



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A 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

Waste Management of Virginia, Inc.  
Charles City County Landfill  
8000 Chambers Road, Charles City County, Virginia  
Permit No. PRO-51254

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, Waste Management of Virginia, Inc. has applied for a Title V Operating Permit for its Charles City County Landfill 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: September 30, 2015

Air Permit Manager:

James E. Kyle, P.E.

Date: September 30, 2015

Deputy Regional Director:

Kyle Ivar Winter, P.E.

Date: September 30, 2015

## **FACILITY INFORMATION**

### Permittee

Mr. Harold S. Thacker  
Director of Post Collection Operations  
Waste Management of Virginia, Inc.  
8000 Chambers Road  
Charles City County, Virginia 23030

### Facility

Charles City County Landfill  
8000 Chambers Road  
Charles City County, Virginia 23030

County Plant ID No.: 51- 036-0014

## **SOURCE DESCRIPTION**

NAICS Code 562212 and SIC Code: 4953 - This facility consists of a municipal solid waste landfill that collects the landfill gas and burns it primarily in either an open flare or the gas is routed to a treatment system that processes the collected gas for subsequent sale or use to energy recovery device(s). The facility is a Title V major source of carbon monoxide (CO). This source is located in an attainment area for all pollutants, and is not a PSD major source. The construction of the gas collection and control system was previously permitted under a NSR Permit issued on February 10, 2003. The NSR permit was last updated on August 18, 2010. The initial Title V permit was issued on December 1, 2003, revised on December 1, 2005, revised on August 30, 2006 and previous renewal on November 15, 2010. This permit action is a Title V permit renewal. The renewal application was received on March 23, 2015 and was deemed timely and administratively complete on April 7, 2015. Therefore, the Title V permit application shield is in place.

The facility has identified a 500 gallon gasoline tank that dispenses less than 10,000 gallons per month and is applicable to 40 CFR 63, MACT Subpart CCCCC.

The two (GEN-1 and 2) existing compression ignition (CI) internal combustion engine (ICE) are applicable to 40 CFR 63, MACT Subpart ZZZZ (built 2007) and 40 CFR 60, NSPS Subpart IIII (Section 60.4200(a)(3) through 60.4212). The four small portable (wheels) existing engines appear to be portable nonroad engines as they are moved around the site and a source of insignificant emissions

## **COMPLIANCE STATUS**

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. The facility was most recently inspected on August 21, 2013 and found to be in compliance.

**EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION**

The emissions units at this facility consist of the following :

Emission Unit ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device Description (PCD)	PCD ID	Stack ID	Pollutant Controlled	Applicable Permit Date
<b>Landfill Operations</b>							
LO1	Municipal Solid Waste Landfill operating since 1990	45,207,848 yd <sup>3</sup> with a maximum compaction of 1,800 lbs/yd <sup>3</sup>	Open flare rated at 3600 SCFM 1994	D002	V002	NMOC designed and operated as in 40 CFR 60.18, VOC, HAPs	August 18, 2010
			Three Open flares rated at 2500 SCFM (Phased)	D003 D004 D005	V003 V004 V005	NMOC designed and operated as in 40 CFR 60.18, VOC, HAPs	
			Two Open flares rated at 50 SCFM	D006 D007	V006 V007	Solar powered, odor control	
			None.				
GDF-1	Gasoline Tank	500 gallons	None.			VOC; HAPs	Exempt when installed.
GEN-1	Katolight Diesel Generator	200kW/275 HP	None			PM, PM-10, NOx, CO, VOC, SO2, HAPs	Exempt when installed [Built 2007]
GEN-2	Katolight Diesel Generator	415kW/563 HP	None			PM, PM-10, NOx, CO, VOC, SO2, HAPs	Exempt when installed [Built 2007]

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

**EMISSIONS INVENTORY**

A summary of the 2014 annual emissions are below:

2014 Actual Emissions

Emissions	2014 Criteria Pollutant Emission in Tons/Year					
	NMOC*	VOC	CO	SO <sub>2</sub>	PM <sub>10</sub>	NO <sub>x</sub>
<b>Total</b>	19.0	7.4	8.5	0.7	2.5	3.4

\* Fugitive NMOC emissions are not in the NSR permit date August 11, 2010.

**Emissions Unit Applicable Requirements**

**LIMITATIONS**

---

All conditions of the NSR permit dated August 18, 2010 are contained in the Title V permit with the same condition numbers (except General Conditions). The Title V permit was completely revised to include the conditions from the NSR permit. The Landfill limitations are contained in conditions 2-17 of the NSR permit dated August 18, 2010 and are contained in the Title V permit.

The following Virginia Administrative Code and New Source Performance Standards and maximum control technology standards have specific emission requirements that have been determined to be applicable:

- ▶ **40 CFR 60 Subpart WWW** – Standards of Performance for Municipal Solid Waste Landfills – Applicable to the flares (D002, D003, D004, D005, D006 and D007) and other portions of the landfill gas collection and control system (L01).
- ▶ **40 CFR 63 Subpart AAAA** – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills – Applicable to the entire landfill including the gas collection and control system (L01) and the flares (D002, D003, D004, D005, D006 and D007).
- ▶ **40 CFR 63 Subpart CCCCC** – National Emission Standards for Hazardous Air Pollutants: Gasoline Dispensing Facility - The facility has identified a 500 gallon gasoline tank (GDF - 1) that dispenses less than 10,000 gallons per month and is applicable to 40 CFR 63, MACT Subpart CCCCC.
- ▶ **40 CFR 63 Subpart ZZZZ** – National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engine (Area Source) - The two (GEN-1 and GEN-2) existing compression ignition (CI) internal combustion engine (ICE) are subject to 40 CFR 63, MACT Subpart ZZZZ (built 2007) and 40 CFR 60, NSPS Subpart IIII.
- ▶ **40 CFR 60 Subpart IIII** – Standards of Performance for Compression Ignition (CI) Internal Combustion Engines (ICE) at an Area Source (GEN-1 and GEN-2).

**GEN-1 and GEN 2 Requirements:**

40 CFR 63 MACT Subpart ZZZZ and 40 CFR 60 NSPS Subpart IIII.

The landfill facility (GEN-1) existing emergency diesel fired 200 KW (275 HP) compression ignition (CI) internal combustion engine (ICE) and (GEN-2) existing emergency diesel fired 415kW (563 HP) compression ignition (CI) internal combustion engine, both built and installed in CY 2007, and have applicable requirements that apply from 40 CFR 63, MACT Subpart ZZZZ for an engine at an area source. They are subject to applicable requirements under 40 CFR 60 NSPS Subpart IIII. All 40 CFR 63, MACT Subpart ZZZZ and 40 CFR 60 NSPS Subpart IIII for the engine reporting requirements are contained in Conditions **35** and **36** for easy removal or replacement as these engines are subject to replacement. A stationary CI RICE located at an area source of HAP emissions, must comply with the applicable emission limitations (certification), operating limitations, and other requirements in 40 CFR 60 NSPS Subpart IIII based on construction and build date as the means to comply with MACT ZZZZ. The emergency CI engines (GEN-1 and GEN-2) applicable requirements under 40 CFR 60, NSPS Subpart IIII were condensed from § 60.4200(a)(2), 40 CFR § 60.4202(a)(2), 40 CFR § 60.4205(b), 40 CFR § 89.112, 40 CFR § 89.113, § 60.4206, § 60.4207, § 80.510, § 60.4207(b), § 60.4209, § 60.4211(a)&(c), § 60.4211(f), and § 60.4212. The initial compliance date for 40 CFR 60 NSPS Subpart IIII is July 11, 2005. The 40 CFR 63, MACT Subpart ZZZZ for area sources and 40 CFR 60, NSPS Subpart IIII Federal standards are **not** delegated to the Commonwealth of Virginia at this time.

The emergency CI engines (GEN-1 and GEN-2) are subject to the applicable requirement under 40 CFR 60 NSPS Subpart IIII and are listed in the standard and condensed in Condition **36**. The full NSPS sections are below:

a. 60.4200(a)(2) **§ 60.4200 Am I subject to this subpart?**

*(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.*

...

- (2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:*
  - (i) Manufactured after April 1, 2006, and are not fire pump engines, or*
  - (ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.*
- (3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.*
- (4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.*

b. 60.4202(a)(2) **§60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?**

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

...

(2) For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in **40 CFR 89.112** and **40 CFR 89.113** for all pollutants beginning in model year 2007.

c. 60.4205(b) **§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?**

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

d. 60.4206 **§60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?**

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine.

e. 60.4207 **§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?**

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of **40 CFR 80.510(a)**.

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

**[§ 80.510 What are the standards and marker requirements for NRLM diesel fuel and ECA marine fuel?**

(b) Beginning June 1, 2010, except as otherwise specifically provided in this subpart, all NR and LM diesel fuel is subject to the following per-gallon standards:

(1) Sulfur content.

(i) 15 ppm maximum for NR diesel fuel.

(ii) 500 ppm maximum for LM diesel fuel.

(2) Cetane index or aromatic content, as follows:

(i) A minimum cetane index of 40; or

(ii) A maximum aromatic content of 35 volume percent.

f. **60.4209 § 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?**

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

g. **60.4211 § 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

...

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's specifications.

...

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

**h. 60.4212 § 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?**

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, ...

i. 89.112 and 40 CFR 89.113 (Certification Document).

The three small portable (wheels) existing engines appear to be portable nonroad engines as they are moved around the site and a source of insignificant emissions.

NOTE: Portable engines on the site are listed in the insignificant table and are nonroad engines because they do not qualify based on the definition in § 1068.30 (see next section for details). The engines have remained at the site for more than 12 months, but the engines are not applicable to 40 CFR 60 NSPS Subpart IIII/JJJJ. This is because they have not been modified or replaced with engines that are applicable based on engine size (HP or displacement), type and manufacture, or installation, or modification dates. All existing emergency compression ignition (CI) stationary RICE, shall be in compliance with 40 CFR 63, Subpart ZZZZ.

**§ 1068.30 What definitions apply to this part?**

The following definitions apply to this part. The definitions apply to all subparts unless we note otherwise. All undefined terms have the meaning the Clean Air Act gives to them.

The definitions follow:

[...]

Nonroad engine means:

(1) Except as discussed in paragraph (2) of this definition, a nonroad engine is an internal combustion engine that meets any of the following criteria:

(i) It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).

(ii) It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).

(iii) By itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of

transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

(2) An internal combustion engine is not a nonroad engine if it meets **any** of the following criteria:

(i) The engine is used to propel a motor vehicle, an aircraft or equipment used solely for competition.

(ii) The engine is regulated under 40 CFR part 60, (or otherwise regulated by a federal New Source Performance Standard promulgated under section 111 of the Clean Air Act (42 U.S.C. 7411)).

(iii) The engine otherwise included in paragraph (1)(iii) of this definition remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive

time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. See § 1068.31 for provisions that apply if the engine is removed from the location.

The 40 CFR 63 Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities must comply with the applicable emission limitations, operating limitations, and other requirements (initial compliance date is January 24, 2014). The existing Gasoline Dispensing Facility applicable requirements are contained in Condition IV.A.15 and are placed in the permit for easy removal or replacement. This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tank (T-10) at an existing gasoline dispensing facilities (< 10,000 gallons per month). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

**§63.11111 Am I subject to the requirements in this subpart?**

(a) The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank.

(b) If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in §63.11116.

**§63.11113 When do I have to comply with this subpart?**

(1) If your GDF is an existing facility, you must comply by **January 24, 2014**.

**§63.11115 What are my general duties to minimize emissions?**

Each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) and (b) of this section.

(a) You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(c) You must keep applicable records and submit reports as specified in §63.11125(d) and §63.11126(b).

**“§63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.**

(a) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

- (1) Minimize gasoline spills;
- (2) Clean up spills as expeditiously as practicable;
- (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
- (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) You are not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11113.

(d) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

**§63.11125 What are my recordkeeping requirements?**

(d) Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (d)(1) and (2) of this section.

(1) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(2) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

**§63.11126 What are my reporting requirements?\***

(a) Each owner or operator subject to the management practices in §63.11118 shall report to the Administrator the results of all volumetric efficiency tests required under §63.11120(b). Reports submitted under this paragraph must be submitted within 180 days of the completion of the performance testing.

(b) Each owner or operator of an affected source under this subpart shall report, by March 15 of each year, the number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.11115(a), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred.

\* The reporting requirements in §63.11126 are not applicable at this time.

The 40 CFR 63, Subpart CCCCCC for Source Category: Gasoline Dispensing Facilities Federal standard is **not** delegated to the Commonwealth of Virginia at this time.

<b>Subpart</b>	<b>EPA promulgation</b>	<b>VA adoption</b>	<b>VA effective</b>	<b>Revision/ Basic Book# (ORA use)</b>
CCCCCC*	72 FR 1945, 1/10/08	11/15/08	3/18/09	108, BB96, R52

\*Authority to enforce these standards is retained by EPA and they are not incorporated by reference into the Virginia regulations for any source that is not a major source (i) as defined in 9 VAC 5-80-60 and subject to Article 1, Federal Operating Permits for Stationary Sources, or (ii) as defined in 9 VAC 5-80-370 and subject to Article 3, Federal Operating Permits for Acid Rain Sources, of Part II of 9 VAC 5-80 (Permits for Stationary Sources)

**Limitations:**

The following conditions are found in the Stationary Source Permit dated August 18, 2010.

Condition 2.

The design capacity of the MSW landfill is 45,207,848 cubic yards and a change may require a permit to construct and operate per 40 CFR 60.752(a)(2).

Condition 3.

The active landfill gas (LFG) collection and control system shall be operated per 40 CFR 60.752(b)(2)(iii)(A) and (B); an active collection system.

Condition 4.

The open flares are subject to the requirements of 40 CFR 60.18.

Condition 5.

The facility shall control dust emissions per 9 VAC 5-50-90.

Condition 6.

The facility shall demonstrate compliance with the operational standards per 40 CFR 60.753.

Condition 7.

The facility shall demonstrate compliance with the operational standards per 40 CFR 60.755.

Condition 8.

The facility shall operate the Gas Collection and Control System (GCCS) at all times when the collected gas is routed to the system.

Conditions 9, 10, 11, 12, 13, 14, 15, 16 and 17.

The flares shall be operated per 40 CFR 60.753(f). The flares shall burn LFG and propane to ignite the pilot flame. No visible emissions should exist from the open flare except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. The flare fuel and emission limits and emission factors are also contained in the permit. The solar flares are for odor control and may or may not burn gas from the GCCS.

**Testing**

The Landfill testing requirements are contained in conditions 18 -19 of the NSR permit dated August 18, 2010 and are contained in the Title V permit. In addition, the Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emissions limit or standard.

Condition 18.

The requirement to determine NMOC concentration and LFG flow rate per 40 CFR 60.754(b) upon landfill closure is contained in the permit.

Condition 19.

Also, a VEO for the flares shall be performed.

**Notification**

The Landfill notification requirements are contained in condition 20 of the NSR permit dated August 18, 2010.

Condition 20.

The permit includes requirements to report flare installation and startup.

**Monitoring**

The Landfill monitoring requirements are contained in conditions 21 through 26 of the NSR permit dated August 18, 2010 and are contained in the Title V permit.

Condition 21.

The monitoring requirements listed in the Title V permit have been drafted to meet Part 70 requirements and those contained in 40 CFR 60.756. This includes monthly monitoring cover integrity and wellhead gauge pressure, LFG temperature, nitrogen or oxygen concentration.

Condition 22.

For open flare measure LFG flow recorded once every 15 minutes per 40 CFR 60.757(c)(2)(ii), the presents of a flare flame using a heat sensing device that records continuously per 40 CFR 60.758(b)(4).

Condition 23.

If monitoring demonstrates that the requirements pertaining to the landfill operational standards in 40 CFR § 60.755(a)(3) through (5) or § 60.755(c) are not being met, corrective action shall be taken as specified in 40 CFR § 60.753(g).

40 CFR § 60.753

*(g) If monitoring demonstrates that the operational requirements in paragraphs (b), (c), or (d) of this section are not met, corrective action shall be taken as specified in § 60.755(a)(3) through (5) or § 60.755(c) of this subpart. If corrective actions are taken as specified in § 60.755, the monitored exceedance is not a violation of the operational requirements in this section.*

Condition 24.

Monitoring shall be conducted and all appropriate data recorded per 40 CFR 60.756 (f).

Condition 25.

The GCCS shall be monitored and all appropriate data recorded per 40 CFR 60.756 (f).

Condition 26.

The facility shall demonstrate compliance with the operational standards per 40 CFR 63.1930 through 63.1990.

### **Recordkeeping**

The Landfill recordkeeping requirements are contained in condition 27 of the NSR permit dated August 18, 2010 and are contained in the Title V permit.

Condition 27.

The permit includes requirements for maintaining records of all monitoring and testing required by 40 CFR 60.758 and the regulations. These records include the annual placement of municipal solid waste in the landfill, the annual throughput of landfill gas, control efficiency tests of the control equipment, and all monitoring information for the GCCS and flares. The specific requirements are listed in 40 CFR 60.758.

### **Reporting**

The Landfill reporting requirements are contained in conditions 28 through 32 of the NSR permit dated August 18, 2010 and are contained in the Title V permit.

Conditions 28, 29, 30, 31 and 33.

All reports required by NSPS Subpart WWW shall be prepared and submitted to US EPA (added [R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov)) and the Piedmont Regional Office in accordance with procedures outlined in NSPS Subpart WWW (Section 60.757). The reporting requirements for 40 CFR 63, MACT AAAA were include. The landfill is NESHAP Subpart AAAA and NSPS Subpart WWW applicable and must make semi-annual reports as required.

Conditions 34, 35 and 36. Gasoline Dispensing Facility(GDF-1) 40 CFR 63, MACT CCCCCC and emergency generators (GEN-1 and GEN-2) 40 CFR 63, MACT ZZZZ/NSPS IIII conditions added.

### **Streamlined Requirements**

All conditions of the NSR permit dated August 18, 2010 are contained in the Title V permit (except General Conditions). None were streamlined for this renewal.

#### **60.752(a) - The owner or operator shall submit an initial design capacity report to the Administrator.**

*The facility submitted this report on June 11, 1996. This report contained all information required by Subpart WWW. Therefore, this requirement in Subpart WWW is obsolete.*

#### **60.757(f) - submittal of the initial annual report;**

*The facility submitted this report on March 20, 2000. This report contained all information required by Subpart WWW. Therefore, this requirement in Subpart WWW is obsolete.*

#### **60.757(c) - submittal and DEQ approval of the gas collection and control system design plan;**

The requirement to submit an initial Gas Collection and Control System (GCCS) design plan was completed on about January 27, 2000( last plan approval was March 27, 2013).

The currently installed flares, D002, D003 and D004 initial performance testing 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>
D001	December 19, 2001	(Flare Removed)	NA
D002	March 13, 2002	April 23, 2002	August 16, 2002
D003	May 10, 2007	July 25, 2007	October 17, 2007
D004	Not Installed.	NA	NA
D005	Not Installed.	NA	NA

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

### **GENERAL CONDITIONS**

Conditions 41 through 69. 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.

**STATE ONLY APPLICABLE REQUIREMENTS**

*STATE-ONLY ENFORCEABLE REQUIREMENTS*

The following condition (State Only number 43) is included in this permit to implement the requirements of 9 VAC 5-50-130 et seq. and is enforceable only by the Virginia Air Pollution Control Board. Neither their inclusion in this permit nor any resulting public comment period make these terms federally enforceable.

- 71. **Odor Management Plan:** The Odor Management and Control Plan describing the practices and technology that will be used to minimize off-site odors and to address odor complaints that may occur shall be an enforceable part of this permit. The plan shall incorporate the use of best available odor control technology that is appropriate for this landfill. The plan shall also describe procedures that will be implemented in response to citizen odor complaints or the detection of significant off-site odors by DEQ staff, including progressive steps that will be taken to reduce odors. A log of all odor complaints received and actions taken shall be kept and made available for inspection by authorized Federal, State or Local officials. The Odor Management and Control Plan shall be reviewed annually by the Facility and evaluated for the need and feasibility of new or modified odor control technology or practices. Results of the annual plan review, a modified plan (Both optional submittals) and a copy of the log shall be submitted to the Piedmont Regional Office by the first day of March of each year. (9 VAC 5-50-140 and 9 VAC 5-50-260 and condition 43 of the NSR Permit dated August 18, 2010)

**FUTURE APPLICABLE REQUIREMENTS**

Not applicable. Note that the applicant has been previously notified of US EPA landfill issues in the boxes below.

*Federal Register (71 FR 53274), "The United States Environmental Protection Agency proposes "amendments to the Landfills NSPS, emission guidelines, Federal plan, and Landfills NESHAP to clarify who is responsible for compliance activities where multiple parties are involved in the ownership or operation of a landfill and the associated landfill gas collection, control, and/or treatment systems".*

*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.*

The existing small portable engines (wheels) are portable nonroad engines as they are moved around the site and a source of insignificant emissions.

**INAPPLICABLE REQUIREMENTS**

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers the list found in the draft Title V permit condition 40.

#### **COMPLIANCE PLAN**

This facility is not subject to a Compliance Plan at this time.

#### **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, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the list found in the draft Title V permit condition 37.

#### **CONFIDENTIAL INFORMATION**

There is no Confidential Information associated with this permit action.

#### **PUBLIC PARTICIPATION**

The draft/proposed permit was placed on public notice in the Style Weekly from September 8, 2015 to October 8, 2015. This permit is being processed for concurrent review of draft and proposed permits by EPA.

No comments were received from the public during the 30-day public notice period. The EPA provided several minor comments that were resolved during the 45-day period which ended September 27, 2015.