicable requirements were identified in the drafting of the Title V renewal permit.

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-5800 and 40 CFR 60 subpart Cc	Emission Standards and Emission Guidelines for Sanitary Landfills	These regulations only apply to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.
40 CFR 60 subpart Kb	Volatile Organic Liquid Storage Vessels	The leachate storage tanks have a vapor pressure below the 40 CFR 60 Subpart Kb thresholds. NSPS Subpart Kb does not apply based on the size of the all other listed tanks and from recordkeeping requirements as revised on October 13, 2003.
40 CFR 60 subparts IIII	NSPS CI Engines	The source categories cited in these regulations do not exist at the facility.
40 CFR 64	Compliance Assurance Monitoring	The Landfill is subject to an NSPS that was proposed after November 15, 1990. Therefore, this regulation does not apply.
40 CFR 75	Acid Rain Regulations	This landfill does not have a "Qualifying Facility."
40 CFR Parts 51, 52, 70 and 71	Title V Greenhouse Gas Tailoring Rule,	Title V Greenhouse Gas Tailoring Rule, 40 CFR Parts 51, 52, 70 and 71, does not apply to the facility as it is an existing source not currently subject to PSD for any pollutant.

<p>9 VAC 5-40-20 A.4</p>	<p>startup, shut down, and malfunction opacity exclusion</p>	<p>The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."</p>
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FUTURE APPLICABLE REQUIREMENTS

On May 23, 2002, EPA proposed significant revisions (67 FR 36476) in order to clarify: 1) responsibility for compliance activities on-site; 2) definition of treated landfill gas; 3) initial test performance test requirements; and 4) compliance activities conducted by third parties with control systems off-site. A copy of 67 FR 36476 is attached per the cover letter to the Title V permit for reference.

CONFIDENTIAL INFORMATION

None.

COMMENT PERIOD:

The public notice appeared in the *Brunswick Times-Gazette* on (April 2, 2014).
 Beginning Date: (April 3, 2014) - Ending Date: (May 2, 2014)

No comments were received during the public comment period or during the concurrent 45 day US EPA comment period which expired on May 19, 2014.