



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### PIEDMONT REGIONAL OFFICE

4949A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

www.deq.virginia.gov

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Michael P. Murphy  
Regional Director

### STATEMENT OF LEGAL AND FACTUAL BASIS

Shoosmith Brothers, Inc.  
Shoosmith Sanitary Landfill  
11800 Lewis Road, Chester, Virginia  
Permit No. PRO-50752

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, Shoosmith Brothers, Inc. has applied for a renewal Title V Operating Permit for its 11800 Lewis Road, Chester facility. The Department has reviewed the application and has prepared a draft renewal Title V Operating Permit.

Engineer/Permit Contact:

  
"Sparky" H.L. Lisle, Jr.  
(804) 527-5148

Date:

9-18-2014

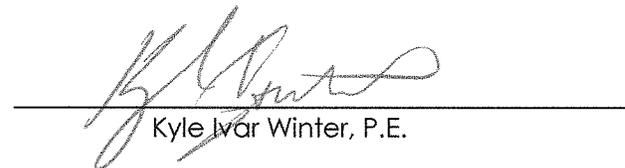
Air Permit Manager:

  
James E. Kyle, P.E.

Date:

9-18-2014

Regional Director:

  
Kyle Ivar Winter, P.E.

Date:

9/19/14

## FACILITY INFORMATION

### Permittee/Facility

Mr. Bruce Coble  
Manager of landfill Operations  
Shoosmith Brothers, Inc.  
11800 Lewis Road  
Chester, Virginia 23831

County Plant ID No. 51-041-0090

## SOURCE DESCRIPTION

NAICS 562212 (SIC Code: 4953) - This facility consists of a Municipal Solid Waste (MSW) landfill that collects the landfill gas and burns it primarily in flares and may use it as an alternative fuel for the INGENCO power plant.

The facility is subject to the provisions of 40 CFR 60, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, and as indicated by 40 CFR 60.752(b) of Subpart WWW, is subject to Title V permitting requirements. This source is located in an attainment area for all pollutants, and is not a Prevention of Significant Deterioration (PSD) major source. The facility began accepting waste in 1976. An Initial Design Capacity Report was received from the Facility on September 9, 1996 and amended on June 28, 2012. The Gas Collection and Control System (GCCS) Design Plan was submitted by the source on August 3, 1998 with revisions submitted on April 1, 1999 and May 5, 2006. The GCCS was originally installed in 1988. The initial Title V permit was issued on December 8, 2003 and amended on September 24, 2008. The initial [semi-]annual report was submitted on July 28, 2000. The 3550 scfm open flare P04 was permitted on June 04, 2014. The currently installed flares, P01, P02 and P03 initial performance testing was completed (documented in the initial SOB dated December 8, 2003) consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	<b>Testing Date</b>	<b>Test Report Received</b>	<b>Approved</b>
P01	April 11, 2001	April 23, 2001	Note.*
P02	April 11, 2001	April 23, 2001	Note.*
P03	April 11, 2001	April 23, 2001	Note.*
P04	(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. This air permit action is a Title V permit renewal based on the June 04, 2014 State Major permit. The renewal application was received on March 25, 2013 (Updated June 18, 2014) and was deemed timely and administratively complete. Therefore, the Title V permit application shield is in place.

**COMPLIANCE STATUS**

A partial compliance evaluation (PCE) on October 10, 2013 at the Shoosmith Brothers Landfill facility resulted in issuance of a Notice of Violation (NOV) on November 5, 2013. A Consent Order addressing the NOV was executed on May 21, 2014 and the facility will return to compliance upon completion of the consent order requirements. In accordance with the Consent Order, Shoosmith has agreed to submit an updated GCCS Design Plan by August 31, 2014. Shoosmith submitted the GCCS Design Plan on August 29, 2014.

**Emissions Unit and Control Device Identification – (emissions units ID# L01, P01, P02, P03 and P04)**

Emissions units at this facility consists of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
L01	NA	Municipal Solid Waste Landfill (MSW) Cells A, B, C, 1 through 14, 15A, 15B, and 16 through 27	40,854,000 cubic yards (maximum compaction of 1,800 lbs/yd <sup>3</sup> ) of combined waste (36,768,600 Tons)	Gas Collection and Control System (GCCS)	NA	NMOC/ VOC	06/04/2014
<b>Fuel Burning Equipment</b>							
P01	1	Landfill Gas Specialties, Landfill Gas Flare – CF102018	1620 scfm	Open Flare	P01	NMOC/ VOC	06/04/2014
P02	2	Landfill Gas Specialties, Landfill Gas Flare – CF102018	1620 scfm	Open Flare	P02	NMOC/ VOC	06/04/2014
P03	3	Landfill Gas Specialties, Landfill Gas Flare – CF1430110	3210 scfm	Open Flare	P03	NMOC/ VOC	06/04/2014
P04	4	Open Flare System Landfill Gas Specialties, Inc. 14 inch or Equal)	3,550 scfm	Open Flare	P04	NMOC/ VOC	06/04/2014
SF1-SF9	5-13	Up to Nine (9) passive Flares	=<405 scfm Total	passive Flares	SF1-SF9	NMOC/ VOC	04/30/2014 (Exempt)
GEN-1	14	Honda Generator - Serial No. EA7-3136564 built 1999 (Scale House)	5 KW, 338cc engine	Gasoline Generator	NA	NO <sub>x</sub> , CO, VOC, SO <sub>x</sub> , PM, HAPs	(Exempt)

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

(9 VAC 5-80-110 and Condition 1 of the NSR permit dated 06/04/2014)

**EMISSIONS INVENTORY**

The Shoosmith Brothers Landfill most recent annual emissions is shown below. Emission levels are expected to increase over time as the landfill waste decomposes.

PLANTWIDE EMISSIONS SUMMARY [TONS PER YEAR]		
CRITERIA POLLUTANTS	POTENTIAL EMISSIONS	2013 ACTUAL EMISSIONS
Particulate Matter (PM10/PM2.5)	19.3	4.0
Nitrogen Oxides (NOx)	78.3	16.4
Sulfur Dioxide (SO2)	172.4	36.2
Carbon Monoxide (CO)	230.8	89.2
NMOC/VOC *Flare Emissions	2.4/2.4*	0.5/0.5*

**EMISSIONS UNIT APPLICABLE REQUIREMENTS**

Shoosmith Sanitary Landfill is subject to a revised permit issued on 06/04/2014, 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 the entire landfill (L01) including the gas collection and control system (GCCS) and the flares P01, P02, P03 and P04.
- ▶ **40 CFR 63 Subpart AAAA** – “National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills” – Applicable to the entire landfill (L01) including the gas collection and control system (GCCS) and the flares P01, P02, P03 and P04.
- ▶ **40 CFR 63 Subpart ZZZZ** – “National Emission Standards for Hazardous Air Pollutants: Stationary Reciprocating Internal Combustion Engines (Area Sources)” – Applicable to the generator (GEN-1).

The 06/04/2014 NSR permit conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28 and 29 are included (except the General Conditions) in the Title V permit (Conditions 1 – 32). The Title V permit was completely revised to include the conditions from the NSR permit dated 06/04/2014 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. The landfill facility has one existing emergency gasoline fired 5 KW generator that was built in 1999 and has applicable requirements that apply from 40 CFR 63, MACT Subpart ZZZZ for an existing generator less than 25 HP at an area source(Condition 33).

**Fuel Burning Equipment and Process Requirements – (emissions units ID# L01, P01, P02, P03 and P04) – Limitations**

The permitted design capacity of Shoosmith Sanitary Landfill for Cells A, B, C, 1 through 14, 15A, 15B, and 16 through 27 is 40,854,000 cubic yards (maximum compaction of 1,800 lbs/yd<sup>3</sup>) of combined waste and 33.426 million Mega-grams. 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.

The Landfill limitations are contained in conditions 2, 3, 4, 7, 9 -14 and 16 of the NSR permit dated 06/04/2014. The limitations are for the Gas Collection and Control System as they relate to 40 CFR 60, Subpart WWWW for landfill size, expected active collection system performance (gas wellheads), installed open flares and operational requirements for L01, P01, P02, P03 and P04.

**Fuel Burning and Process Equipment Requirements – (emissions units ID# L01, P01, P02, P03 and P04) – Monitoring -**

The Landfill monitoring requirements are contained in conditions 20 through 24 of the NSR permit dated 06/04/2014 and are contained in the Title V permit Condition 12, 13, 14, 15 and 16. The monitoring requirements are for the Gas Collection and Control System as they relate to 40 CFR 60, Subpart WWWW for active collection system performance (gas wellheads), the landfill operational requirements, installed open flares P01, P02, P03 and P04.

**Fuel Burning and Process Equipment Periodic Monitoring**

Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Since the landfill facility is subject to the requirements of NSPS Subpart WWWW and MACT AAAA, CAM does not apply.

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 Shoosmith Brothers Landfill, Inc. Facility, landfill periodic monitoring is a combination of 40 CFR 60, Subpart WWWW 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 WWWW 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 WWWW. 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 flare 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 (P01, P02, P03 and P04). 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.

### **Flare Periodic Monitoring**

At least once per week an observation of the presence of visible emissions from the operating flares (P01, P02, P03 and P04) 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 (Title V permit Condition 17 added as periodic monitoring for operating flares).

**Fuel Burning and Process Equipment Requirements – (emissions units ID# L01, P01, P02, P03 and P04) – Recordkeeping -**

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. The Landfill recordkeeping requirements are contained in condition 25 of the NSR permit dated 06/04/2014 and is contained in the Title V permit Condition 18.

**Fuel Burning and Process Equipment Requirements – (emissions units ID# L01, P01, P02, P03 and P04) – 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). The Landfill reporting requirements are contained in Conditions 26, 27 and 29 of the NSR permit dated 06/04/2014 and are contained in the Title V permit (Conditions 19, 20 and 21). The Title V permit Conditions 22, 23 and 24 were added to clarify applicable requirements for routine and non-routine reports for NSPS Subpart WWW and MACT AAAA, routine reports for the last five years and reporting on anticipated performance tests as described below.

40 CFR 63.1930 and 63.1980 (MACT AAAA) – See Condition **22**.

**§ 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 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 60, Subpart WWW, or in the Federal plan, EPA approved State plan or tribal plan that implements 40 CFR 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 60.757 (f) and 40 CFR 60.753(b)(1) – See Condition **23**.

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);

(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 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 in paragraph (c)(4) (iii) or (v) shall be taken.

40 CFR 60.7 – See Condition **24**.

### **§ 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.

**Fuel Burning and Process Equipment Requirements – (emissions units ID# L01, P01, P02, P03 and P04) – Testing -**

The facility shall be constructed to allow testing upon reasonable notice and is contained in Condition 28 of the NSR permit dated 06/04/2014. 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. See Title V permit Condition 25.

The landfill gas sampling required within eighteen months (of NSR permit dated 06/04/2014 contained in NSR permit conditions 17) will confirm that Total Reduced Sulfur (TRS) from the main header pipe at the blower/flare station remains in compliance with the sulfur dioxide emission limits. See Title V permit Condition 26.

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 P04). The added flare P04 testing is contained in conditions 18 and 19 of the NSR permit dated 06/04/2014. See Title V permit Conditions 27 and 28.

The currently installed flares, P01, P02 and P03 initial performance testing was completed (documented in the initial SOB dated December 8, 2003) consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	<b>Testing Date</b>	<b>Test Report Received</b>	<b>Approved</b>
P01	April 11, 2001	April 23, 2001	Note.*
P02	April 11, 2001	April 23, 2001	Note.*
P03	April 11, 2001	April 23, 2001	Note.*
P04	(Not Installed)	NA	NA

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

**Facility-Wide Requirements - (emission unit ID # L01, P01, P03, P04, SF1-SF9 and GEN-1) -  
Limitations**

The landfill facility-wide requirements are Contained in conditions 15, 5, 6 and 8 of the NSR permit dated 06/04/2014 and are included as the Title V permit Conditions 29 through 32. The landfill facility has one existing emergency gasoline fired 5 KW generator that was built in 1999 and has applicable requirements that apply from 40 CFR 63, MACT Subpart ZZZZ for an existing generator less than 25 HP at an area source. All 40 CFR 63, MACT Subpart ZZZZ for the existing generator applicable requirements are contained in Condition 33 and are placed in the permit for easy removal or replacement as this engine is very old. An existing stationary SI RICE located at an area source of HAP emissions, must comply with the applicable emission limitations, operating limitations, and other requirements (initial compliance date is October 19, 2013). The 40 CFR 63, MACT Subpart ZZZZ for area sources Federal standard is not delegated to the Commonwealth of Virginia at this time.

**Streamlined Requirements**

None.

**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. 2-09".

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 Nonattainment 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 terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. 9 VAC 5 Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions
2. 9 VAC Chapter 50, Part II, Article 3: Standards of Performance for Toxic Pollutants

(9 VAC 5-80-110 N and 9 VAC 5-80-300)

The Odor Management Plan is a State-Only Enforceable Requirement from Condition 39 of the NSR permit dated 06/04/2014 and is included as the Title V permit Condition 76.

**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. Insignificant emission units include the following:

<b>Emission Unit No.</b>	<b>Emission Unit Description</b>	<b>Citation<sup>1</sup> (9 VAC_)</b>	<b>Pollutant Emitted (5-80-720 B.)</b>	<b>Rated Capacity (5-80-720 C.)</b>
T-1	Temporary Portable Pre-Treatment Leachate Tank	5-80-720 B	VOC	20,000 gal
T-2	Temporary Portable Pre-Treatment Leachate Tank	5-80-720 B	VOC	18,000 gal
T-3	Temporary Portable Pre-Treatment Leachate Tank	5-80-720 B	VOC	18,000 gal
T-4	Temporary Portable Pre-Treatment Leachate Tank	5-80-720 B	VOC	18,000 gal
5	Pump Station Leachate Tank	5-80-720 B	VOC	4,000 gal
5a	Pre-Treatment Leachate Tank	5-80-720 B	VOC	2,500 gal
5b	Pre-Treatment Leachate Tank	5-80-720 B	VOC	2,500 gal
6d	Pump Station Leachate Tank	5-80-720 B	VOC	4,000 gal
7	Pre-Treatment Leachate Tank	5-80-720 B	VOC	4,500 gal
8a	Cell 8 Leachate Tank	5-80-720 B	VOC	8,000 gal
8c	Cell 15B Leachate Tank	5-80-720 B	VOC	8,000 gal
8d	Cell 16 Leachate Tank	5-80-720 B	VOC	8,000 gal
8f	Cell 18 Leachate Tank	5-80-720 B	VOC	8,000 gal
9	Cell 7 Leachate Tank	5-80-720 B	VOC	15,000 gal

<sup>1</sup>The citation criteria for insignificant activities are as follows:  
 9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application  
 9 VAC 5-80-720 B - Insignificant due to emission levels  
 9 VAC 5-80-720 C - Insignificant due to size or production rate

**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. This landfill was last modified under Solid Waste Permit#587 on March 17, 2011 (Amendment No. 12).
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/JJJJ	NSPS CI Engines NSPS SI Engines	The source categories cited in these regulations do not exist at the facility. Honda (GEN-1) built in 1999.
40 CFR 64	Compliance Assurance Monitoring	Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Since the landfill facility is subject to the requirements of NSPS Subpart W <sup>WW</sup> and MACT AAAA, CAM 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.
9 VAC 5-40-20 A.4	Startup, shut down, and malfunction opacity exclusion	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."

#### **FUTURE APPLICABLE REQUIREMENTS**

None.

#### **COMPLIANCE PLAN**

A partial compliance evaluation (PCE) on October 10, 2013 at the Shoosmith Brothers Landfill facility resulted in issuance of a Notice of Violation (NOV) on November 5, 2013. A Consent Order addressing the NOV was executed on May 21, 2014 and the facility will return to compliance upon completion of the consent order requirements. In accordance with the Consent Order, Shoosmith has agreed to submit an updated GCCS Design Plan by August 31, 2014. Shoosmith submitted the GCCS Design Plan on August 29, 2014.

#### **CONFIDENTIAL INFORMATION**

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

#### **PUBLIC PARTICIPATION**

A public notice regarding the draft permit was placed in the *Style Weekly* newspaper in Richmond, Virginia on July 30, 2014. The United States Environmental Protection Agency (EPA) was sent a copy of the draft permit and notified of the public notice on July 30, 2014. There are no affected states within a 50-mile radius of the facility. All persons on the Title V mailing list were sent a copy of the public notice by e-mail, fax or letter on July 30, 2014.

Public comments were accepted from July 30, 2014, through August 29, 2014. No comments were received from the public during the thirty (30) day public comment period or the EPA during the forty-five (45) day concurrent EPA comment period, which ended on September 15, 2014.