



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

TO: Interested Parties / Applicant

DATE: October 15, 2008

RE: Veolia ES Blackfoot Landfill, Inc / 125-26702-00033

FROM: Matthew Stuckey, Branch Chief
Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-17-3-4 and 326 IAC 2, this permit modification is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



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Mr. Joe Sutton
Veolia ES Blackfoot Landfill, Inc
3726 SR East
Winslow, 47598

October 15, 2008

Re: 125-26702-00033
Significant Permit Modification to
Part 70 Renewal No.: T 125-17696-00033

Dear Mr. Joe Sutton:

Veolia ES Blackfoot Landfill, Inc was issued a Part 70 Operating Permit Renewal on May 20, 2004 for a municipal solid waste landfill (MSLWLF). A letter requesting changes to this permit was received on June 23, 2008. Pursuant to the provisions of 326 IAC 2-7-12 a significant permit modification to this permit is hereby approved as described in the attached Technical Support Document.

All other conditions of the permit shall remain unchanged and in effect. For your convenience, the entire Part 70 Operating Permit as modified will be provided at issuance.

This decision is subject to the Indiana Administrative Orders and Procedures Act – IC 4-21.5-3-5. If you have any questions on this matter, please contact Josiah Balogun, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Josiah Balogun or extension (4-5257), or dial (317) 234-5257.

Sincerely,

Original Signed by:

Tripurari P. Sinha, Ph.D., Section Chief
Permits Branch
Office of Air Quality

Attachments:

Updated Permit
Technical Support Document

JB

cc: File – Pike County
Pike County Health Department
U.S. EPA, Region V
Regional Office
Air Compliance Inspector
Compliance Data Section
Permits Administration and Development



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PART 70 Operating Permit Renewal OFFICE OF AIR QUALITY

**Veolia ES Blackfoot Landfill, Inc
3726 State Road 64 East
Winslow, Indiana 47598**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures 326 IAC 2-7-10.5, applicable to those conditions.

Operating Permit No.: 125-17696-00033	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: May 20, 2004 Expiration Date: May 20, 2009

Significant Permit Modification No.: 125-26702-00033	
Issued by: <i>Original Signed by:</i> Tripurari P. Sinha, Ph.D., Section Chief Office of Air Quality	Issuance Date: October 15, 2008 Expiration Date: May 20, 2009

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary municipal solid waste landfill (MSLWLF).

Source Address:	3726 State Road 64 East, Winslow, Indiana 47598
Mailing Address:	3726 State Road 64 East, Winslow, Indiana 47598
General Source Phone Number:	(812) 789-2647
SIC Code:	4953
County Location:	Pike
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Major Source Section 112 Clean Air Act

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This source consists of a landfill and a landfill gas power station:

- (a) ESG Biofuels LLC, (ESG), is located at, 3726 East SR 64, Winslow, IN 47598; and
- (b) Veolia ES Blackfoot landfill, Inc the supporting operation, is located at 3726 SR 64 East, Winslow, IN 47598.

ESG BIOFUELS, LLC (ESG) will own and operate the ESG Blackfoot Landfill Gas Power Station on land leased from Veolia ES Solid Waste Midwest, Inc. (Veolia) within the boundaries of the landfill. Veolia owns and operates the Blackfoot Landfill. IDEM, OAQ has examined whether the power station and the landfill will be part of the same major source.

The term "major source" is defined at 326 IAC 2-7-1(22). In order for these two sources to be considered one major source, they must meet all three of the following criteria:

- (1) the sources must be under common ownership or common control;
- (2) the sources must have the same two-digit Standard Industrial Classification (SIC) Code or one must serve as a support facility for the other; and,
- (3) the sources must be located on contiguous or adjacent properties.

IDEM, OAQ will first look at whether the two plants are under common ownership or common control. The plants are owned by separate corporations that have no common parent company. Therefore no common ownership exists.

In 1996, IDEM adopted a nonrule policy document, Air-005-NPD, titled Guidance on Definition of "Source" for Collocated Activities. The guidance endorses the but/for test for determining whether common control exists when there is no common ownership. The test considers the total relationship between the two sources. Common control exists if the test is satisfied.

The but/for test examines whether an auxiliary plant would exist absent the existence of the primary plant. This is an examination of whether the auxiliary plant is so dependent on the primary plant that if the primary plant were to cease operations, then the auxiliary would also have to shut down. The ESG power plant purchases landfill gas from Veolia to fuel the power plant's internal combustion engines. The engines are the power source for generating electricity. The power plant has no other source of fuel. If the landfill were to cease providing landfill gas, the power plant would not continue to operate. Therefore, common control exists.

The second element of the major source definition is whether the sources have the same two-digit Standard Industrial Classification (SIC) Code, or if one serves as a support facility for the other. The SIC Codes can be found at <http://www.osha.gov/pls/imis/sicsearch.html> on the United States Department of Labor, Occupational Safety and Health Administration website. The proper two-digit code for the power plant, whose main product is electricity, is Major Group 49: [Electric, Gas, And Sanitary Services](#). The landfill's two-digit code is also Major Group 49. The two sources have the same two-digit SIC Code.

A plant is considered a support facility if at least 50% of its output is dedicated to another plant. None of the electricity from the power plant would go to the landfill. The landfill's primary output is the work it does in accepting and processing sanitary waste. The landfill currently flares off the landfill gas as it is created. The landfill will continue to maintain its flare for those times when the power plant is not operating. A pipeline from the landfill will supply landfill gas to the power plant. The landfill gas sold to the power plant will be more than 50% of the total output of the landfill. Since the power plant and the landfill have the same two-digit SIC Code and a direct landfill gas pipeline will connect the two plants, they meet the second element of the definition of a major source.

The plants are located on contiguous properties. Therefore, the third element of the definition is met. Since the plants are under common control, have the same two-digit SIC Code, have a direct pipeline connection, and are located on contiguous properties, IDEM, OAQ has determined that the plants met all the elements of the definition and are part of the same major source.

IDEM, OAQ will issue administratively separate permits to the sources that reflect that the two sources are part of the same major source.

A.3 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]
[326 IAC 2-7-5(15)]

This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.

A.4 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

This stationary source also includes the following insignificant activities, which are specifically regulated, as defined in 326 IAC 2-7-1 (21):

- (a) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing torches, cutting torches, soldering equipment and welding equipment. [326 IAC 6-3-2]
- (b) Solidification process tank having a total capacity of 2682 cubic feet (76 cubic meters) emitting less than 12.5 pounds per day of a combination of HAPs. [326 IAC 12]

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B

GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

- (a) This permit T125-17696-00033 is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for the unit.

B.11 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865

and

Southwest Regional Office
Telephone Number: 888-672-8323 or 812-436-2570
Facsimile Number: 812-436-2572

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
 - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to T125-17696-00033 and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

B.14 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:

- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]
- (c) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (e) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
 - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
 - (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue

MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply
- (f) This condition does not apply to emission trades of SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

- (a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.
- (b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section (BLT)), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

- C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2]
Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.
- C.2 Opacity [326 IAC 5-1]
Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:
- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
 - (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.
- C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.
- C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.
- C.5 Fugitive Dust Emissions [326 IAC 6-4]
The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.
- C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]
Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on October 6, 2003. The plan is included as Attachment A.
- C.7 Stack Height [326 IAC 1-7]
The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue
MC 61-52 IGCN 1003
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.9 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.10 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.12 Maintenance of Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less often than once an hour until such time as the continuous monitor is back in operation.
- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment.

C.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

C.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.
- (b) The Permittee may request the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on July 6, 1999.

- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.
[326 IAC 1-5-3]

C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance as defined in 40 CFR 68 is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.17 Response to Exceedances or Excursions [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emission unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned to normal without operator action (such as through a response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records;
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
 - (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.19 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) Pursuant to 326 IAC 2-6-3(b)(3), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 3-6-4(c) and shall meet the following requirements:
 - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 3-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this Permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) Reporting periods are based on calendar years.

Stratospheric Ozone Protection

C.22 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 PSD Minor Limits [326 IAC 2-2]

Pursuant to 326 IAC 2-2, the combined CO emissions from the two (2) internal combustion engines, identified as E1 and E2 and the flare shall be less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with this limit will limit the CO emissions from the two (2) internal combustion engines and the flare to less than 250 tons per year and render 326 IAC 2-2 not applicable to the entire source.

Compliance Determination Requirements

D.1.2 Carbon Monoxide (CO) Emission Calculations]

In order to determine compliance with the CO emission limitation in Condition D.1.1, the Permittee shall determine the CO emissions for each month for the two (2) internal engines and the flare as follows: The CO emissions shall be determined by the following equations:

CO emissions (tons/year) = $Ef1 (Y_1 + Y_2) + Ef2 * Y_3$ Million dscf of landfill gas

Where:

$Ef1$ = Emission limit of Engines (3.0 g/bhp-hr)

$Ef2$ = Emission limit of the landfill gas (750 lb/10⁶ dscf of landfill gas)

Y_1 and Y_2 = Number of hours of the engines Y_1 and Y_2

Y_3 = Million of landfill gas combusted in the flare

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

D.1.3 Monitoring

The Permittee shall install and maintain a monitor to detect the presence of a pilot flame. The presence of the pilot flame shall be monitored using a heat-sensing device at all times when the gases are being vented into the flare.

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.4 Record Keeping Requirements

- (a) To document compliance with Condition D.1.1, the Permittee shall maintain monthly records of the amount of landfill gas in the flare.

- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements of this permit.

D.1.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1 shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34). This is the same reporting form used by ESG Biofuels, LLC.

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Insignificant Activities

- (a) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.2.1 Particulate Emission Limitation for manufacturing Processes [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2, (Particulate Emission Limitation for manufacturing Processes), the allowable PM emissions from each of the brazing, cutting, soldering, or welding processes shall not exceed the allowable emission rate based on the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

SECTION D.3

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Insignificant Activities

- (b) Solidification process tank having a total capacity of 2682 cubic feet (76 cubic meters) emitting less than 12.5 pounds per day of a combination of HAPs.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.3.1 General Provision Relating to NSPS [326 IAC 12-1]

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the solidification tank, except when otherwise specified in 40 CFR 60, Subpart Kb.

D.3.2 VOC and HAP Emissions From Storage Vessels [326 IAC 12] [40 CFR 60, Subpart Kb]

Pursuant to 326 IAC 12, the solidification tank is exempt from the General Provisions (40 CFR 60, Subpart A) and from the limits of 40 CFR 60, Subpart Kb.

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.3.3 Reporting and Record Keeping

- (a) Pursuant to 326 IAC 12, the Permittee shall maintain readily accessible records of the following for the solidification tank:

- (1) The dimension of the storage vessel; and
- (2) An analysis showing the capacity of the storage vessel.

These records shall be maintained for the life of the source.

- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION E.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.

Under the NSPS: Municipal Solid Waste Landfill (40 CFR 60, Subpart WWW), the municipal solid waste landfill is considered an existing affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

E.1.1 General Provision Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for the internal combustion engines, identified as E1, E2 and the landfill except as otherwise specified in 40 CFR Part 60, Subpart WWW.
- (b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:
Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue,
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.1.2 Standard of Performance for Municipal Waste landfill [326 IAC 12-1] [40 CFR 60, Subpart WWW]

Pursuant to 40 CFR 60 Subpart WWW, the Permittee shall comply with the provisions of Standard of Performance for Municipal Waste landfill for the two (2) internal combustion engines and the landfill as specified as follows:

- (1) 40 CFR 60.750
- (2) 40 CFR 60.751
- (3) 40 CFR 60.752
- (4) 40 CFR 60.753
- (5) 40 CFR 60.754
- (6) 40 CFR 60.755
- (7) 40 CFR 60.756
- (8) 40 CFR 60.757
- (9) 40 CFR 60.758
- (10) 40 CFR 60.759

SECTION E.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.

Under the NESHAP: Municipal Solid Waste Landfill (40 CFR 63, Subpart AAAA), the municipal solid waste landfill are considered an existing affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to NESHAP: Municipal Solid Waste Landfill [326 IAC 20-1] [40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.1935, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1-1 for the affected source, as specified in Appendix A of 40 CFR Part 63, Subpart AAAA, in accordance with the schedule in 40 CFR 63 Subpart AAAA.

E.2.2 NESHAP: Municipal Solid Waste landfill [40 CFR Part 63, Subpart AAAA]

Pursuant to CFR Part 63, Subpart AAAA, the Permittee shall comply with the provisions of 40 CFR Part 63.1935, for the affected source, as specified as follows:

- (1) 40 CFR 63.1930
- (2) 40 CFR 63.1935
- (3) 40 CFR 63.1940
- (4) 40 CFR 63.1945
- (5) 40 CFR 63.1947
- (6) 40 CFR 63.1950
- (7) 40 CFR 63.1952
- (8) 40 CFR 63.1955
- (9) 40 CFR 63.1960
- (10) 40 CFR 63.1965
- (11) 40 CFR 63.1975
- (12) 40 CFR 63.1980
- (13) 40 CFR 63.1985
- (14) 40 CFR 63.1990

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Veolia ES Blackfoot Landfill, Inc
Source Address: 3726 State Road 64 East, Winslow, Indiana 47598
Mailing Address: 3726 State Road 64 East, Winslow, Indiana 47598
Part 70 Permit No.: 125-17696-00033

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

Annual Compliance Certification Letter

Test Result (specify) _____.

Report (specify) _____.

Notification (specify) _____.

Affidavit (specify) _____.

Other (specify) _____.

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Veolia ES Blackfoot Landfill, Inc
Source Address: 3726 State Road 64 East, Winslow, Indiana 47598
Mailing Address: 3726 State Road 64 East, Winslow, Indiana 47598
Part 70 Permit No.: 125-17696-00033

This form consists of 2 pages

Page 1 of 2

This is an emergency as defined in 326 IAC 2-7-1(12)
The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____.

Title / Position: _____.

Date: _____.

Phone: _____.

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION**

Quarterly Report

Source Name: Veolia ES Blackfoot landfill, Inc
 Source Address: 3726 East SR 64 , Winslow, Indiana 47598
 Mailing Address: 3726 East SR 64 , Winslow, Indiana 47598
 Part 70 Permit No.: T125-17696-00033
 Facility: Two (2) internal combustion engines and Utility Flare
 Parameter: Carbon Monoxide (CO)
 Limit: Less than 250 tons of CO per twelve (12) consecutive month period

QUARTER :

YEAR:

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 Deviation has been reported on: _____.

Submitted by: _____
 Title / Position: _____
 Signature: _____
 Date: _____
 Phone: _____.

Attach a signed certification to complete this report.

Note: Only one reporting form is needed for both plants.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
Compliance Data Section**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Veolia ES Blackfoot Landfill, Inc
Source Address: 3726 State Road 64 East, Winslow, Indiana 47598
Mailing Address: 3726 State Road 64 East, Winslow, Indiana 47598
Part 70 Permit No.: 125-17696-00033

Months: _____ to _____ Year: _____

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____.

Title/Position: _____.

Date: _____.

Phone: _____.

Attach a signed certification to complete this report.

Attachment A

Fugitive Particulate Matter Emission Control Plan
Veolia ES Blackfoot Landfill, Inc I
OPP63-4, SW 344 3726 East State Road 64 Winslow, Indiana 47598
Responsible Official: Mr. Joe Sutton
Phone 812-789-2647

Processes, operations, and areas which have the potential to emit fugitive particulate matter in accordance with 326 IAC 6-5-4 include:

- (1) Truck travel on paved and unpaved roads;
- (2) Wood chipping operations; and
- (3) Solid waste placement.

Pursuant to 326 IAC 6-5, the following measures shall be implemented to control fugitive particulate matter emissions from these activities:

- (1) Paved Roads shall be monitored on a daily basis. Monitoring shall consist of visually evaluating the condition of the road surface. Fugitive emissions generated by traffic over paved areas shall be controlled by applying water using mobile water trucks. In general, a water truck shall apply water (obtained from sedimentation basin) at the beginning of each day's activities and as-needed thereafter. In the event that water suppression does not adequately control fugitive particulate emissions from paved roads, sweeping shall be used in conjunction with watering.
- (2) Unpaved roads shall monitored on a daily basis. Monitoring shall consist of visually evaluating the condition of the road surface. Fugitive emissions generated by traffic over unpaved areas shall be controlled by applying water. Water shall be applied depending on weather conditions, beginning at the start of each day and then on an as-needed basis thereafter during the day. In the event that water suppression does not adequately control fugitive particulate emissions, regrading, application of soil binders, application of aggregate, or paving shall be used.
- (3) A speed limit of 15 miles per hour shall be implemented on all roads.
- (4) All trucks entering the facility shall be covered. Access shall be denied to trucks not fitted with cargo covers.
- (5) Waste materials deposited in the landfill shall be sprayed as needed with leachate (i.e., liquids collected from the top of the landfill liner) or covered.
- (6) Fugitive particulate emissions from chipping operations shall be controlled on an as-needed basis using water as suppressant.

To document compliance with this plan, records shall be maintained on site for a period of three (3) years and shall be made available upon request to IDEM/OAQ. The records shall document all control measures and activities implemented, including a map of the site showing aggregate pile areas, access areas around the aggregate pile, unpaved roads, paved roads, parking lots and location of conveyor and transfer points; a daily log of location of watering, sweeping, regrading, soil stabilization, application of road aggregates, or paving; and the daily placement of a cover on landfill wastes.

Attachment A to a Part 70 Operating Permit

40 CFR 60, Subpart WWW—Standards of Performance For Municipal Solid Waste landfill

Source Name:	Veolia ES Blackfoot Landfill, Inc
Source Location:	3726 E SR 64, Winslow, IN 47598
County:	Pike
SIC Code:	4953
Significant Permit Modification No.:	125-26702-00033
Permit Reviewer:	Josiah Balogun
Emission units	Entire Source

Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills

Source: 61 FR 9919, Mar. 12, 1996, unless otherwise noted.

§ 60.750 Applicability, designation of affected facility, and delegation of authority.

(a) The provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. Physical or operational changes made to an existing MSW landfill solely to comply with Subpart Cc of this part are not considered construction, reconstruction, or modification for the purposes of this section.

(b) The following authorities shall be retained by the Administrator and not transferred to the State: §60.754(a)(5).

(c) Activities required by or conducted pursuant to a CERCLA, RCRA, or State remedial action are not considered construction, reconstruction, or modification for purposes of this subpart.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32750, June 16, 1998]

§ 60.751 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of this part.

Active collection system means a gas collection system that uses gas mover equipment.

Active landfill means a landfill in which solid waste is being placed or a landfill that is planned to accept waste in the future.

Closed landfill means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under §60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

Closure means that point in time when a landfill becomes a closed landfill.

Commercial solid waste means all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial wastes.

Controlled landfill means any landfill at which collection and control systems are required under this subpart as a result of the nonmethane organic compounds emission rate. The landfill is considered controlled at the time a collection and control system design plan is submitted in compliance with §60.752(b)(2)(i).

Design capacity means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the State, local, or Tribal agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site specific density, which must be recalculated annually.

Disposal facility means all contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste.

Emission rate cutoff means the threshold annual emission rate to which a landfill compares its estimated emission rate to determine if control under the regulation is required.

Enclosed combustor means an enclosed firebox which maintains a relatively constant limited peak temperature generally using a limited supply of combustion air. An enclosed flare is considered an enclosed combustor.

Flare means an open combustor without enclosure or shroud.

Gas mover equipment means the equipment (i.e., fan, blower, compressor) used to transport landfill gas through the header system.

Household waste means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including, but not limited to, single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

Industrial solid waste means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of the Resource Conservation and Recovery Act, parts 264 and 265 of this title. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas waste.

Interior well means any well or similar collection component located inside the perimeter of the landfill waste. A perimeter well located outside the landfilled waste is not an interior well.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile as those terms are defined under §257.2 of this title.

Lateral expansion means a horizontal expansion of the waste boundaries of an existing MSW landfill. A lateral expansion is not a modification unless it results in an increase in the design capacity of the landfill.

Modification means an increase in the permitted volume design capacity of the landfill by either horizontal or vertical expansion based on its permitted design capacity as of May 30, 1991. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion.

Municipal solid waste landfill or *MSW landfill* means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA Subtitle D

wastes (§257.2 of this title) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion.

Municipal solid waste landfill emissions or *MSW landfill emissions* means gas generated by the decomposition of organic waste deposited in an MSW landfill or derived from the evolution of organic compounds in the waste.

NMOC means nonmethane organic compounds, as measured according to the provisions of §60.754.

Nondegradable waste means any waste that does not decompose through chemical breakdown or microbiological activity. Examples are, but are not limited to, concrete, municipal waste combustor ash, and metals.

Passive collection system means a gas collection system that solely uses positive pressure within the landfill to move the gas rather than using gas mover equipment.

Sludge means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant.

Solid waste means any garbage, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under 33 U.S.C. 1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C 2011 et seq.).

Sufficient density means any number, spacing, and combination of collection system components, including vertical wells, horizontal collectors, and surface collectors, necessary to maintain emission and migration control as determined by measures of performance set forth in this part.

Sufficient extraction rate means a rate sufficient to maintain a negative pressure at all wellheads in the collection system without causing air infiltration, including any wellheads connected to the system as a result of expansion or excess surface emissions, for the life of the blower.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32750, June 16, 1998; 64 FR 9262, Feb. 24, 1999]

§ 60.752 Standards for air emissions from municipal solid waste landfills.

(a) Each owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume shall submit an initial design capacity report to the Administrator as provided in §60.757(a). The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented and submitted with the report. Submittal of the initial design capacity report shall fulfill the requirements of this subpart except as provided for in paragraphs (a)(1) and (a)(2) of this section.

(1) The owner or operator shall submit to the Administrator an amended design capacity report, as provided for in §60.757(a)(3).

(2) When an increase in the maximum design capacity of a landfill exempted from the provisions of §60.752(b) through §60.759 of this subpart on the basis of the design capacity exemption in paragraph (a) of this section results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator shall comply with the provision of paragraph (b) of this section.

(b) Each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall either comply with paragraph (b)(2) of this section or calculate an

NMOC emission rate for the landfill using the procedures specified in §60.754. The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii) of this subpart. The owner or operator of an MSW landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters is subject to part 70 or 71 permitting requirements.

(1) If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator shall:

(i) Submit an annual emission report to the Administrator, except as provided for in §60.757(b)(1)(ii); and

(ii) Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

(A) If the NMOC emission rate, upon recalculation required in paragraph (b)(1)(ii) of this section, is equal to or greater than 50 megagrams per year, the owner or operator shall install a collection and control system in compliance with paragraph (b)(2) of this section.

(B) If the landfill is permanently closed, a closure notification shall be submitted to the Administrator as provided for in §60.757(d).

(2) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall:

(i) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year:

(A) The collection and control system as described in the plan shall meet the design requirements of paragraph (b)(2)(ii) of this section.

(B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of §§60.753 through 60.758 proposed by the owner or operator.

(C) The collection and control system design plan shall either conform with specifications for active collection systems in §60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to §60.759.

(D) The Administrator shall review the information submitted under paragraphs (b)(2)(i) (A),(B) and (C) of this section and either approve it, disapprove it, or request that additional information be submitted. Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems.

(ii) Install a collection and control system that captures the gas generated within the landfill as required by paragraphs (b)(2)(ii)(A) or (B) and (b)(2)(iii) of this section within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in §60.757(c)(1) or (2).

(A) An active collection system shall:

(1) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

(2) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of:

(i) 5 years or more if active; or

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

(3) Collect gas at a sufficient extraction rate;

(4) Be designed to minimize off-site migration of subsurface gas.

(B) A passive collection system shall:

(1) Comply with the provisions specified in paragraphs (b)(2)(ii)(A)(1), (2), and (2)(ii)(A)(4) of this section.

(2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under §258.40.

(iii) Route all the collected gas to a control system that complies with the requirements in either paragraph (b)(2)(iii)(A), (B) or (C) of this section.

(A) An open flare designed and operated in accordance with §60.18 except as noted in §60.754(e);

(B) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in §60.754(d).

(1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.

(2) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §60.756;

(C) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraph (b)(2)(iii)(A) or (B) of this section.

(iv) Operate the collection and control device installed to comply with this subpart in accordance with the provisions of §§60.753, 60.755 and 60.756.

(v) The collection and control system may be capped or removed provided that all the conditions of paragraphs (b)(2)(v)(A), (B), and (C) of this section are met:

(A) The landfill shall be a closed landfill as defined in §60.751 of this subpart. A closure report shall be submitted to the Administrator as provided in §60.757(d);

(B) The collection and control system shall have been in operation a minimum of 15 years; and

(C) Following the procedures specified in §60.754(b) of this subpart, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

(c) For purposes of obtaining an operating permit under title V of the Act, the owner or operator of a MSW landfill subject to this subpart with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters is not subject to the requirement to obtain an operating permit for the landfill under part 70 or 71 of this chapter, unless the landfill is otherwise subject to either part 70 or 71. For purposes of submitting a timely application for an operating permit under part 70 or 71, the owner or operator of a MSW landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters, and not otherwise subject to either part

70 or 71, becomes subject to the requirements of §§70.5(a)(1)(i) or 71.5(a)(1)(i) of this chapter, regardless of when the design capacity report is actually submitted, no later than:

(1) June 10, 1996 for MSW landfills that commenced construction, modification, or reconstruction on or after May 30, 1991 but before March 12, 1996;

(2) Ninety days after the date of commenced construction, modification, or reconstruction for MSW landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

(d) When a MSW landfill subject to this subpart is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under part 70 or 71 of this chapter for the landfill if the landfill is not otherwise subject to the requirements of either part 70 or 71 and if either of the following conditions are met:

(1) The landfill was never subject to the requirement for a control system under paragraph (b)(2) of this section; or

(2) The owner or operator meets the conditions for control system removal specified in paragraph (b)(2)(v) of this section.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 18908, Apr. 10, 2000; 71 FR 55127, Sept. 21, 2006]

§ 60.753 Operational standards for collection and control systems.

Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of §60.752(b)(2)(ii) of this subpart shall:

(a) Operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:

(1) 5 years or more if active; or

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

(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);

(2) Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan;

(3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Administrator;

(c) Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

(1) The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by §60.752(b)(2)(i) of this subpart.

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

- (i) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;
 - (ii) A data recorder is not required;
 - (iii) Only two calibration gases are required, a zero and span, and ambient air may be used as the span;
 - (iv) A calibration error check is not required;
 - (v) The allowable sample bias, zero drift, and calibration drift are ± 10 percent.
- (d) Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.
- (e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with §60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour; and
- (f) Operate the control or treatment system at all times when the collected gas is routed to the system.
- (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.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 61778, Oct. 17, 2000]

§ 60.754 Test methods and procedures.

(a)(1) The landfill owner or operator shall calculate the NMOC emission rate using either the equation provided in paragraph (a)(1)(i) of this section or the equation provided in paragraph (a)(1)(ii) of this section. Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in paragraph (a)(1)(i), for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown, as specified in paragraph (a)(1)(ii), for part of the life of the landfill. The values to be used in both equations are 0.05 per year for k , 170 cubic meters per megagram for L_0 , and 4,000 parts per million by volume as hexane for the C_{NMOC} . For landfills located in geographical areas with a thirty year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site, the k value to be used is 0.02 per year.

(i) The following equation shall be used if the actual year-to-year solid waste acceptance rate is known.

$$M_{NMOC} = \sum_{i=1}^n 2 k L_0 M_i (e^{-k t_i}) (C_{NMOC}) (3.6 \times 10^{-9})$$

where,

M_{NMOC} = Total NMOC emission rate from the landfill, megagrams per year

k = methane generation rate constant, year^{-1}

L_o =methane generation potential, cubic meters per megagram solid waste

M_i =mass of solid waste in the i^{th} section, megagrams

t_i =age of the i^{th} section, years

C_{NMOC} =concentration of NMOC, parts per million by volume as hexane

3.6×10^{-9} =conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for M_i if documentation of the nature and amount of such wastes is maintained

(ii) The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown.

$$M_{NMOC} = 2L_oR (e^{-kc} - e^{-kt}) C_{NMOC}(3.6 \times 10^{-9})$$

Where:

M_{NMOC} =mass emission rate of NMOC, megagrams per year

L_o =methane generation potential, cubic meters per megagram solid waste

R =average annual acceptance rate, megagrams per year

k =methane generation rate constant, year^{-1}

t = age of landfill, years

C_{NMOC} =concentration of NMOC, parts per million by volume as hexane

c =time since closure, years; for active landfill $c=0$ and $e^{-kc}=1$

3.6×10^{-9} =conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of R , if documentation of the nature and amount of such wastes is maintained.

(2) *Tier 1.* The owner or operator shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year.

(i) If the NMOC emission rate calculated in paragraph (a)(1) of this section is less than 50 megagrams per year, then the landfill owner shall submit an emission rate report as provided in §60.757(b)(1), and shall recalculate the NMOC mass emission rate annually as required under §60.752(b)(1).

(ii) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the landfill owner shall either comply with §60.752(b)(2), or determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in paragraph (a)(3) of this section.

(3) *Tier 2.* The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25 or 25C of Appendix A of this part. Method 18 of Appendix A of this part may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the owner or operator must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to C_{NMOCas} hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of this part by six to convert from C_{NMOCas} carbon to C_{NMOCas} hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

(i) The landfill owner or operator shall recalculate the NMOC mass emission rate using the equations provided in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using the average NMOC concentration from the collected samples instead of the default value in the equation provided in paragraph (a)(1) of this section.

(ii) If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with §60.752(b)(2), or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in paragraph (a)(4) of this section.

(iii) If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in §60.757(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in this section.

(4) *Tier 3.* The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of appendix A of this part. The landfill owner or operator shall estimate the NMOC mass emission rate using equations in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using a site-specific methane generation rate constant k , and the site-specific NMOC concentration as determined in paragraph (a)(3) of this section instead of the default values provided in paragraph (a)(1) of this section. The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year.

(i) If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year, the owner or operator shall comply with §60.752(b)(2).

(ii) If the NMOC mass emission rate is less than 50 megagrams per year, then the owner or operator shall submit a periodic emission rate report as provided in §60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in §60.757(b)(1) using the equations in paragraph (a)(1) of this section and using the site-specific methane generation rate constant and NMOC concentration obtained in paragraph (a)(3) of this section. The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.

(5) The owner or operator may use other methods to determine the NMOC concentration or a site-specific k as an alternative to the methods required in paragraphs (a)(3) and (a)(4) of this section if the method has been approved by the Administrator.

(b) After the installation of a collection and control system in compliance with §60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in §60.752(b)(2)(v), using the following equation:

$$M_{\text{NMOC}} = 1.89 \times 10^{-3} Q_{\text{LFG}} C_{\text{NMOC}}$$

where,

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

C_{NMOC} = NMOC concentration, parts per million by volume as hexane

(1) The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of section 4 of Method 2E of appendix A of this part.

(2) The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of appendix A of this part. If using Method 18 of appendix A of this part, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of appendix A of this part by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

(3) The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Administrator.

(c) When calculating emissions for PSD purposes, the owner or operator of each MSW landfill subject to the provisions of this subpart shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in §§51.166 or 52.21 of this chapter using AP-42 or other approved measurement procedures.

(d) For the performance test required in §60.752(b)(2)(iii)(B), Method 25, 25C, or Method 18 of Appendix A of this part must be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level, unless another method to demonstrate compliance has been approved by the Administrator as provided by §60.752(b)(2)(i)(B). Method 3 or 3A shall be used to determine oxygen for correcting the NMOC concentration as hexane to 3 percent. In cases where the outlet concentration is less than 50 ppm NMOC as carbon (8 ppm NMOC as hexane), Method 25A should be used in place of Method 25. If using Method 18 of appendix A of this part, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency:

$$\text{Control Efficiency} = (\text{NMOC}_{\text{in}} - \text{NMOC}_{\text{out}}) / (\text{NMOC}_{\text{in}})$$

where,

NMOC_{in} = mass of NMOC entering control device

NMOC_{out} = mass of NMOC exiting control device

(e) For the performance test required in §60.752(b)(2)(iii)(A), the net heating value of the combusted landfill gas as determined in §60.18(f)(3) is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under §60.18(f)(4).

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 18908, Apr. 10, 2000; 65 FR 61778, Oct. 17, 2000; 71 FR 55127, Sept. 21, 2006]

§ 60.755 Compliance provisions.

(a) Except as provided in §60.752(b)(2)(i)(B), the specified methods in paragraphs (a)(1) through (a)(6) of this section shall be used to determine whether the gas collection system is in compliance with §60.752(b)(2)(ii).

(1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with §60.752(b)(2)(ii)(A) (1), one of the following equations shall be used. The k and L_okinetic factors should be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42) or other site specific values demonstrated to be appropriate and approved by the Administrator. If k has been determined as specified in §60.754(a)(4), the value of k determined from the test shall be used. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

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

$$Q_m = 2L_oR (e^{-kc} - e^{-kt})$$

where,

Q_m= maximum expected gas generation flow rate, cubic meters per year

L_o= methane generation potential, cubic meters per megagram solid waste

R = average annual acceptance rate, megagrams per year

k = methane generation rate constant, year⁻¹

t = age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure, t is the age of the landfill at installation, years

c = time since closure, years (for an active landfill c = 0 and e^{-kc} = 1)

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

$$Q_M = \sum_{i=1}^n 2 k L_o M_i (e^{-kt_i})$$

where,

Q_M=maximum expected gas generation flow rate, cubic meters per year

k=methane generation rate constant, year⁻¹

L_o=methane generation potential, cubic meters per megagram solid waste

M_i=mass of solid waste in the ith section, megagrams

t_i = age of the i^{th} section, years

(iii) If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in paragraphs (a)(1) (i) and (ii) of this section. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using the equations in paragraphs (a)(1) (i) or (ii) or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

(2) For the purposes of determining sufficient density of gas collectors for compliance with §60.752(b)(2)(ii)(A)(2), the owner or operator shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Administrator, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

(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.

(4) Owners or operators are not required to expand the system as required in paragraph (a)(3) of this section during the first 180 days after gas collection system startup.

(5) For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in §60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved 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 exceedance. 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.

(6) An owner or operator seeking to demonstrate compliance with §60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in §60.759 shall provide information satisfactory to the Administrator as specified in §60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

(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).

(1) After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in paragraph (d) of this section.

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

(3) Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of this part, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

(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.

(v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Administrator for approval.

(5) The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

(d) Each owner or operator seeking to comply with the provisions in paragraph (c) of this section shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

(1) The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of appendix A of this part, except that "methane" shall replace all references to VOC.

(2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.

(3) To meet the performance evaluation requirements in section 3.1.3 of Method 21 of appendix A of this part, the instrument evaluation procedures of section 4.4 of Method 21 of appendix A of this part shall be used.

(4) The calibration procedures provided in section 4.2 of Method 21 of appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

(e) The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998]

§ 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.

(e) Each owner or operator seeking to install a collection system that does not meet the specifications in §60.759 or seeking to monitor alternative parameters to those required by §60.753 through §60.756 shall provide information satisfactory to the Administrator as provided in §60.752(b)(2)(i)(B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator may specify additional appropriate monitoring procedures.

(f) Each owner or operator seeking to demonstrate compliance with §60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in §60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998; 65 FR 18909, Apr. 10, 2000]

§ 60.757 Reporting requirements.

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

(a) Each owner or operator subject to the requirements of this subpart shall submit an initial design capacity report to the Administrator.

(1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required by §60.7(a)(1) and shall be submitted no later than:

(i) June 10, 1996, for landfills that commenced construction, modification, or reconstruction on or after May 30, 1991 but before March 12, 1996 or

(ii) Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

(2) The initial design capacity report shall contain the following information:

(i) A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by the State, local, or tribal agency responsible for regulating the landfill.

(ii) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by the State, local, or tribal agency responsible for regulating the landfill, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The State, Tribal, local agency or Administrator may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

(3) An amended design capacity report shall be submitted to the Administrator providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in §60.758(f).

(b) Each owner or operator subject to the requirements of this subpart shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in paragraphs (b)(1)(ii) or (b)(3) of this section. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.

(1) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in §60.754(a) or (b), as applicable.

(i) The initial NMOC emission rate report may be combined with the initial design capacity report required in paragraph (a) of this section and shall be submitted no later than indicated in paragraphs (b)(1)(i)(A) and (B) of this section. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in paragraphs (b)(1)(ii) and (b)(3) of this section.

(A) June 10, 1996, for landfills that commenced construction, modification, or reconstruction on or after May 30, 1991, but before March 12, 1996, or

(B) Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

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

(2) The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

(3) Each owner or operator subject to the requirements of this subpart is exempted from the requirements of paragraphs (b)(1) and (2) of this section, after the installation of a collection and control system in compliance with §60.752(b)(2), during such time as the collection and control system is in operation and in compliance with §§60.753 and 60.755.

(c) Each owner or operator subject to the provisions of §60.752(b)(2)(i) shall submit a collection and control system design plan to the Administrator within 1 year of the first report required under paragraph (b) of this section in which the emission rate equals or exceeds 50 megagrams per year, except as follows:

(1) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in §60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

(2) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in §60.754(a)(4), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of §60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year.

(d) Each owner or operator of a controlled landfill shall submit a closure report to the Administrator within 30 days of waste acceptance cessation. The Administrator may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under §60.7(a)(4).

(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.

(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.

(g) Each owner or operator seeking to comply with §60.752(b)(2)(iii) shall include the following information with the initial performance test report required under §60.8:

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

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

(3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;

(4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

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

(6) The provisions for the control of off-site migration.

§ 60.758 Recordkeeping requirements.

(a) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of §60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

(b) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraphs (b)(1) through (b)(4) of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

(1) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(ii):

(i) The maximum expected gas generation flow rate as calculated in §60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.

(ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §60.759(a)(1).

(2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts:

(i) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

(ii) The percent reduction of NMOC determined as specified in §60.752(b)(2)(iii)(B) achieved by the control device.

(3) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii)(B)(1) through use of a boiler or process heater of any size: a description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.

(4) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in §60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

(c) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of a controlled landfill subject to the provisions of this subpart shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

(1) The following constitute exceedances that shall be recorded and reported under §60.757(f):

(i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all 3-hour periods of operation during which the average combustion temperature was more than 28 oC below the average combustion temperature during the most recent performance test at which compliance with §60.752(b)(2)(iii) was determined.

(ii) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under paragraph (b)(3) of this section.

(2) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under §60.756.

(3) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with §60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State, local, Tribal, or Federal regulatory requirements.)

(4) Each owner or operator seeking to comply with the provisions of this subpart by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under §60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

(d) Except as provided in §60.752(b)(2)(i)(B), each owner or operator subject to the provisions of this subpart shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

(1) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §60.755(b).

(2) Each owner or operator subject to the provisions of this subpart shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in §60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in §60.759(a)(3)(ii).

(e) Except as provided in §60.752(b)(2)(i)(B), each owner or operator subject to the provisions of this subpart shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in §60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

(f) Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of "design capacity", shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998; 65 FR 18909, Apr. 10, 2000]

§ 60.759 Specifications for active collection systems.

(a) Each owner or operator seeking to comply with §60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Administrator as provided in §60.752(b)(2)(i)(C) and (D):

(1) The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.

(2) The sufficient density of gas collection devices determined in paragraph (a)(1) of this section shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

(3) The placement of gas collection devices determined in paragraph (a)(1) of this section shall control all gas producing areas, except as provided by paragraphs (a)(3)(i) and (a)(3)(ii) of this section.

(i) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under §60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to the Administrator upon request.

(ii) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to the Administrator upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

$$Q_i = 2 k L_o M_i (e^{-kt_i}) (C_{NMOC}) (3.6 \times 10^{-9})$$

where,

Q_i = NMOC emission rate from the i^{th} section, megagrams per year

k = methane generation rate constant, year^{-1}

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of the degradable solid waste in the i^{th} section, megagram

t_i = age of the solid waste in the i^{th} section, years

C_{NMOC} = concentration of nonmethane organic compounds, parts per million by volume

3.6×10^{-9} = conversion factor

(iii) The values for k and C_{NMOC} determined in field testing shall be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (this distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k , L_o and C_{NMOC} provided in §60.754(a)(1) or the alternative values from §60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in paragraph (a)(3)(i) of this section.

(b) Each owner or operator seeking to comply with §60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

(1) The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.

(2) Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

(3) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

(c) Each owner or operator seeking to comply with §60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with §60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

(1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (c)(2) of this section shall be used.

(2) For new collection systems, the maximum flow rate shall be in accordance with §60.755(a)(1).

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32753, June 16, 1998; 64 FR 9262, Feb. 24, 1999; 65 FR 18909, Apr. 10, 2000]

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Attachment B
to a Part 70 Operating Permit

**40 CFR 63, Subpart AAAA—National Emission Standards for
Hazardous Air Pollutants: Municipal Solid Waste landfill:**

Source Name:	Veolia ES Blackfoot Landfill, Inc
Source Location:	3726 E SR 64, Winslow, IN 47598
County:	Pike
SIC Code:	4953
Significant Permit Modification No.:	125-26702-00033
Permit Reviewer:	Josiah Balogun
Emission units	Entire Source

***Subpart AAAA—National Emission Standards for Hazardous Air Pollutants:
Municipal Solid Waste Landfills***

Source: 68 FR 2238, Jan. 16, 2003, unless otherwise noted.

What This Subpart Covers

§ 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.

§ 63.1935 Am I subject to this subpart?

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

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

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

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

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

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

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

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

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

§ 63.1940 What is the affected source of this subpart?

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

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

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

§ 63.1945 When do I have to comply with this subpart?

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

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

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

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

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

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

§ 63.1947 When do I have to comply with this subpart if I own or operate a bioreactor?

You must comply with this subpart by the dates specified in §63.1945(a) or (b) of this subpart. If you own or operate a bioreactor located at a landfill that is not permanently closed as of January 16, 2003 and has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m³, then you must install and operate a collection and control system

that meets the criteria in 40 CFR 60.752(b)(2)(v) of part 60, subpart WWW, the Federal plan, or EPA approved and effective State plan according to the schedule specified in paragraph (a), (b), or (c) of this section.

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

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

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

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

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

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

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

§ 63.1950 *When am I no longer required to comply with this subpart?*

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

§ 63.1952 *When am I no longer required to comply with the requirements of this subpart if I own or operate a bioreactor?*

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

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

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

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

Standards

§ 63.1955 What requirements must I meet?

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

(1) Comply with the requirements of 40 CFR part 60, subpart WWW.

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

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

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

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

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

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

General and Continuing Compliance Requirements

§ 63.1960 How is compliance determined?

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

[68 FR 2238, Jan. 16, 2003, as amended at 71 FR 20462, Apr. 20, 2006]

§ 63.1965 What is a deviation?

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

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

(b) A deviation occurs when 1 hour or more of the hours during the 3-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour.

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

[68 FR 2238, Jan. 16, 2003, as amended at 71 FR 20462, Apr. 20, 2006]

§ 63.1975 How do I calculate the 3-hour block average used to demonstrate compliance?

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

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

(b) Startups.

(c) Shutdowns.

(d) Malfunctions.

Notifications, Records, and Reports

§ 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.

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

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

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

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

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

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

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

(g) If you add any liquids other than leachate in a controlled fashion to the waste mass and do not comply with the bioreactor requirements in §§63.1947, 63.1955(c) and 63.1980(c) through (f) of this subpart, you must keep a record of calculations showing that the percent moisture by weight expected in the waste mass to which liquid is added is less than 40 percent. The calculation must consider the waste mass, moisture content of the incoming waste, mass of water added to the waste including leachate recirculation and other liquids addition and precipitation, and the mass of water removed through leachate or other water losses. Moisture level sampling or mass balances calculations can be used. You must document the calculations and the basis of any assumptions. Keep the record of the calculations until you cease liquids addition.

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

Other Requirements and Information

§ 63.1985 Who enforces this subpart?

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

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

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

§ 63.1990 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act, 40 CFR part 60, subparts A, Cc, and WWW; 40 CFR part 62, subpart GGG, and subpart A of this part, and this section that follows:

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

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

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

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

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

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

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

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

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

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

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

As stated in §§63.1955 and 63.1980, you must meet each requirement in the following table that applies to you.

Table 1 to Subpart AAAA of Part 63—Applicability of NESHAP General Provisions to Subpart AAAA

Part 63 Citation	Description	Explanation
63.1(a)	Applicability: general applicability of NESHAP in this part	Affected sources are already subject to the provisions of paragraphs (a)(10)–(12) through the same provisions under 40 CFR, part 60 subpart A.
63.1(b)	Applicability determination for stationary sources	
63.1(e)	Title V permitting	
63.2	Definitions	

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

**Indiana Department of Environmental Management
Office of Air Quality**

Technical Support Document (TSD) for a Significant Source Modification,
Significant Permit Modification and Part 70 Operating Permit

Source Description and Location

Source Names:	ESG Biofuels, LLC (ESG) Veolia ES Blackfoot landfill, Inc
Source Location:	3726 East SR 64, Winslow, IN 47598
County:	Pike
SIC Code:	4911 and 4953
Operation Permit No.:	T 125-17696-00033
Operation Permit Issuance Date:	May 20, 2004
Significant Source Modification No.:	125-26683-00046 (ESG Biofuels, LLC)
Significant Permit Modification No.:	125-26702-00033 (Veolia ES Blackfoot Landfill, Inc)
TV Operating Permit	T125-26701-00046 (ESG Biofuels, LLC)
Permit Reviewer:	Josiah Balogun

Source Definition

This source consists of a landfill and a landfill gas power station:

- (a) ESG Biofuels, LLC (ESG), is located at, 3726 East SR 64, Winslow, IN 47598; and
- (b) Veolia ES Blackfoot landfill, Inc, is located at 3726 East SR 64, Winslow, IN 47598.

ESG BIOFUELS (Blackfoot), LLC (ESG) will own and operate the ESG Blackfoot Landfill Gas Power Station on land leased from Veolia ES Solid Waste Midwest, Inc. (Veolia) within the boundaries of the landfill. Veolia owns and operates the Blackfoot Landfill. IDEM, OAQ has examined whether the power station and the landfill will be part of the same major source.

The term "major source" is defined at 326 IAC 2-7-1(22). In order for these two sources to be considered one major source, they must meet all three of the following criteria:

- (1) the sources must be under common ownership or common control;
- (2) the sources must have the same two-digit Standard Industrial Classification (SIC) Code or one must serve as a support facility for the other; and,
- (3) the sources must be located on contiguous or adjacent properties.

IDEM, OAQ will first look at whether the two plants are under common ownership or common control. The plants are owned by separate corporations that have no common parent company. Therefore no common ownership exists.

In 1996, IDEM adopted a nonrule policy document, Air-005-NPD, titled Guidance on Definition of "Source" for Collocated Activities. The guidance endorses the but/for test for determining whether common control exists when there is no common ownership. The test considers the total relationship between the two sources. Common control exists if the test is satisfied.

The but/for test examines whether an auxiliary plant would exist absent the existence of the primary plant. This is an examination of whether the auxiliary plant is so dependent on the primary plant that if the primary plant were to cease operations, then the auxiliary would also have to shut down. The ESG power

plant purchases landfill gas from Veolia to fuel the power plant's internal combustion engines. The engines are the power source for generating electricity. The power plant has no other source of fuel. If the landfill were to cease providing landfill gas, the power plant would not continue to operate. Therefore, common control exists.

The second element of the major source definition is whether the sources have the same two-digit Standard Industrial Classification (SIC) Code, or if one serves as a support facility for the other. The SIC Codes can be found at <http://www.osha.gov/pls/imis/sicsearch.html> on the United States Department of Labor, Occupational Safety and Health Administration website. The proper two-digit code for the power plant, whose main product is electricity, is Major Group 49: [Electric, Gas, And Sanitary Services](#). The landfill's two-digit code is also Major Group 49. The two sources have the same two-digit SIC Code.

A plant is considered a support facility if at least 50% of its output is dedicated to another plant. None of the electricity from the power plant would go to the landfill. The landfill's primary output is the work it does in accepting and processing sanitary waste. The landfill currently flares off the landfill gas as it is created. The landfill will continue to maintain its flare for those times when the power plant is not operating. A pipeline from the landfill will supply landfill gas to the power plant. The landfill gas sold to the power plant will be more than 50% of the total output of the landfill. Since the power plant and the landfill have the same two-digit SIC Code and a direct landfill gas pipeline will connect the two plants, they meet the second element of the definition of a major source.

The plants are located on contiguous properties. Therefore, the third element of the definition is met. Since the plants are under common control, have the same two-digit SIC Code, have a direct pipeline connection, and are located on contiguous properties, IDEM, OAQ has determined that the plants met all the elements of the definition and are part of the same major source.

IDEM, OAQ will issue administratively separate permits to the sources that reflect that the two sources are part of the same major source.

Existing Approvals

There have been no previous approvals issued to this source.

County Attainment Status

The source is located in Pike County.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. ¹
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005. Basic nonattainment designation effective federally April 5, 2005, for the Washington Twp for PM2.5. The remainder of Pike County is unclassifiable or attainment effective April 5, 2005, for PM2.5.	

(a) Ozone Standards

- (1) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule

revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.

- (2) On September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, St. Joseph as attainment for the 8-hour ozone standard.
 - (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.
 - (4) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Pike County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) **PM2.5**
 U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Pike County, Washington Township as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5.
- (c) **Other Criteria Pollutants**
 Pike County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) **Fugitive Emissions**
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions (tons/year)
PM	4.47
PM10	4.47
SO ₂	4.56
VOC	112
CO	199
NO _x	10.9

- (a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no regulated pollutant is emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

- (b) These emissions are based upon Operating Permit No. T125-17696-00033, issued on May 20, 2004.

The table below summarizes the potential to emit HAPs for the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

HAPs	Potential To Emit (tons/year)
Single HAP	greater than 10
Total HAPs	greater than 25

This existing source is a major source of HAPs, as defined in 40 CFR 63.41, because HAPs emissions are greater than ten (10) tons per year for any single HAP and greater than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is a major source under Section 112 of the Clean Air Act (CAA).

Description of New Source Construction

The Office of Air Quality (OAQ) has reviewed a new source construction application, submitted by ESG Biofuels, LLC (ESG) and Veolia ES Blackfoot Landfill, Inc on June 23, 2008, relating to the construction of a new landfill gas (LFG) fueled power generation facility. This landfill will be located at the active Veolia Environmental Solution Solid Waste Midwest, Inc. The Landfill gas which is currently being collected and combusted in an existing flare, will instead be combusted in up to two lean burn internal combustion (IC) engines designed to minimize air emissions. The following is a list of the proposed emission unit(s) and pollution control device(s):

- (a) one (1) internal combustion engine, to be constructed in 2008, identified as E1, with a maximum capacity of 2,233 bhp, emissions uncontrolled, and exhausting to stack E1; and
- (b) one (1) internal combustion engine, to be constructed in 2008, identified as E2, with a maximum capacity of 2,233 bhp, emissions uncontrolled, and exhausting to stack E2.

A source determination has been done for the two plants (ESG Biofuels, LLC (ESG) and Veolia ES Blackfoot Landfill, Inc) and a new CO emission limit has been established for the source.

Enforcement Issues

There are no pending enforcement actions.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency.”

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	5.81
PM10	5.81
SO ₂	1.79
VOC	7.05
CO	129.4
NO _x	43.13

HAPs	Potential To Emit (tons/year)
Single HAP	less than 10
Total HAPs	less than 25

This Source Modification is subject to 326 IAC 2-7-10.5(f)(4) and 326 IAC 2-7-10.5(f)(7) because this modification has a potential to emit greater than twenty-five (25) tons per year of NO_x and greater than one hundred (100) tons per year of CO. Additionally, the modification will be incorporated into the Part 70 Operation Permit through a Significant Permit Modification issued pursuant to 326 IAC 2-7-12(d) because this modification requires a case-by-case determination of emission limitation.

Permit Level Determination – PSD

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/Emission Unit	PM	PM10	SO ₂	VOC	CO	NO _x
Total Emission before modification	4.47	4.47	4.56	112	199	10.9
Total after Modification	8.48	8.48	4.54	74.3	< 250	49.6
Major Source Threshold	250	250	250	250	250	250

This modification to an existing minor stationary source is not major because the emissions of the source still less than the PSD major source thresholds. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

Federal Rule Applicability Determination

The following federal rules are applicable to the source due to this modification:

- (a) The source is subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63 Subpart ZZZZ). These Standards applies to reciprocating internal combusting engines (RICE) of more than 500 hp capacity and are located at facilities that

are major source of HAPs. The internal combusting engines have a capacity above 500 hp and the source is a major source of HAPs, therefore, the source is required to comply with the requirements of 40 CFR 63, Subpart ZZZZ.

These emission units are subject to the following portions of Subpart ZZZZ:

- (1) one (1) internal combustion engine, to be constructed in 2008, identified as E1, with a maximum capacity of 2,233 bhp, emissions uncontrolled, and exhausting to stack E1;
- (2) one (1) internal combustion engine, to be constructed in 2008, identified as E2, with a maximum capacity of 2,233 bhp, emissions uncontrolled, and exhausting to stack E2;

The source is subject to the following sections of 40 CFR Part 63, Subpart ZZZZ.

- (1) 40 CFR 63.6580
- (2) 40 CFR 63.6585
- (3) 40 CFR 63.6590(b)(2)
- (4) 40 CFR 63.6595(a)(2)
- (5) 40 CFR 63.6600
- (6) 40 CFR 63.6601
- (7) 40 CFR 63.6605
- (8) 40 CFR 63.6610
- (9) 40 CFR 63.6611
- (10) 40 CFR 63.6615
- (11) 40 CFR 63.6625(c)
- (12) 40 CFR 63.6630
- (13) 40 CFR 63.6635
- (14) 40 CFR 63.6645
- (15) 40 CFR 63.6650(g)
- (16) 40 CFR 63.6655(c)
- (17) 40 CFR 63.6660
- (18) 40 CFR 63.6665
- (19) 40 CFR 63.6670

The provisions of 40 CFR 63 Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the facilities described in this section except when otherwise specified in 40 CFR 63 Subpart ZZZZ.

- (b) The source is not subject to the New Source Performance Standard, for Standard of Performance for Stationary Spark Ignition Internal Combustion Engines (NSPS) 326 IAC 12 (40 CFR 60, Subpart JJJJ). These Standards applies to internal combusting engines (RICE) of more than 25 hp capacity, new or newly modified or reconstructed LFG-fired engines manufactured before July 1, 2007 (Rich burn), July 1, 2008 (Lean burn) or modified or reconstructed after June 12, 2006. The internal combusting engines (Lean Burn) have a capacity above 25 hp but was manufactured before July 1, 2008, therefore, the source is not required to comply with the requirements of 40 CFR 60, Subpart JJJJ.
- (c) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to new or modified emission units that involve a pollutant-specific emission unit and meet the following criteria:
 - (1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;

- (2) is subject to an emission limitation or standard for that pollutant; and
- (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The emission units have the potential to emit of regulated pollutants (uncontrolled) less than the major source thresholds.

Based on this evaluation, the requirements of 40 CFR Part 64, CAM are not applicable to any of the new units as part of this new source construction permit.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

326 IAC 2-2 (PSD)

The uncontrolled CO emissions from the two (2) internal combustion engines and the flare are more than 250 tons per year. The CO emissions from the two (2) internal combustion engines and the flare shall be limited to less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of the month.

The CO emissions shall be determined by the following equations:

CO emissions (tons/year) = $Ef1 (Y_1 + Y_2) + Ef2 * Y_3$ Million dscf of landfill gas

Where:

$Ef1$ = Emission limit of Engines (3.0 g/bhp-hr)

$Ef2$ = Emission limit of the landfill gas (750 lb/10⁶ dscf of landfill gas)

Y_1 and Y_2 = Number of hours engines Y_1 , and Y_2 are in operation

Y_3 = Million of landfill gas combusted in the flare

Compliance with this limit will limit the CO emissions from the two (2) internal combustion engines and the flare to less than 250 tons per year and render 326 IAC 2-2 not applicable to the entire source.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The operation of two (2) internal combustion engines, identified a E1 and E2 will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-6 (Emission Reporting)

Since this source is required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program, this source is subject to 326 IAC 2-6 (Emission Reporting). In accordance with the compliance schedule in 326 IAC 2-6-3, an emission statement must be submitted triennially. The first report is due no later than July 1, 2011, and subsequent reports are due every three (3) years thereafter. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(1), the two (2) IC engines, identified as E1 and E2 are considered as combustion for indirect heating. Therefore, the two (2) IC engines are exempt from the 326 IAC 6-3 rule.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The two (2) IC engines, identified as E1 and E2 have potential SO2 emissions of less than twenty-five (25) tons per year or ten (10) pounds per hour, each. Therefore, the requirements of 326 IAC 7-1.1 are not applicable to either of the two (2) IC engines.

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The two (2) IC engines, identified as E1 and E2, are not subject to the requirements of 326 IAC 8-1-6, because each of the two (2) IC engines has VOC emissions less than twenty-five (25) tons per year.

326 IAC 9-1-2 (Carbon Monoxide Emission Limits)

The two (2) IC engines, identified as E1 and E2 are not regulated by article 9 rules. Therefore, the requirements of 326 IAC 9-1-2 are not applicable to the two (2) IC engines.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

Test Requirements

- (a) CO Testing

Emission units	Control device	When to test	Pollutants	Frequency of testing
Internal Combustion E1 or E2	No Control	180 days after startup	CO	one time testing

The changes listed below have been made to Part 70 Operating Permit No. T125-17696-00033. Deleted language appears as ~~strike throughs~~ and new language appears in **bold**:

CHANGES MADE TO 125-26702-00033, VEOLIA ES BLACKFOOT LANDFILL, INC

Change 1 Section A.2 - Part 70 Source Definition has been added to the permit.

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This source consists of a landfill and a landfill gas power station:

- (a) **ESG Biofuels LLC, (ESG), is located at, 3726 E SR 64, Winslow, IN 47598; and**
- (b) **Veolia ES Blackfoot landfill, Inc the supporting operation, is located at 3726 SR 64 East, Winslow, IN 47598.**

ESG BIOFUELS, LLC (ESG) will own and operate the ESG Blackfoot Landfill Gas Power Station on land leased from Veolia ES Solid Waste Midwest, Inc. (Veolia) within the boundaries of the landfill. Veolia owns and operates the Blackfoot Landfill. IDEM, OAQ has examined whether the power station and the landfill will be part of the same major source.

The term “major source” is defined at 326 IAC 2-7-1(22). In order for these two sources to be considered one major source, they must meet all three of the following criteria:

- (1) **the sources must be under common ownership or common control;**
- (2) **the sources must have the same two-digit Standard Industrial Classification (SIC) Code or one must serve as a support facility for the other; and,**
- (3) **the sources must be located on contiguous or adjacent properties.**

IDEM, OAQ will first look at whether the two plants are under common ownership or common control. The plants are owned by separate corporations that have no common parent company. Therefore no common ownership exists.

In 1996, IDEM adopted a nonrule policy document, Air-005-NPD, titled Guidance on Definition of “Source” for Collocated Activities. The guidance endorses the but/for test for determining whether common control exists when there is no common ownership. The test considers the total relationship between the two sources. Common control exists if the test is satisfied.

The but/for test examines whether an auxiliary plant would exist absent the existence of the primary plant. This is an examination of whether the auxiliary plant is so dependent on the primary plant that if the primary plant were to cease operations, then the auxiliary would also have to shut down. The ESG power plant purchases landfill gas from Veolia to fuel the power plant’s internal combustion engines. The engines are the power source for generating electricity. The power plant has no other source of fuel. If the landfill were to cease providing landfill gas, the power plant would not continue to operate. Therefore, common control exists.

The second element of the major source definition is whether the sources have the same two-digit Standard Industrial Classification (SIC) Code, or if one serves as a support facility for the other. The SIC Codes can be found at <http://www.osha.gov/pls/imis/sicsearch.html> on the United States Department of Labor, Occupational Safety and Health Administration website. The proper two-digit

code for the power plant, whose main product is electricity, is Major Group 49: [Electric, Gas, And Sanitary Services](#). The landfill's two-digit code is also Major Group 49. The two sources have the same two-digit SIC Code.

A plant is considered a support facility if at least 50% of its output is dedicated to another plant. None of the electricity from the power plant would go to the landfill. The landfill's primary output is the work it does in accepting and processing sanitary waste. The landfill currently flares off the landfill gas as it is created. The landfill will continue to maintain its flare for those times when the power plant is not operating. A pipeline from the landfill will supply landfill gas to the power plant. The landfill gas sold to the power plant will be more than 50% of the total output of the landfill. Since the power plant and the landfill have the same two-digit SIC Code and a direct landfill gas pipeline will connect the two plants, they meet the second element of the definition of a major source.

The plants are located on contiguous properties. Therefore, the third element of the definition is met. Since the plants are under common control, have the same two-digit SIC Code, have a direct pipeline connection, and are located on contiguous properties, IDEM, OAQ has determined that the plants met all the elements of the definition and are part of the same major source.

IDEM, OAQ will issue administratively separate permits to the sources that reflect that the two sources are part of the same major source.

Change 2 New conditions have been added to Section D.1 of the permit. The NSPS and NESHAP requirements in Section D.1 have been deleted and separate attachments have been created for these requirements.

~~D.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A] and to HAPs [326 IAC 14-1-1][40 CFR Part 61, Subpart A] [326 IAC 20-1-1][40 CFR Part 63, Subpart A]~~

~~(a) The provisions of 40 CFR Part 60, Subpart A General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR Part 60, Subpart WWW.~~

~~(b) The provisions of 40 CFR Part 61, Subpart A General Provisions, which are incorporated as 326 IAC 14-1-1, apply to the facility described in this section except when otherwise specified in 40 CFR Part 61, Subpart M.~~

~~(c) The provisions of 40 CFR Part 63, Subpart A General Provisions, which are incorporated by reference in 326 IAC 20-1-1, apply to the facility described in this section except when otherwise specified in 40 CFR Part 63, Subpart AAAA.~~

~~D.1.2 Municipal Solid Waste Landfill NSPS [326 IAC 12] [326 IAC 8-8.1] [40 CFR 60.752, Subpart WWW]~~

~~The municipal solid waste landfill has a design capacity greater than 2.5 million megagrams (Mg) and shall either comply with 40 CFR 60.752 (b)(2) or calculate the non-methane organic compound (NMOC) emission rate for the landfill using the procedures specified in 40 CFR 60.754.~~

~~D.1.3 Operational Standards for Collection and Control Systems [40 CFR 60.753][326 IAC 12] [326 IAC 8-8.1]~~

~~In order to comply with 40 CFR 60.752 (b)(2)(ii) the Permittee shall:~~

~~(a) Operate the collection system such that gas is collected from each area, cell, or group of cells in the municipal solid waste landfill in which solid waste has been in place for five years if active or 2 years or more if closed or at final grade.~~

- (b) ~~Operate the collection system with negative pressure at each wellhead except under the following conditions:~~
- (1) ~~Fire or increased well temperature. The Permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1).~~
 - (2) ~~Use of a geomembrane or synthetic cover. The Permittee shall develop acceptable pressure limits in the design plan.~~
 - (3) ~~A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Office of Air Quality (OAQ).~~
- (c) ~~Operate each interior wellhead in the collection system with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The Permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.~~
- (1) ~~The nitrogen level shall be determined using Method 3C, unless an alternative method is established as allowed by 40 CFR 60.752 (b)(2)(i).~~
 - (2) ~~Unless an alternative test method is established as allowed by 40 CFR 60.752 (b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A except that; the span shall be set so that the regulatory limit is between 20 and 50 percent of the span; a data recorder is not required; only two calibration gases are required, a zero and span, and ambient air may be used as the span; a calibration error check is not required; the allowable sample bias, zero drift, and calibration drift are \leq 10 percent.~~
- (d) ~~Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the Permittee shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The Permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.~~
- (e) ~~Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.~~
- (f) ~~Operate the control system at all times when the collected gas is routed to the system.~~
- (g) ~~If monitoring demonstrates that the operational requirements in 40 CFR 60.753(b), (c), or (d) are not met, corrective action 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, the monitored exceedance is not a violation of the operational requirements in 40 CFR 60.753.~~

~~D.1.4 NESHAP for Active Asbestos Waste Disposal Sites [40 CFR 61.154, Subpart M]~~

~~Pursuant to the National Emissions Standards for Hazardous Air Pollutants 326 IAC 14-2-1, (40 CFR 61.154, Subpart M), any active waste disposal site that receives asbestos-containing waste material must either:~~

- ~~(a) Allow no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or comply with (b) or (c) below.~~
- ~~(b) At least once every 24-hour period, asbestos-containing waste material that has been deposited during the previous 24-hour period must:
 - ~~(1) be covered with at least 15-centimeters (6-inches) of compacted nonasbestos containing material, or~~
 - ~~(2) be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Administrator. Any used, spent, or other waste oil is not considered a dust suppression agent.~~~~
- ~~(c) Use an alternate emissions control method that has received prior written approval by the Administrator according to the procedures described in 40 CFR 61.149(e)(2).~~
- ~~(d) Also, unless a natural barrier deters access by the general public, warning signs and fencing must be installed or the requirements of paragraph (b)(1) above must be met. The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public. The warning signs must:
 - ~~(1) Be posted in such a manner and location that a person can easily read the legend; and~~
 - ~~(2) Conform to the requirements of 51cm x 36 cm upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and~~
 - ~~(3) Display the information contained in the legend provided in 40 CFR 61.154(b)(1)(iii).~~~~

~~D.1.5 Municipal Solid Waste Landfill NESHAP [326 IAC 20] [40 CFR 63, Subpart AAAA]~~

~~Pursuant to 40 CFR 63.1955, the Permittee shall:~~

- ~~(a) Comply with the requirements of 40 CFR 60, Subpart WWW.~~
- ~~(b) If the Permittee is required by 40 CFR 60.752(b)(2) to install a collection and control system, the Permittee shall comply with the general and continuing compliance requirements in 40 CFR 63.1960 through 40 CFR 63.1985.~~
- ~~(c) For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, the Permittee must follow the procedures in 40 CFR 60.752(b)(2). If alternatives have already been approved under 40 CFR part 60~~

~~subpart WWW or the Federal plan, or EPA approved and effective State or tribal plan, these alternatives can be used to comply with this subpart, except that all affected sources must comply with the startup, shutdown, and malfunction (SSM) requirements in Subpart A of 40 CFR 63 as specified in Table 1 of 40 CFR 63, Subpart AAAA and all affected sources must submit compliance reports every 6 months as specified in 40 CFR 63.1980(a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations (as defined in 40 CFR 63.1965) for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3 hour monitoring block average (as defined in 40 CFR 63.1975).~~

~~D.1.6 Monitoring [40 CFR 60.756] [326 IAC 8-8.1]~~

~~Except as provided in 40 CFR 60.752(b)(2)(i)(B),~~

- ~~(a) The Permittee seeking to comply with 40 CFR 60.752(b)(2)(ii)(A) for an active gas collection 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 40 CFR 60.755(a)(3);~~
- ~~(2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5); and~~
- ~~(3) Monitor temperature of the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5).~~
- ~~(b) The Permittee seeking to comply with 40 CFR 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) 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 Permittee shall either install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every fifteen minutes; or 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 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) The Permittee seeking to demonstrate compliance with 40 CFR 60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.~~

~~D.1.7 Preventive Maintenance Plan [326 IAC 2-7-5(13)]~~

~~A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device.~~

Compliance Determination Requirements

~~D.1.8 Compliance Provisions [40 CFR 60.755] [326 IAC 8-8.1]~~

- ~~(a) Except as provided in 40 CFR 60.752(b)(2)(i)(B), the specified methods below shall be used to determine whether the gas collection system is in compliance with 40 CFR 60.752(b)(2)(i).~~

- (1) ~~For the purpose of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with 60.752(b)(2)(ii)(A)(1), one of the following equations shall be used. The k and L_o kinetic factors should be those published in the most recent Compilation of Air Pollution Emission Factors (AP-42) or other site-specific values demonstrated to be appropriate and approved by the Office of Air Quality (OAQ). If k has been determined as specified in 40 CFR 60.754(a)(4), the value of k determined from the test specified under 40 CFR 60.754(a)(4) shall be used. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.~~

~~For sites with unknown year to year solid waste acceptance rate:~~

$$Q_m = 2L_o R (e^{-ke} - e^{-kt})$$

~~where:~~

~~Q_m = maximum expected gas generation flow rate, cubic meters per year~~

~~L_o = methane generation potential, cubic meters per megagram solid waste~~

~~R = average annual acceptance rate, megagrams per year~~

~~k = methane generation rate constant, year⁻¹~~

~~t = age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure, t is the age of the landfill at installation, years.~~

~~e = time since closure, years (for an active landfill e = 0 and e^{-ke} = 1)~~

~~For sites with known year to year solid waste acceptance rate:~~

$$Q_M = \sum_{i=1}^n 2 k L_o M_i (e^{-kt_i})$$

~~where,~~

~~Q_M = maximum expected gas generation flow rate, cubic meters per year~~

~~k = methane generation rate constant, year⁻¹~~

~~L_o = methane generation potential, cubic meters per megagram solid waste~~

~~M_i = mass of solid waste in the ith section, megagrams~~

~~t_i = age of the ith section, years~~

~~If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in 40 CFR 60.755(a)(1)(i) and (ii). If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using the equations in 40 CFR 60.755(a)(1)(i) or (ii) or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.~~

- (2) ~~For the purposes of determining sufficient density of gas collector for compliance with 40 CFR 60.752 (b)(2)(ii)(A)(2), the Permittee shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Office of Air Quality (OAQ), capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.~~
- (3) ~~For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with 40 CFR 60.752(b)(2)(ii)(A)(3), the Permittee 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 five (5) calendar days, except for the three conditions allowed under 40 CFR 60.753(b). If negative pressure cannot be achieved without excess air infiltration within fifteen (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.~~
- (4) ~~The Permittee is not required to expand the system as required in 40 CFR 60.755(a)(3) during the first 180 days after gas collection system start up.~~
- (5) ~~For the purpose of identifying whether excess air infiltration into the landfill is occurring, the Permittee shall monitor each well monthly for temperature and nitrogen or oxygen as provided in 40 CFR 60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within five (5) calendar days. If correction of the exceedance cannot be achieved within fifteen (15) calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. 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.~~
- (6) ~~If the Permittee seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in 40 CFR 60.759, the Permittee shall provide information satisfactory to the Office of Air Quality (OAQ) as specified in 40 CFR 60.752 (b)(2)(i)(C) demonstrating that off-site migration is being controlled.~~
- (b) ~~For purposes of compliance with 40 CFR 60.753(a), the Permittee shall place each well or design component of a controlled landfill as specified in the approved design plan as provided in 40 CFR 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 five (5) years or more if active or two (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 40 CFR 60.753 (d):~~
- (1) ~~After installation of the collection system, the Permittee shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR 60.755(d).~~
- (2) ~~The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from perimeter wells.~~
- (3) ~~Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of 40 CFR60, except that the probe inlet shall be placed within five(5) to ten(10) centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.~~
- (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 40 CFR 60.755(c)(4)(i) through (v) should be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of 40 CFR 60.753(d).~~

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

~~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 with ten (10) calendar days of detecting the exceedance.~~

~~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 ten (10) days of the second exceedance. If re-monitoring shows a third exceedance for the same location, the action specified in paragraph 40 CFR 60.755(c)(4)(v) shall be taken, and no further monitoring of that location is required until the action specified in 40 CFR 60.755(c)(4)(v) has been taken. 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 40 CFR 60.755(c)(4)(ii) or (iii) shall be re-monitored one (1) month from the initial exceedance. If the one (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 one (1)-month re-monitoring shows an exceedance, the actions specified in 40 CFR 60.755(c)(4)(iii) or (v) shall be taken.~~

~~For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Office of Air Quality (OAQ) for approval.~~

- ~~(5) — The Permittee shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.~~
- (d) — The Permittee seeking to comply with the provisions of 40 CFR 60.755(e) shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:
 - ~~(1) — The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of appendix A of 40 CFR 60, except that methane shall replace all references to volatile organic compound (VOC).~~
 - ~~(2) — The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.~~
 - ~~(3) — To meet the performance evaluation requirements in section 3.1.3 of Method 21 of appendix A of 40 CFR 60, the instrument evaluation procedures of section 4.4 of Method 21 of appendix A of 40 CFR 60 shall be used.~~
 - ~~(4) — The calibration procedures provided in section 4.2 of Method 21 of appendix A of 40 CFR 60 shall be followed immediately before commencing a surface monitoring survey.~~
- ~~(e) — The provisions of 40 CFR 60.755 shall apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start up, shutdown, or malfunction, shall not exceed five (5) days for collection systems and shall not exceed one (1) hour for treatment or control devices.~~

D.1.9 Compliance Determination [40 CFR 63.1960]

Pursuant to 40 CFR 63.1960, compliance with 40 CFR 63, Subpart AAAAA is determined by the following:

- (a) — The same way it is determined for 40 CFR 60, Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence.
- (b) — Continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), (c)(1), and (d) of subpart WWW, are used to demonstrate compliance with the operating conditions

for control systems. If a deviation (as defined in 40 CFR 63.1965) occurs, the Permittee has failed to meet the control device operating conditions described in 40 CFR 60, Subpart WWWW and has deviated from the requirements of this subpart.

- (c) The Permittee must develop and implement a written Startup, Shutdown, and Malfunction (SSM) plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write, implement, or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

~~D.1.10 Calculation of Non-methane Organic Compound (NMOC) Rate [40 CFR 60.754] [326 IAC 8-8.1]~~

~~Pursuant to 40 CFR 60.754, the Permittee shall, when calculating emissions for PSD purposes, estimate the NMOC emission rate for comparison to the PSD major source and significance levels in 40 CFR 51.166 or 40 CFR 52.21 using AP-42 or other approved measurement procedures. If a collection system, which complies with the provisions of 40 CFR 60.752(b)(2) is already installed, the Permittee shall estimate the NMOC emission rate using the procedures provided in 40 CFR 60.754(b).~~

~~D.1.11 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 12] [326 IAC 8-8.1] [40 CFR 60.754(b)]~~

- (a) After installation of a collection and control system in compliance with 40 CFR 60.755, the Permittee shall calculate the non-methane organic compound (NMOC) emission rate for purposes of determining when the system can be removed using the following equation:

$$M_{\text{NMOC}} = 1.89 \times 10^{-3} Q_{\text{LFG}} C_{\text{NMOC}}$$

where:

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

C_{NMOC} = NMOC concentration, parts per million by volume as hexane

- (1) The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill-gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of section 4 of Method 2E of appendix A of 40 CFR 60.
- (2) The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of appendix A of 40 CFR 60. If using Method 18 of Appendix A of 40 CFR 60, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The Permittee shall divide the NMOC concentration from Method 25C of Appendix A of 40 CFR 60 by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.
- (3) The Permittee may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Office of Air Quality (OAQ).

~~Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]~~

~~D.1.12 Record Keeping Requirements [326 IAC 12] [326 IAC 8-8.1] [40 CFR 60.758]~~

- (a) Except as provided in 40 CFR 60.752(b)(2)(i)(B) the Permittee subject to 40 CFR 60.752(b) shall keep for at least five years up-to-date, readily accessible, continuous on-site records of the design capacity report which triggered 40 CFR 60.752(b), the current amount of solid waste in place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four (4) hours. Either paper copy or electronic formats are acceptable.
- (b) Except as provided in 40 CFR 60.752(b)(2)(i)(B) the Permittee of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment listed in

~~(1) and through (2) below as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five (5) years. Records of control device vendor specifications shall be maintained until removal.~~

~~(1) Where the Permittee subject to the provisions of 40 CFR 60.758 seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(ii):~~

~~The maximum expected gas generation flow rate as calculated in 40 CFR 60.755(a)(1). The Permittee may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Office of Air Quality (OAQ).~~

~~The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR 60.759(a)(1).~~

~~(2) Where the Permittee subject to the provisions of 40 CFR 60.758 seeks to demonstrate compliance with 40 CFR 60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam assisted, air assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR 60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.~~

~~(c) Except as provided in 40 CFR 60.752(b)(2)(i)(B) the Permittee of a controlled landfill subject to the provisions of this subpart shall keep for five years up to date, readily accessible, continuous on-site records of the equipment operating parameters specified to be monitored in 40 CFR 60.756 as well as up to date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.~~

~~(1) The Permittee subject to 40 CFR 60.758 shall keep up to date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car seals or lock and key configurations used to seal bypass lines, specified under 40 CFR 60.756.~~

~~(2) The Permittee seeking to comply with the provisions of 40 CFR 60.758 by use of an open flare shall keep up to date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR 60.756(c), and up to date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.~~

~~(d) Except as provided in 40 CFR 60.752(b)(2)(i)(B) the Permittee subject to the provisions of this subpart shall keep for the life of the collection system an up to date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.~~

~~(1) The Permittee subject to the provisions of 40 CFR 60.758 shall keep up to date, readily accessible records of the installation date and location of all newly installed collectors as specified in 40 CFR 60.755 (b).~~

~~(2) The Permittee subject to the provisions of 40 CFR 60.758 shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos containing or nondegradable waste excluded from collection as provided in 40 CFR 60.759 (a)(3)(i) as well as any non-productive areas excluded from collection as provided in 40 CFR 60.759 (a)(3)(ii).~~

- (e) ~~Except as provided in 40 CFR 60.752(b)(2)(i)(B) the Permittee subject to the provisions of this subpart shall keep for at least five years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 40 CFR 60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.~~
- (f) ~~Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of "design capacity", shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.~~

D.1.13 Reporting Requirements [40 CFR 60.757] [326 IAC 8-8.1]

~~Pursuant to 40 CFR 60.757, except as provided in 40 CFR 60.752(b)(2)(i)(B), the Permittee shall:~~

- (a) ~~Submit an amended design capacity report to the Office of Air Quality (OAQ) providing notification of any increase in the design capacity of the landfill.~~
- (b) ~~Submit a closure report to the Office of Air Quality (OAQ) within thirty days of waste acceptance cessation. The Office of Air Quality (OAQ) may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Office of Air Quality (OAQ), no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 60.7(a)(4).~~
- (c) ~~Submit an equipment removal report to the Office of Air Quality (OAQ) thirty (30) days prior to removal or cessation of operation of the control equipment. The equipment removal report shall contain all of the following items: a copy of the closure report submitted in accordance with 40 CFR 60.757(d), a copy of the initial performance test report demonstrating that the fifteen (15) year minimum control period has expired, and dated copies of three (3) successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year. The Office of Air Quality (OAQ) may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR 60.752(b)(2)(v) have been met.~~
- (d) ~~Annual reports of the following recorded information. 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 40 CFR 60.8. For enclosed combustion devices and flares, reportable exceedances are defined under 40 CFR 60.758(c).~~
- (1) ~~Value and length of time for exceedance of applicable parameters monitored under 40 CFR 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 40 CFR 60.756.~~
 - (3) ~~Description and duration of all periods when the control device was not operating for a period exceeding one (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 five (5) days.~~

- ~~(5) Location of each exceedance of the 500 parts per million methane concentration as provided in 40 CFR 60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.~~
- ~~(6) Date of installation and the location of each well or collection system expansion added pursuant to 40 CFR 60.755(a)(3), (b), and (c)(4).~~
- ~~(e) The Permittee seeking to comply with 40 CFR 40.752(b)(2)(iii) shall include the following information with the initial performance test report required under 40 CFR 60.8:~~

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

- ~~(1) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based.~~
- ~~(2) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material.~~
- ~~(3) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area.~~
- ~~(4) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill.~~
- ~~(5) The provisions for the control of off site migration.~~
- ~~(f) A summary of the above information shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit.~~

~~D.1.14 Record Keeping and Reporting Requirements for NESHAP for Active Asbestos Waste Disposal Sites [40 CFR 61.154]~~

~~Pursuant to 40 CFR 61, Subpart M, the Permittee shall:~~

- ~~(a) For all asbestos containing waste material received, the Permittee of the active waste disposal site shall:~~
- ~~(1) Maintain waste shipment records and include the following information:~~
- ~~(A) The name, address, and telephone number of the waste generator;~~
- ~~(B) The name, address, and telephone number of the transporter(s);~~
- ~~(C) The quantity of the asbestos containing waste material in cubic meters (cubic yards).~~
- ~~(D) The presence of improperly enclosed or uncovered waste, or any asbestos containing waste material not sealed in leak tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and if different, the local, State, or EPA Regional office responsible for administering the asbestos~~

~~NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.~~

- ~~(E) — The date of the receipt.~~
- ~~(2) — As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.~~
- ~~(3) — Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.~~
- ~~(b) — Maintain until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area.~~
- ~~(c) — Upon closure, comply with all the provisions of 40 CFR 61.151.~~
- ~~(d) — Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.~~
- ~~(e) — Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section.~~
- ~~(f) — Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:
 - ~~(1) — Scheduled starting and completion dates.~~
 - ~~(2) — Reason for disturbing the waste.~~
 - ~~(3) — Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.~~
 - ~~(4) — Location of any temporary storage site and the final disposal site.~~~~

~~D.1.15 Record Keeping and Reporting Requirements for NESHAP for Municipal Solid Waste Landfills [40 CFR 63.1980]~~

~~Pursuant to 40 CFR 63.1980, the Permittee shall:~~

- ~~(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 this landfill, with one exception: The Permittee must submit the annual report described in 40 CFR 60.757(f) and Condition D.1.13(f) every 6 months.~~

~~(b) Keep records and reports as specified in the general provisions of 40 CFR 60 and 40 CFR 63 as shown in Table 1 of 40 CFR 63, Subpart AAAA. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports. The SSM Plan report is due semi-annually.~~

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

.....
(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 PSD Minor Limits [326 IAC 2-2]

Pursuant to 326 IAC 2-2, the combined CO emissions from the two (2) internal combustion engines, identified as E1 and E2 and the flare shall be less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with this limit will limit the CO emissions from the two (2) internal combustion engines and the flare to less than 250 tons per year and render 326 IAC 2-2 not applicable to the entire source.

Compliance Determination Requirements

D.1.2 Carbon Monoxide (CO) Emission Calculations]

In order to determine compliance with the CO emission limitation in Condition D.1.1, the Permittee shall determine the CO emissions for each month for the two (2) internal engines and the flare as follows: The CO emissions shall be determined by the following equations:

CO emissions (tons/year) = $Ef_1 (Y_1 + Y_2) + Ef_2 * Y_3$ Million dscf of landfill gas

Where:

Ef_1 = Emission limit of Engines (3.0 g/bhp-hr)

Ef_2 = Emission limit of the landfill gas (750 lb/10⁶ dscf of landfill gas)

Y_1 and Y_2 = Number of hours of the engines Y_1 , and Y_2

Y_3 = Million of landfill gas combusted in the flare

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

D.1.3 Monitoring

The Permittee shall install and maintain a monitor to detect the presence of a pilot flame. The presence of the pilot flame shall be monitored using a heat-sensing device at all times when the gases are being vented into the flare.

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.4 Record Keeping Requirements

- (a) To document compliance with Condition D.1.1, the Permittee shall maintain monthly records of the amount of landfill gas in the flare.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements of this permit.

D.1.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1 shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34). This is the same reporting form used by ESG Biofuels, LLC.

Change 3 The particulate emission citation in Condition D.2.1 has been revised.

D.2.1 Particulate Emission Limitation for manufacturing Processes Matter (PM) ~~[40 CFR 52, Subpart P]~~ [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2, (Particulate Emission Limitation for manufacturing Processes) ~~40 CFR 52, Subpart P~~, the allowable PM emissions from each of the brazing, cutting, soldering, or welding processes shall not exceed the allowable emission rate based on the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

Change 4 Condition B.2 - Permit Term has been revised.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

- (a) This permit **T125-17696-00033** is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

Change 5 A new condition Term of Conditions has been added to Section B. Subsequent conditions have been renumbered.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) **the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or**
- (b) **the emission unit to which the condition pertains permanently ceases operation.**

Change 6 Previous Condition B.3 (now B.4) - Enforceability has been renumbered.

B.3 4 Enforceability [326 IAC 2-7-7]

Change 7 IDEM has determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request, records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM has deleted a paragraph of Condition B.10 – Preventive Maintenance Plan.

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- ~~(b)~~ ~~The Permittee shall implement the PMPs, including any required record keeping as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.~~
- ~~(c)~~ **(b)** A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).
- ~~(d)~~ **(c)** To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit ~~within a reasonable time.~~

Change 8 Condition B.13 -Prior Permit Superseded has been updated.

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of ~~previous permits~~ **established prior to T125-17696-00033** and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
 - (2) revised **under 326 IAC 2-7-10.5**, or
 - (3) deleted **under 326 IAC 2-7-10.5** by this permit.
- (b) **Provided that all terms and conditions are accurately reflected in this permit, A-all previous registrations and permits are superseded by this Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).**

Change 9 Previous Condition B.4 is now new Condition B.14. Subsequent conditions have been renumbered.

B.414 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

Change 10 Previous Condition B.16 (now Condition B.17) has been revised.

B.167 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

~~(b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]~~

~~(4b) A timely renewal application is one that is:~~

~~(A1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and~~

~~(B2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~

~~(2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

~~(c) Right to Operate After Application for Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]~~
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by a reasonable deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application. ~~[326 IAC 2-7-4(a)(2)(D) and (E)]~~

~~(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~

~~If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

Change 11 Condition B.17 (now B.18) has been updated.

B.178 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]**
- ~~(bc)~~ Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Any such application shall be certified by the ~~A~~responsible official~~@~~ as defined by 326 IAC 2-7-1(34).
- ~~(ed)~~ The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- ~~(de)~~ No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

Change 12 For clarification purposes, Condition B.20 - Operational Flexibility has been revised.

~~B.19~~ **20** Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

.....
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.**
- (f) This condition does not apply to emission trades of SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.**

Change 13 For clarification purposes, Condition B.20 (now B.21) - Source Modification has been updated.

B.201 Source Modification Requirement [326 IAC 2-7-10.5]

- (a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.
- (b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2.**

Change 14 Condition B.24 (now B.25) - Credible Evidence has been revised.

B.24 5 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314]

~~Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.~~

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

Change 15 The 326 IAC 6-3 revisions that became effective on June 12, 2002 were approved into the State Implementation Plan on September 23, 2005. These rules replace the previous version of 326 IAC 6-3 (Process Operations) that had been part of the SIP; therefore, the requirements of the previous version of 326 IAC 6-3-2 are no longer applicable to this source. Condition C.1 has been revised which contained these requirements.

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]

~~(a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

~~(b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any manufacturing process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.~~

Change 16 The last sentences in Condition C.3 (Open Burning) and Condition C.4 (Incinerator) have been deleted because this condition is now federally enforceable and is included in Indiana's State Implementation Plan (SIP).

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

~~The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.~~

C.4 Incineration [326 IAC 4-2][326 IAC 9-1-2]

~~The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.~~

Change 17 Condition C.7- Operation of Equipment has been deleted from the permit.

C.7 Operation of Equipment [326 IAC 2-7-6(6)]

~~Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment is in operation.~~

Change 18 A new condition has been added to the permit as Condition C.7 - Stack Height.

C.7 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

Change 19 Condition C.14 - Instrument Specification has been updated in the permit.

C.14 ~~Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

- ~~(a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.~~
- ~~(b) Whenever a condition in this permit requires the measurement of a temperature or flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.~~
- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.**
- (eb)** The Permittee may request the IDEM, OAQ approve the use of an ~~pressure gauge or other~~ instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative ~~pressure gauge or other~~ instrument specification will adequately ensure compliance with permit conditions requiring the measurement of ~~pressure drop or other~~ parameters.

Change 20 IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan, Condition C.17. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. Therefore, the condition for "Compliance Response Plan" has been replaced by the condition for "Response to Excursions or Exceedances". The Section D conditions that refer to this condition have been revised to reflect the new condition title (see the changes in the section of Proposed Changes).

C.17 ~~Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]~~

- ~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Parametric Monitoring Plan and Start up, Shutdown, and Malfunction (SSM) Plan under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on-site, and comprised of:~~

- (1) ~~Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.~~
- (2) ~~If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan to include such response steps taken.~~

~~The Parametric Monitoring and SMM Plan shall be submitted within the time frames specified by the applicable 40 CFR60/63 requirement.~~

- (b) ~~For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~
 - (1) ~~Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan; or~~
 - (2) ~~If none of the reasonable response steps listed in the Compliance Response Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan; is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~
 - (3) ~~If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.~~
 - (4) ~~Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- (c) ~~The Permittee is not required to take any further response steps for any of the following reasons:~~
 - (1) ~~A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~
 - (2) ~~The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~
 - (3) ~~An automatic measurement was taken when the process was not operating.~~
 - (4) ~~The process has already returned or is returning to operating within a normal parameters and no response steps are required.~~
- (d) ~~When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B Deviations from Permit Requirements and Conditions.~~

- ~~(e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~
- ~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~

C.17 Response to Exceedances or Excursions [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emission unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.**
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:**
- (1) initial inspection and evaluation;**
 - (2) recording that operations returned to normal without operator action (such as through a response by a computerized distribution control system); or**
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.**
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to the following:**
- (1) monitoring results;**
 - (2) review of operation and maintenance procedures and records;**
 - (3) inspection of the control device, associated capture system, and the process.**
- (d) Failure to take response steps shall be considered a deviation from the permit.**
- (e) The Permittee shall maintain the following records:**
- (1) monitoring data;**
 - (2) monitor performance data, if applicable; and**
 - (3) corrective actions taken.**

Change 21 Applicable NSPS requirements have been added to Section E.1 of the permit.

SECTION E.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) **One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.**

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

E.1.1 General Provision Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for the internal combustion engines, identified as E1, E2 and the landfill except as otherwise specified in 40 CFR Part 60, Subpart WWW.
- (b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:
Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue,
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.1.2 Standard of Performance for Municipal Waste landfill [326 IAC 12-1] [40 CFR 60, Subpart WWW]

Pursuant to 40 CFR 60 Subpart WWW, the Permittee shall comply with the provisions of Standard of Performance for Municipal Waste landfill for the two (2) internal combustion engines and the landfill as specified as follows:

- (1) 40 CFR 60.750
- (2) 40 CFR 60.751
- (3) 40 CFR 60.752
- (4) 40 CFR 60.753
- (5) 40 CFR 60.754
- (6) 40 CFR 60.755
- (7) 40 CFR 60.756
- (8) 40 CFR 60.757
- (9) 40 CFR 60.758
- (10) 40 CFR 60.759

Change 22 Applicable NESHAP requirements have been added to Section E.2 of the permit.

SECTION E.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) **One (1) stationary municipal solid waste landfill with a maximum design capacity of 10,069,853 Megagrams, constructed and opened in 1990 and modified in 1996, using one (1) utility open flare with a combustion capacity of two thousand (2,000) scfm of landfill gas as control.**

Under the NESHAP: Municipal Solid Waste Landfill (40 CFR 63, Subpart AAAA), the municipal

solid waste landfill is considered an existing affected source.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to NESHAP: Municipal Solid Waste Landfill [326 IAC 20-1] [40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.1935, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1-1 for the affected source, as specified in Appendix A of 40 CFR Part 63, Subpart AAAA, in accordance with the schedule in 40 CFR 63 Subpart AAAA.

E.2.2 NESHAP: Municipal Solid Waste landfill [40 CFR Part 63, Subpart AAAA]

Pursuant to CFR Part 63, Subpart AAAA, the Permittee shall comply with the provisions of 40 CFR Part 63.1935, for the affected source, as specified as follows:

- (1) 40 CFR 63.1930
- (2) 40 CFR 63.1935
- (3) 40 CFR 63.1940
- (4) 40 CFR 63.1945
- (5) 40 CFR 63.1947
- (6) 40 CFR 63.1950
- (7) 40 CFR 63.1952
- (8) 40 CFR 63.1955
- (9) 40 CFR 63.1960
- (10) 40 CFR 63.1965
- (11) 40 CFR 63.1975
- (12) 40 CFR 63.1980
- (13) 40 CFR 63.1985
- (14) 40 CFR 63.1990

Change 23 IDEM has determined that it is not necessary to include the name or title of the responsible official in Section A.1 of the permit.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary municipal solid waste landfill (MSLWLF).

Responsible Official: ~~_____~~ Area Manager
Source Address: 3726 State Road 64 East, Winslow, Indiana 47598
Mailing Address: 3726 State Road 64 East, Winslow, Indiana 47598
General Source Phone Number: (812) 789-2647
SIC Code: 4953

Change 24 Permits Branch and Compliance Branch is MC 61-53 IGCN 1003. The Asbestos Section is MC 61-52 IGCN 1003 and Technical Support and Modeling Section is MC 61-50 IGCN 1003. The addresses were updated throughout the permit.

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue,
MC61-53 IGCN 1003

ESG Biofuels, LLC (ESG)
 Veolia ES Blackfoot Landfill, Inc
 Winslow, Indiana
 Permit Reviewer: Josiah Balogun

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 Significant Source Modification No.: 125-26683-00046
 Significant Permit Modification No.: 125-26702-00033
 Title V Operating Permit No.: 125-26701-00046

Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management
 Compliance Branch, Office of Air Quality
 100 North Senate Avenue
MC61-53 IGCN 1003
 Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management
 Asbestos Section, Office of Air Quality
 100 North Senate Avenue
MC61-52 IGCN 1003
 Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management
 Technical Support and Modeling Section, Office of Air Quality
 100 North Senate Avenue
MC61-50 IGCN 1003
 Indianapolis, Indiana 46204-2251

Change 25 A Quarterly Report form has been added to the permit in order to demonstrate compliance with the PSD Minor Limit.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION**

Quarterly Report

Source Name: Veolia ES Blackfoot Landfill, Inc
Source Address: 3726 East SR 64 , Winslow, Indiana 47598
Mailing Address: 3726 East SR 64 , Winslow, Indiana 47598
Part 70 Permit No.: T125-17696-00033
Facility: Two (2) internal combustion engines and Utility Flare
Parameter: Carbon Monoxide (CO)
Limit: Less than 250 tons of CO per twelve (12) consecutive month period

QUARTER :

YEAR:

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

--	--	--	--

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.
Deviation has been reported on:

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Note: Only one reporting form is needed for both plants.

Conclusion and Recommendation

The construction and operation of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 125-26683-00046, Title V operating permit No. 125-26701-00046 and Significant Permit Modification No. 125-26702-00033. The staff recommends to the Commissioner that this Part 70 Significant Source Modification and its operating permit and Significant Permit Modification be approved.

**Appendix A: Emissions Calculations
Emission Summary**

Source Name: Veolia ES Blackfoot Landfill, Inc
Source Location: 3726 E SR 64, Winslow, IN 47598
Permit Number: SPM 125-26702-00033
Permit Reviewer: Josiah Balogun
Date: 2-Jul-2008

Uncontrolled Potential Emissions

	PM (tons/yr)	PM₁₀ (tons/yr)	SO₂ (tons/yr)	VOC (tons/yr)	CO (tons/yr)	NOx (tons/yr)	HAPs (tons/yr)
Emission Unit							
Internal Combustion Engine (E1)	2.9	2.9	0.9	3.51	64.69	21.56	0.86
Internal Combustion Engine (E2)	2.9	2.9	0.9	3.51	64.69	21.56	1.73
Valves	0	0	0	0.028	0	0	0
Pumps	0	0	0	0	0	0	0
Fittings	0	0	0	0.06	0	0	0
Total Emissions	5.8	5.8	1.8	7.05	129.4	43.1	2.59

Limited Potential Emissions

	PM (tons/yr)	PM₁₀ (tons/yr)	SO₂ (tons/yr)	VOC (tons/yr)	CO (tons/yr)	NOx (tons/yr)	HAPs (tons/yr)
Emission Unit							
Total Emission before Modification	4.47	4.47	4.56	112	199	10.9	Single > 10, Total > 25
Internal Combustion Engine (E1)	2.9	2.9	0.9	3.51	64.69	21.56	0.86
Internal Combustion Engine (E2)	2.9	2.9	0.9	3.51	64.69	21.56	1.73
Valves	0	0	0	0.028	0	0	0
Pumps	0	0	0	0	0	0	0
Fittings	0	0	0	0.06	0	0	0
Total Emissions After Modification	8.5	8.5	4.5	74.3	< 250	49.7	Single < 10, Total < 25

Note: A ratio was used to calculate the limited potential emissions.
Ratio = (250 - 129.4)/199 = 0.6

Appendix A: Emissions Calculations Page 2 of 4 TSD App A
Criteria Pollutants Emission Calculation

Source Name: Veolia ES Blackfoot Landfill, Inc

Source Location: 3726 E SR 64, Winslow, IN 47598

Permit Number: SPM 125-26702-00033

Permit Reviewer: Josiah Balogun

Date: 2-Jul-2008

Engine Data			
			Per Engine
No. of Engines	2	Sulfur Content of Gas	38.4 ppm S
Make	Caterpillar	Hours of Operation	8,760 hrs/yr
Model	G3520C	CH ₄ Consumption	6.2 scf/bhp-hr
Power (Output)	2,233 bhp	LFG CH ₄ Content	51.8 %
Heat Rate (BSFC)	10,027 Btu/bkW-hr	LFG Consumption	26.75 Mscf/hr
Duty (Input)	14.19 MMBtu/hr	LFG Consumption (hourly)	0.027 MMscf/hr
Exhaust Flow (dry)	4,317 dscf/min	LFG Consumption (annual)	234.36 MMscf/yr

Pollutant	Emission Factors		One Engine				Total	
			Short-term		Annual		2 Engines	
			lb/hr	g/sec	tpy	g/sec	lb/hr	tpy
NO _x ¹	1.000	g/bhp-hr	4.92	0.6203	21.56	0.6203	9.85	43.13
CO ¹	3.000	g/bhp-hr	14.77	1.8608	64.69	1.8608	29.54	129.38
VOC ²	20.00	ppmvd	1.37	0.1726	6.00	0.1726	2.74	12.00
SO ₂ ²	6.375	lb/MMscf	0.20	0.0258	0.90	0.0258	0.41	1.79
PM ₁₀ ²	0.00287	lb/hr/dscfm CH ₄	0.66	0.0835	2.90	0.0835	1.33	5.81

¹ CO, NO_x emission factors, heat rate & exhaust flow from vendor data. SO₂ from AP-42 sulfur value of 46.9 ppmv.

Sample calculations:

$$(\text{NO}_x \text{ g/bhp/hr}) * (\text{bhp}) * (\text{lb}/453.59 \text{ g}) = \text{lb/hr}; \quad (\text{lb/hr}) * (453.59 \text{ g/lb}) * (\text{hr}/60 \text{ min}) * (\text{min}/60 \text{ sec}) = \text{g/sec}$$

$$(\text{CO g/bhp/hr}) * (\text{bhp}) * (\text{lb}/453.59 \text{ g}) = \text{lb/hr}; \quad (\text{lb/hr}) * (453.59 \text{ g/lb}) * (\text{hr}/60 \text{ min}) * (\text{min}/60 \text{ sec}) = \text{g/sec}$$

$$(\text{lb/hr}) * (\text{hrs/yr}) * (\text{ton}/2000 \text{ lb}) = \text{tons/yr}; \quad (\text{ton/yr}) * (2,000 \text{ lb/ton}) * (453.59 \text{ g/lb}) * (8760 \text{ hr/yr}) * (\text{hr}/60 \text{ min}) * (\text{min}/60 \text{ sec}) = \text{g/sec}$$

$$(2,233 \text{ bhp}) * (6.2 \text{ scf CH}_4/\text{bhp-hr}) * (1/51.8\% \text{ CH}_4 \text{ Content}) * (\text{MMScf}/10^6 \text{ Scf}) = \text{MMscf/hr LFG}$$

$$(2,233 \text{ bhp}) * (6.2 \text{ scf CH}_4/\text{bhp-hr}) * (1/51.8\% \text{ CH}_4 \text{ Content}) * (\text{MMScf}/10^6 \text{ Scf}) * (8760 \text{ hrs/yr}) = \text{MMscf/yr LFG}$$

$$(\text{lb/hr/dscfm CH}_4) * (14.19 \text{ Mscf/hr}) * (\text{hr}/60 \text{ min}) * (1000 \text{ scf/Mscf}) * (51.8\% \text{ CH}_4) = \text{lb/hr PM}_{10}$$

$$(\text{ppmvd VOC}) * (1/10^6) * (86 \text{ lb/lb-mol}) * (\text{dscf}/\text{min}) * (\text{lb-mol}/379.6 \text{ scf}) * (60 \text{ min/hr}) * (20.95 - \% \text{O}_2) / (20.95 - 3\%) = \text{lb VOC / hr}$$

$$[(\text{ppmv-S}) / (10^6)] * [(10^6 / \text{MM})] * [\text{lb-mol S} / 385.5 \text{ scf-S}] * [\text{lb-mol SO}_2 / \text{lb-mol S}] * [64 \text{ lb-SO}_2/\text{lb-mol SO}_2] = \text{lb SO}_2 / \text{MMscf}$$

where: $[(\text{ppmv-S}) / (10^6)] = \text{scf-S per scf-fuel}$

$$(\text{lb/MMscf}) * (\text{MMscf/hr}) = \text{lb/hr}; \quad (\text{lb/hr}) * (453.59 \text{ g/lb}) * (\text{hr}/60 \text{ min}) * (\text{min}/60 \text{ sec}) = \text{g/sec}$$

HAPs Emissions

Source Name: Veolia ES Blackfoot Landfill, Inc

Source Location: 3726 E SR 64, Winslow, IN 47598

Permit Number: SPM 125-26702-00033

Permit Reviewer: Josiah Balogun

Date: 2-Jul-2008

Engine Data	
Fuel Consumption	0.027 MMscf/hr per engine
Fuel Consumption	234.4 MMscf/yr per engine
Plant Availability	100.0%
Annual Operation	8,760 hr/yr

Non-Criteria Reportable Pollutant	CATEF ¹ Mean EF (lb/MMscf)	1 Engine		2 Engines	
		(lb/hr)	(lb/yr)	(lb/hr)	(lb/yr)
Acenaphthene	3.01E-04	0.000008	0.07	0.00002	0.14
Acenaphthylene	1.23E-03	0.000033	0.29	0.00007	0.58
Anthracene	3.71E-04	0.000010	0.09	0.0000	0.17
Benzene	2.09E-01	0.0056	48.98	0.0112	97.96
Benzo(a)anthracene	2.88E-04	0.00001	0.07	0.00002	0.13
Benzo(a)pyrene	6.77E-04	0.00002	0.16	0.00004	0.32
Benzo(b)fluoranthene	8.00E-04	0.00002	0.19	0.0000	0.37
Benzo(g,h,i)perylene	8.54E-04	0.00002	0.20	0.0000	0.40
Benzo(k)fluoranthene	6.77E-04	0.00002	0.16	0.00004	0.32
Carbon Tetrachloride	7.89E-03	0.0002	1.85	0.0004	3.70
Chloroform	6.11E-03	0.0002	1.43	0.0003	2.86
Chrysene	3.42E-04	0.0000	0.08	0.0000	0.16
Dibenz(a,h)anthracene	2.37E-05	0.00000	0.01	0.00000	0.01
Ethylene Dibromide	9.64E-03	0.0003	2.26	0.0005	4.52
Ethylene Dichloride	5.08E-03	0.0001	1.19	0.0003	2.38
Fluoranthene	2.48E-03	0.00007	0.58	0.0001	1.16
Fluorene	6.99E-04	0.00002	0.16	0.0000	0.33
Formaldehyde	4.47E+00	0.1196	1,047.57	0.2392	2,095.14
Hydrogen Chloride	2.07E+00	0.0554	485.12	0.1108	970.23
Indeno(1,2,3-c,d)pyrene	3.14E-04	0.00001	0.07	0.0000	0.15
Methyl Chloroform	2.64E-02	0.0007	6.19	0.0014	12.37
Methylene Chloride	4.66E-01	0.0125	109.21	0.0249	218.42
Naphthalene	5.05E-02	0.0014	11.83	0.0027	23.67
Perchloroethylene	1.26E-02	0.0003	2.95	0.0007	5.91
Phenanthrene	5.82E-03	0.0002	1.36	0.0003	2.73
Pyrene	4.66E-03	0.0001	1.09	0.0002	2.18
Trichloroethylene	8.43E-03	0.0002	1.98	0.0005	3.95
Vinyl Chloride	4.01E-03	0.0001	0.94	0.0002	1.88
TOTAL		0.1970	1,726.07	0.3941	3,452.15
Total tpy =			0.86	1.73	

¹ California Air Resource Board California Air Toxics Emission Factors (CATEF) Database

Sample Calculations:

(lb/MMscf) (MMscf/hr) = lb/hr;

(lb/MMscf) (MMscf/hr) (# of engines) = lb/hr

(lb/MMscf) (MMscf/yr) = lb/yr

(lb/MMscf) (MMscf/yr) (# of engines) = lb/yr

(total lb/yr) (ton/2000 lb) = tpy

Appendix A: Emissions Calculations

Fugitive VOC Emissions From Equipment Component Leaks

Source Name: Veolia ES Blackfoot Landfill, Inc

Source Location: 3726 E SR 64, Winslow, IN 47598

Permit Number: SPM 125-26702-00033

Permit Reviewer: Josiah Balogun

Date: 2-Jul-2008

Equipment Type	Total Components	Emission Factor ^(a)		VOC Emissions ^(b) (lbs/hr)	Estimated VOC Emissions ^(c) (ton/yr)
		(kg/hr/component)	(lb/hr/component)		
Valves	220	1.30E-05	2.87E-05	0.0063	0.028
Pumps	0	6.50E-05	1.43E-04	0.0000	0.000
Fittings	150	4.20E-05	9.26E-05	0.01	0.06
Total Emissions				0.020	0.088

Notes:

- a) Conservative emission factors were obtained from average factors for Marketing Terminal operations (i.e. gasoline vapor).
 Represented emission factors are for components in vapor service.
 Emission factors are presented in both kg/hr and lb/hr units.
- b) Calculated Emissions (lbs/hr) = (total components)*(leaking emission factor [lb/hr/comp]).
- c) Calculated Emissions (tons/yr) = (total components)*(leaking emission factor [lb/hr/comp])*(8760 hr/yr)*(1 ton/2000 lb).

Reference:

- 1) Component count estimates were obtained from similar constructed sites.
- 2) Emission factors obtained from EPA document 453/R-95-017, 1995 Protocol for Equipment Leak Emission Estimates Table 2-3, Marketing Terminal Average Emission.