



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

NOTICE OF 30-DAY PERIOD FOR PUBLIC COMMENT

Preliminary Findings Regarding
the Renewal of a Part 70 Operating Permit
for
BFI Waste Systems of North America LLC - Laubscher Meadows Landfill
in Vanderburgh County

Part 70 Operating Permit Renewal No.: T163-36018-00114

The Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) has reviewed the operating permit renewal application from BFI Waste Systems of North America LLC - Laubscher Meadows Landfill relating to the operation of a stationary municipal solid waste landfill. On July 6, 2015, BFI Waste Systems of North America LLC - Laubscher Meadows Landfill submitted an application to the OAQ requesting to renew its operating permit. BFI Waste Systems of North America LLC - Laubscher Meadows Landfill was issued its second Part 70 Operating Permit Renewal (T163-29964-00114) on May 5, 2011.

This draft Part 70 Operating Permit does not contain any new equipment that would emit air pollutants; however, some conditions from previously issued permits/approvals have been corrected, changed, or removed. These corrections, changes, and removals may include Title I changes. This notice fulfills the public notice procedures to which those conditions are subject. IDEM has reviewed this application and has developed preliminary findings, consisting of a draft permit and several supporting documents, which would allow for these changes.

A copy of the permit application and IDEM's preliminary findings are available at:

Evansville Vanderburgh Public Library - North Park Branch
960 Koehler Drive
Evansville, Indiana 47110

and

IDEM Southwest Regional Office
1120 N. Vincennes Avenue
P.O. Box 128
Petersburg, IN 47567-0128

A copy of the preliminary findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

How can you participate in this process?

The date that this notice is published in a newspaper marks the beginning of a 30-day public comment period. If the 30th day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing,

you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T163-36018-00114 in all correspondence.

Comments should be sent to:

David Matousek
IDEM, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(800) 451-6027, ask for extension 2-8253
Or dial directly: (317) 232-8253
Fax: (317) 232-6749 attn: David Matousek
E-mail: dmatouse@idem.IN.gov

All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor, or noise. For such issues, please contact your local officials.

For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Permit Guide on the Internet at: <http://www.in.gov/idem/5881.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

What will happen after IDEM makes a decision?

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM's decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, at the IDEM Regional Office indicated above, and the IDEM public file room on the 12th floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions, please contact David Matousek or my staff at the above address.


Nathan C. Bell, Section Chief
Permits Branch
Office of Air Quality



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Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

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BFI Waste Systems of North America LLC - Laubscher Meadows Landfill 2121 Wimberg Road Evansville, Indiana 47720

(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 provisions 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.

Operation Permit No.: T163-36018-00114	
Issued by: Nathan C. Bell, Section Chief Permits Branch Office of Air Quality	Issuance Date: Expiration Date:

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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.4 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(14)] [326 IAC 2-7-1(22)]

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

Source Address:	2121 Wimberg Road, Evansville, Indiana 47720
General Source Phone Number:	(618) 936-9303
SIC Code:	4953 (Refuse Systems)
County Location:	Vanderburgh County (Center Township)
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(14)]

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

- (a) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAAA]
- (b) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAAA] [326 IAC 6.5]

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(14)]

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

- (a) Paved and unpaved roads and parking lots with public access.
[326 IAC 6-4] [326 IAC 6-5] [326 IAC 6.5]

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- (b) A gasoline fuel transfer/dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day and filling storage tanks having a capacity equal to or less than ten thousand five hundred (10,500) gallons, identified as GAS1, constructed after January 10, 2008. Such storage tanks may be in a fixed location or on mobile equipment. The operation consists of one (1) 274 gallon gasoline storage tank with a throughput of 1,500 gallons per year. [40 CFR 63, Subpart CCCCCC]
- (c) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 and consisting of one (1) 30 gallon parts cleaning station, identified as PC1. [326 IAC 8-3-2] [326 IAC 8-3-8]
- (d) Space heaters, process heaters, heat treat furnaces, or boilers using propane or liquefied petroleum gas or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) British thermal units per hour, consisting of one (1) LPG heater, identified as HTR-1, with a maximum heat input of 0.135 MMBtu/hr. [326 IAC 6.5]
- (e) Composting Organic Pile Emissions. [326 IAC 6.5]
- (f) Composting Drop Point Emissions. [326 IAC 6.5]

A.4 Other Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities which are not specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Combustion source flame safety purging on start-up.
- (b) A petroleum fuel other than gasoline dispensing facility, having a storage tank capacity less than or equal to ten thousand five hundred (10,500) gallons, and dispensing three thousand five hundred (3,500) gallons per day or less. Including the following:
 - (1) One (1) 8,000 gallon diesel fuel tank dispensing 6,500 gallons per month.
 - (2) One (1) 10,000 gallon diesel fuel tank dispensing 30,000 gallons per month.
 - (3) One (1) 563 gallon mobile diesel fuel tank.
- (c) The following VOC and HAP storage containers:
 - (1) Storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons, including four (4) 300 gallon oil tanks.
 - (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (d) Equipment used exclusively for filling drums, pails, or other packaging containers from 55 gallon drums with lubricating oils and greases.
- (e) Production related activities, including the application of oils, greases, and lubricants as temporary protective coatings.

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- (f) Other activities:
 - (1) One (1) 6,000 gallon condensate storage tank.
 - (2) Four (4) 50 gallon condensate storage tanks.

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).

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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] [326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6(a)]

- (a) This permit, T163-36018-00114, 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.
- (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] [IC 13-17-12]

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. 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.

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

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(35), and
 - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(35).

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 no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance and Enforcement 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

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- (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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(12)] [326 IAC 1-6-3]

- (a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

- (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.

The Permittee shall implement the PMPs.

- (b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

The Permittee shall implement the PMPs.

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- (c) 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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (d) 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.

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 or Southwest Regional Office 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 and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Southwest Regional Office phone: (812) 380-2305; fax: (812) 380-2304.

- (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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
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within two (2) working days of the time when emission limitations were exceeded due to the emergency.

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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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(8) 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.

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.

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- (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] [326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T163-36018-00114 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.

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).

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B.15 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 Operating 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (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.16 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(42). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, 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

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- (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, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 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) Any application requesting an amendment or modification of this permit shall be submitted to:

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

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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.18 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 or notice 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.19 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) or (c) 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;

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(3) The changes do not result in emissions which exceed the limitations provided in 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
Permit Administration and Support Section, 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, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b)(1) and (c)(1). The Permittee shall make 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) and (c)(1).

(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(37)) 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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).

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- (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.

B.20 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.21 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.22 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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.23 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), to determine the appropriate permit fee.

B.24 Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314] [326 IAC 1-1-6]

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.

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SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 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 thirty percent (30%) 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.2 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.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

C.4 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.5 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 attached plan as in Attachment A. The provisions of 326 IAC 6-5 are not federally enforceable.

C.6 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.7 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.

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- (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
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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 14-10-1, 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 Licensed 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 Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

C.8 Performance Testing [326 IAC 3-6]

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (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.9 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.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.
- (b) For existing units:
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.11 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. The analog instrument shall be capable of measuring values outside of the normal range.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

C.12 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 shall maintain the most recently submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (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.13 Risk Management Plan [326 IAC 2-7-5(11)] [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.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to restore operation of the emissions 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 excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system);
or

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- (3) any necessary follow-up actions to return operation to normal or usual manner of operation.
- (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; and/or
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

C.15 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 submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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

C.16 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]

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 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(33) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.17 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. Support information includes the following, where applicable:
- (AA) All calibration and maintenance records.
 - (BB) All original strip chart recordings for continuous monitoring instrumentation.
 - (CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following, where applicable:

- (AA) The date, place, as defined in this permit, and time of sampling or measurements.
- (BB) The dates analyses were performed.
- (CC) The company or entity that performed the analyses.
- (DD) The analytical techniques or methods used.
- (EE) The results of such analyses.
- (FF) The operating conditions as existing at the time of sampling or measurement.

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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.18 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. Proper notice submittal under Section B - Emergency Provisions satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

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- (b) The address for report submittal is:
- Indiana Department of Environmental Management
Compliance and Enforcement Branch, 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) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.19 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 applicable standards for recycling and emissions reduction.

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SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (b) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA] [326 IAC 6.5]

Insignificant Activities:

- (a) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4] [326 IAC 6-5] [326 IAC 6.5]
- (c) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 and consisting of one (1) 30 gallon parts cleaning station. [326 IAC 8-3-2] [326 IAC 8-3-8]
- (d) Space heaters, process heaters, heat treat furnaces, or boilers using propane or liquefied petroleum gas or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) British thermal units per hour, consisting of one (1) LPG heater, identified as HTR-1, with a maximum heat input of 0.135 MMBtu/hr. [326 IAC 6.5]
- (e) Composting Organic Pile Emissions. [326 IAC 6.5]
- (f) Composting Drop Point Emissions. [326 IAC 6.5]

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

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

D.1.1 Cold Cleaner Degreaser Control Equipment and Operating Requirements [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold cleaner degreaser control equipment and operating requirements), for cold cleaning operations constructed after January 1, 1980, the Permittee shall comply with the following:

- (a) The owner or operator of a cold cleaner degreaser shall ensure the following control equipment and operating requirements are met:
- (1) Equip the degreaser with a cover;
 - (2) Equip the degreaser with a device for draining cleaned parts;
 - (3) Close the degreaser cover whenever parts are not being handled in the degreaser;
 - (4) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
 - (5) Provide a permanent, conspicuous label that lists the operation requirements in subdivisions (3), (4), (6), and (7);

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- (6) Store waste solvent only in closed containers.
 - (7) Prohibit the disposal or transfer of waste solvent in such a manner that could allow greater than twenty percent (20%) of the waste solvent (by weight) to evaporate into the atmosphere.
- (b) The owner or operator of a cold cleaner degreaser subject to this subsection shall ensure the following additional control equipment and operating requirements are met:
- (1) Equip the degreaser with one (1) of the following control devices if the solvent is heated to a temperature of greater than forty-eight and nine-tenths (48.9) degrees Celsius (one hundred twenty (120) degrees Fahrenheit):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent used is insoluble in, and heavier than, water.
 - (C) A refrigerated chiller.
 - (D) Carbon adsorption.
 - (E) An alternative system of demonstrated equivalent or better control as those outlined in clauses (A) through (D) that is approved by the department. An alternative system shall be submitted to the U.S. EPA as a SIP revision.
 - (2) Ensure the degreaser cover is designed so that it can be easily operated with one (1) hand if the solvent is agitated or heated.
 - (3) If used, solvent spray:
 - (A) must be a solid, fluid stream; and
 - (B) shall be applied at a pressure that does not cause excessive splashing.

D.1.2 Material Requirements for Cold Cleaner Degreasers [326 IAC 8-3-8]

Pursuant to 326 IAC 8-3-8 (Material Requirements for Cold Cleaner Degreasers), on and after January 1, 2015, the Permittee shall not operate the cold cleaner degreaser with a solvent that has a VOC composite partial vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

D.1.3 Particulate Matter (PM) [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a), Particulate Matter Limitations Except Lake County, particulate matter (PM) emissions from the following emission units and insignificant activities shall be limited to 0.03 grain per dry standard cubic foot of exhaust air:

- (1) One (1) permanent candlestick (open) flare, identified as Emission Unit #2;
- (2) Paved and unpaved roads and parking lots with public access;
- (3) One (1) LPG heater, identified as HTR-1;

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- (4) Composting Organic Pile Emissions; and
- (5) Composting Drop Point Emissions.

D.1.4 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

A Preventive Maintenance Plan is required for these facilities and their associated control device. Section C – Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

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

D.1.5 Record Keeping Requirements [326 IAC 8-3-8]

- (a) The Permittee shall maintain the following records for each solvent purchase:
 - (1) The name and address of the solvent supplier
 - (2) The date of purchase (or invoice/bill date of contract servicer indicating service date;
 - (3) The type of solvent purchased;
 - (4) The total volume of solvent purchased; and
 - (5) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).
- (b) Section C - General Record Keeping Requirements, of this permit contains the Permittee's obligation with regard to the records required by this condition.

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SECTION E.1

NSPS

Emissions Unit Description:

- (a) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAA]
- (b) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA] [326 IAC 6.5]

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

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

**E.1.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1]
[40 CFR Part 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 emission units listed above, except as otherwise specified in 40 CFR Part 60, Subpart WWW.
- (b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

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

**E.1.2 Standards of Performance for Municipal Solid Waste Landfills NSPS [326 IAC 12]
[40 CFR Part 60, Subpart WWW] [326 IAC 8-8.1]**

The Permittee shall comply with 326 IAC 8-8.1 (Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake, and Porter Counties) and the following provisions of 40 CFR Part 60, Subpart WWW (included as Attachment B to the operating permit), which are incorporated by reference as 326 IAC 12, for the emission units listed above:

- (1) 40 CFR 60.750;
- (2) 40 CFR 60.751;
- (3) 40 CFR 60.752(b)(2)(i, ii, iii(A), iii(C), iv, and v), (c)(1), and (d);
- (4) 40 CFR 60.753;
- (5) 40 CFR 60.754(a)(1, 2, and 3), (b), (c), (d), and (e);
- (6) 40 CFR 60.755;
- (7) 40 CFR 60.756(a), (c), (d), (e), and (f);
- (8) 40 CFR 60.757(a)(1)(i), (a)(2), (a)(3), (b)(3), (c)(1), (d), (e), (f), and (g);
- (9) 40 CFR 60.758(a), (b)(1), (b)(4), (c)(2), (c)(4), (d), and (e); and
- (10) 40 CFR 60.759.

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E.1.3 Alternative Compliance Options 40 CFR 60.753 through 40 CFR 60.756

- (a) To comply with 40 CFR 60.753(b), the Permittee shall operate the collection system with negative pressure at each wellhead unless:
- (1) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells in an effort to avoid a fire;
 - (2) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells located in an area with a geomembrane or synthetic cover;
 - (3) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells that have been in place for less than 180 days; and
 - (4) the extraction well is a low-producing well and is decommissioned.
- (b) To comply with 40 CFR 60.753(c), the Permittee shall operate each interior wellhead in the collection system 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 value at a particular well after providing a higher operating value demonstration showing supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. IDEM, OAQ has approved the following higher operating values for oxygen concentration to demonstrate compliance with 40 CFR 60.753(c):
- (1) Operate well A056 at an oxygen concentration of less than 12%
 - (2) Operate well 104B at an oxygen concentration of less than 16%
 - (3) Operate well A015 at an oxygen concentration of less than 20%
 - (4) Operate well A020 at an oxygen concentration of less than 10%
- (c) To comply with 40 CFR 60.753(c), the Permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C. The owner or operator may establish a higher operating value at a particular well after providing a higher operating value demonstration showing supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. IDEM, OAQ has not approved a higher operating value for temperature for any of the current collection system extraction wells.
- (d) To comply with 40 CFR 60.753(d), the Permittee shall comply with the alternative traversing pattern approved by IDEM, OAQ, Compliance and Enforcement Branch on February 24, 2009.
- (e) To comply with 40 CFR 60.755(a)(3) and (a)(5), the Permittee shall measure gauge pressure, temperature, nitrogen or oxygen concentration in the gas collection header at each individual well, monthly. Gauge pressure, temperature, nitrogen or oxygen measurements are not required for decommissioned wells or perimeter extraction wells installed in areas where waste has not been deposited.

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- (f) To comply with 40 CFR 60.755(a)(3) and when a negative pressure in the gas collection header at an individual well cannot be achieved without excess air infiltration and within 45 days of the first measurement, the Permittee shall expand the gas collection system to correct the pressure exceedances within 120 days of the initial measurement of positive pressure. The Permittee shall notify IDEM, OAQ, Compliance and Enforcement Branch of the progress of corrective actions taken to achieve negative pressure when negative pressure cannot be achieved within thirty (30) days.
- (g) To comply with 40 CFR 60.755(e), the Permittee shall comply with the provisions of 40 CFR 60, Subpart WWW at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of the start-up, shutdown or malfunction does not exceed five (5) days and the venting of uncontrolled or untreated landfill gas does not exceed one (1) hour.
- (h) To comply with 40 CFR 60.756(c)(2)(ii) and 40 CFR 60.758(c)(2), the Permittee shall secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. The Permittee is required to perform a visual inspection of the seal or closure mechanism 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. However, the Municipal Solid Waste Landfill New Source Performance Standards (NSPS) and Emission Guidelines (EG) -- Questions and Answers document from the U.S. EPA, Office of Air Quality Planning and Standards, November 1998, indicates 40 CFR 60.756(c)(2), flow monitoring and 40 CFR 60.758(c)(2), flow recording, do not apply to a flare designed such that there is no physical means to bypass gas flow before reaching the flare. The open flare installed at this source does not have a bypass line and there is no physical means to bypass landfill gas flow before reaching the flare. Therefore, the Permittee is not required to perform visual inspections or maintain records of the visual inspections of the bypass line.
- (i) To comply with 40 CFR 60.756(f), all portions or areas of the landfill that are closed or at final grade and that have no monitored exceedances of the surface methane concentration operational standard of 500 ppm of methane or more above background 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.

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SECTION E.2

NESHAP

Emissions Unit Description:

- (a) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAA]

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

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 61 [326 IAC 14-1] [40 CFR Part 61, Subpart A]

- (a) Pursuant to 40 CFR 61.1, the Permittee shall comply with the provisions of 40 CFR Part 61, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 14-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 61, Subpart M.

- (b) Pursuant to 40 CFR 61.04, the Permittee shall submit all required notifications and reports to:

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

E.2.2 National Emission Standards for Hazardous Air Pollutants for Asbestos Requirements NESHAP [40 CFR Part 61, Subpart M] [326 IAC 14-2]

The Permittee shall comply with the following provisions of 40 CFR Part 61, Subpart M (included as Attachment C to this permit), which are incorporated by reference as 326 IAC 14-2 for the emission unit(s) listed above:

- (1) 40 CFR 61.140;
(2) 40 CFR 61.141;
(3) 40 CFR 61.154;
(4) 40 CFR 61.156, Table 1; and
(5) 40 CFR 61.157(a), and (b)(5).

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SECTION E.3

NESHAP

Emissions Unit Description:

- (a) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAA]
- (b) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA] [326 IAC 6.5]

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

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements
[326 IAC 2-7-5(1)]**

**E.3.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under
40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]**

(a) Pursuant to 40 CFR 63.1 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, for the emission units listed above, except as otherwise specified in 40 CFR Part 63, Subpart AAAA.

(b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

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

**E.3.2 National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
NESHAP [40 CFR Part 63, Subpart AAAA] [326 IAC 20-67]**

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart AAAA (included as Attachment D to this permit), which are incorporated by reference as 326 IAC 20-67 for the emission units listed above:

- (1) 40 CFR 63.1930;
- (2) 40 CFR 63.1935(a)(3);
- (3) 40 CFR 63.1940(a) and (c);
- (4) 40 CFR 63.1945(b) and (f);
- (5) 40 CFR 63.1950;
- (6) 40 CFR 63.1955(a)(1), (b), and (c);
- (7) 40 CFR 63.1960;
- (8) 40 CFR 63.1965;
- (9) 40 CFR 63.1975;

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- (10) 40 CFR 63.1980(a) and (b);
- (11) 40 CFR 63.1985;
- (12) 40 CFR 63.1990; and
- (13) Table 1.

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SECTION E.4

NESHAP

Insignificant Activities:

- (b) A gasoline fuel transfer/dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day and filling storage tanks having a capacity equal to or less than ten thousand five hundred (10,500) gallons, identified as GAS1, constructed after January 10, 2008. Such storage tanks may be in a fixed location or on mobile equipment. The operation consists of one (1) 274 gallon gasoline storage tank with a throughput of 1,500 gallons per year. [40 CFR 63, Subpart CCCCCC]

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

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements
[326 IAC 2-7-5(1)]**

E.4.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.1 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, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 63, Subpart CCCCCC.

- (b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

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

E.4.2 National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities NESHAP [40 CFR Part 63, Subpart CCCCCC]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart CCCCCC (included as Attachment E to this permit) for the emission unit(s) listed above:

- (1) 40 CFR 63.11110;
- (2) 40 CFR 63.11111(a), (b), (e), (f), (h), and (i);
- (3) 40 CFR 63.11112(a), and (b);
- (4) 40 CFR 63.11113(a)(2);
- (5) 40 CFR 63.11115;
- (6) 40 CFR 63.11116;
- (7) 40 CFR 63.11130;
- (8) 40 CFR 63.11131;
- (9) 40 CFR 63.11132;
- (10) Table 3.

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**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: BFI Waste Systems of North America - Laubscher Meadows Landfill
Source Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Permit No.: T163-36018-00114

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:

DRAFT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: (317) 233-0178
Fax: (317) 233-6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: BFI Waste Systems of North America - Laubscher Meadows Landfill
Source Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Permit No.: T163-36018-00114

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <p><input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime 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:

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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
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: _____

DRAFT

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE AND ENFORCEMENT BRANCH
 PART 70 OPERATING PERMIT
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: BFI Waste Systems of North America - Laubscher Meadows Landfill
 Source Address: 2121 Wimberg Road, Evansville, Indiana 47720
 Part 70 Permit No.: T163-36018-00114

Months: _____ to _____ Year: _____

Page 1 of 2

<p>This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B -Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C- General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does 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".</p>	
<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:	

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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: _____

Attachment A

Part 70 Operating Permit Renewal No: T163-36018-00114

Fugitive Dust Control Plan

BFI Waste Systems of North America, LLC - will control fugitive emissions from the paved and unpaved roads according to the following plan:

- (a) Periodic watering of the primary access roads on an as-needed basis.
- (b) Periodic watering of the non-paved access roads on an as-needed basis.
- (c) Periodic watering of soil movement haul roads on an as-needed basis.

Attachment B

Part 70 Operating Permit Renewal No: T163-36018-00114

[Downloaded from the eCFR on December 18, 2014]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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_o , 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.

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

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.

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

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_{NMOC} as 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_{NMOC} as carbon to C_{NMOC} as 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_o kinetic 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:

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

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 i^{th} 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 remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified in paragraph (c)(4) (iii) or (v) shall be taken.

(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.

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

§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]

Attachment C

Part 70 Operating Permit Renewal No: T163-36018-00114

[Downloaded from the eCFR on July 23, 2013]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Subpart M—National Emission Standard for Asbestos

AUTHORITY: 42 U.S.C. 7401, 7412, 7414, 7416, 7601.

SOURCE: 49 FR 13661, Apr. 5, 1984, unless otherwise noted.

§ 61.140 Applicability.

The provisions of this subpart are applicable to those sources specified in §§ 61.142 through 61.151, 61.154, and 61.155.

[55 FR 48414, Nov. 20, 1990]

§ 61.141 Definitions.

All terms that are used in this subpart and are not defined below are given the same meaning as in the Act and in subpart A of this part.

Active waste disposal site means any disposal site other than an inactive site.

Adequately wet means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

Asbestos means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite.

Asbestos-containing waste materials means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this subpart. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

Asbestos mill means any facility engaged in converting, or in any intermediate step in converting, asbestos ore into commercial asbestos. Outside storage of asbestos material is not considered a part of the asbestos mill.

Asbestos tailings means any solid waste that contains asbestos and is a product of asbestos mining or milling operations.

Asbestos waste from control devices means any waste material that contains asbestos and is collected by a pollution control device.

Category I nonfriable asbestos-containing material (ACM) means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Category II nonfriable ACM means any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Commercial asbestos means any material containing asbestos that is extracted from ore and has value because of its asbestos content.

Cutting means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.

Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

Emergency renovation operation means a renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden. This term includes operations necessitated by nonroutine failures of equipment.

Fabricating means any processing (e.g., cutting, sawing, drilling) of a manufactured product that contains commercial asbestos, with the exception of processing at temporary sites (field fabricating) for the construction or restoration of facilities. In the case of friction products, fabricating includes bonding, debonding, grinding, sawing, drilling, or other similar operations performed as part of fabricating.

Facility means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.

Facility component means any part of a facility including equipment.

Friable asbestos material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

Fugitive source means any source of emissions not controlled by an air pollution control device.

Glove bag means a sealed compartment with attached inner gloves used for the handling of asbestos-containing materials. Properly installed and used, glove bags provide a small work area enclosure typically used for small-scale asbestos stripping operations. Information on glove-bag installation, equipment and supplies, and work practices is contained in the Occupational Safety and Health Administration's (OSHA's) final rule on occupational exposure to asbestos (appendix G to 29 CFR 1926.58).

Grinding means to reduce to powder or small fragments and includes mechanical chipping or drilling.

In poor condition means the binding of the material is losing its integrity as indicated by peeling, cracking, or crumbling of the material.

Inactive waste disposal site means any disposal site or portion of it where additional asbestos-containing waste material has not been deposited within the past year.

Installation means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator (or owner or operator under common control).

Leak-tight means that solids or liquids cannot escape or spill out. It also means dust-tight.

Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner so that emissions of asbestos are increased. Failures of equipment shall not be considered malfunctions if they are caused in any way by poor maintenance, careless operation, or any other preventable upset conditions, equipment breakdown, or process failure.

Manufacturing means the combining of commercial asbestos—or, in the case of woven friction products, the combining of textiles containing commercial asbestos—with any other material(s), including commercial asbestos, and the processing of this combination into a product. Chlorine production is considered a part of manufacturing.

Natural barrier means a natural object that effectively precludes or deters access. Natural barriers include physical obstacles such as cliffs, lakes or other large bodies of water, deep and wide ravines, and mountains. Remoteness by itself is not a natural barrier.

Nonfriable asbestos-containing material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Nonscheduled renovation operation means a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted.

Outside air means the air outside buildings and structures, including, but not limited to, the air under a bridge or in an open air ferry dock.

Owner or operator of a demolition or renovation activity means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

Particulate asbestos material means finely divided particles of asbestos or material containing asbestos.

Planned renovation operations means a renovation operation, or a number of such operations, in which some RACM will be removed or stripped within a given period of time and that can be predicted. Individual nonscheduled operations are included if a number of such operations can be predicted to occur during a given period of time based on operating experience.

Regulated asbestos-containing material (RACM) means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

Remove means to take out RACM or facility components that contain or are covered with RACM from any facility.

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

Resilient floor covering means asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than 1 percent asbestos as determined using polarized light microscopy according to the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Roadways means surfaces on which vehicles travel. This term includes public and private highways, roads, streets, parking areas, and driveways.

Strip means to take off RACM from any part of a facility or facility components.

Structural member means any load-supporting member of a facility, such as beams and load supporting walls; or any nonload-supporting member, such as ceilings and nonload-supporting walls.

Visible emissions means any emissions, which are visually detectable without the aid of instruments, coming from RACM or asbestos-containing waste material, or from any asbestos milling, manufacturing, or fabricating operation. This does not include condensed, uncombined water vapor.

Waste generator means any owner or operator of a source covered by this subpart whose act or process produces asbestos-containing waste material.

Waste shipment record means the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of asbestos-containing waste material.

Working day means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

[49 FR 13661, Apr. 5, 1984; 49 FR 25453, June 21, 1984, as amended by 55 FR 48414, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991; 60 FR 31920, June 19, 1995]

§ 61.142 Standard for asbestos mills.

(a) Each owner or operator of an asbestos mill shall either discharge no visible emissions to the outside air from that asbestos mill, including fugitive sources, or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(b) Each owner or operator of an asbestos mill shall meet the following requirements:

(1) Monitor each potential source of asbestos emissions from any part of the mill facility, including air cleaning devices, process equipment, and buildings that house equipment for material processing and handling, at least once each day, during daylight hours, for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.

(2) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunction, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

(i) Maintenance schedule.

(ii) Recordkeeping plan.

(3) Maintain records of the results of visible emissions monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following:

(i) Date and time of each inspection.

- (ii) Presence or absence of visible emissions.
 - (iii) Condition of fabric filters, including presence of any tears, holes, and abrasions.
 - (iv) Presence of dust deposits on clean side of fabric filters.
 - (v) Brief description of corrective actions taken, including date and time.
 - (vi) Daily hours of operation for each air cleaning device.
- (4) Furnish upon request, and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.
- (5) Retain a copy of all monitoring and inspection records for at least 2 years.
- (6) Submit semiannually a copy of visible emission monitoring records to the Administrator if visible emissions occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

Date of inspection (m/day/yr)	Time of inspection (a.m./p.m.)	Air cleaning device or fugitive source designation or number	Visible emissions observed (yes/no), corrective action taken	Daily operating hours	Inspector's initials

Figure 1. Record of Visible Emission Monitoring

1. Air cleaning device designation or number	_____	_____	_____	_____
2. Date of inspection	_____	_____	_____	_____
3. Time of inspection	_____	_____	_____	_____
4. Is air cleaning device operating properly (yes/no)	_____	_____	_____	_____
5. Tears, holes, or abrasions in fabric filter (yes/no)	_____	_____	_____	_____
6. Dust on clean side of fabric filters (yes/no)	_____	_____	_____	_____
7. Other signs of malfunctions or potential malfunctions (yes/no)	_____	_____	_____	_____
8. Describe other malfunctions or signs of potential malfunctions.	_____ _____ _____			
9. Describe corrective action(s) taken.	_____ _____ _____			
10. Date and time corrective action taken	_____	_____	_____	_____
11. Inspected by	_____			
	(Print/type Name)	(Title)	(Signature)	(Date)
	_____	_____	_____	_____
	(Print/type Name)	(Title)	(Signature)	(Date)

Figure 2. Air Cleaning Device Inspection Checklist

[55 FR 48416, Nov. 20, 1990, as amended at 64 FR 7467, Feb. 12, 1999]

§ 61.143 Standard for roadways.

No person may construct or maintain a roadway with asbestos tailings or asbestos-containing waste material on that roadway, unless, for asbestos tailings.

- (a) It is a temporary roadway on an area of asbestos ore deposits (asbestos mine): or
- (b) It is a temporary roadway at an active asbestos mill site and is encapsulated with a resinous or bituminous binder. The encapsulated road surface must be maintained at a minimum frequency of once per year to prevent dust emissions; or
- (c) It is encapsulated in asphalt concrete meeting the specifications contained in section 401 of Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP-85, 1985, or their equivalent.

[55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.144 Standard for manufacturing.

- (a) *Applicability.* This section applies to the following manufacturing operations using commercial asbestos.
 - (1) The manufacture of cloth, cord, wicks, tubing, tape, twine, rope, thread, yarn, roving, lap, or other textile materials.
 - (2) The manufacture of cement products.

- (3) The manufacture of fireproofing and insulating materials.
 - (4) The manufacture of friction products.
 - (5) The manufacture of paper, millboard, and felt.
 - (6) The manufacture of floor tile.
 - (7) The manufacture of paints, coatings, caulks, adhesives, and sealants.
 - (8) The manufacture of plastics and rubber materials.
 - (9) The manufacture of chlorine utilizing asbestos diaphragm technology.
 - (10) The manufacture of shotgun shell wads.
 - (11) The manufacture of asphalt concrete.
- (b) *Standard.* Each owner or operator of any of the manufacturing operations to which this section applies shall either:
- (1) Discharge no visible emissions to the outside air from these operations or from any building or structure in which they are conducted or from any other fugitive sources; or
 - (2) Use the methods specified by § 61.152 to clean emissions from these operations containing particulate asbestos material before they escape to, or are vented to, the outside air.
 - (3) Monitor each potential source of asbestos emissions from any part of the manufacturing facility, including air cleaning devices, process equipment, and buildings housing material processing and handling equipment, at least once each day during daylight hours for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.
 - (4) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunctions, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:
 - (i) Maintenance schedule.
 - (ii) Recordkeeping plan.
 - (5) Maintain records of the results of visible emission monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following.
 - (i) Date and time of each inspection.
 - (ii) Presence or absence of visible emissions.
 - (iii) Condition of fabric filters, including presence of any tears, holes and abrasions.
 - (iv) Presence of dust deposits on clean side of fabric filters.
 - (v) Brief description of corrective actions taken, including date and time.

(vi) Daily hours of operation for each air cleaning device.

(6) Furnish upon request, and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.

(7) Retain a copy of all monitoring and inspection records for at least 2 years.

(8) Submit semiannually a copy of the visible emission monitoring records to the Administrator if visible emission occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

[49 FR 13661, Apr. 5, 1984, as amended at 55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991; 64 FR 7467, Feb. 12, 1999]

§ 61.145 Standard for demolition and renovation.

(a) *Applicability.* To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:

(1) In a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section, if the combined amount of RACM is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

(2) In a facility being demolished, only the notification requirements of paragraphs (b)(1), (2), (3)(i) and (iv), and (4)(i) through (vii) and (4)(ix) and (xvi) of this section apply, if the combined amount of RACM is

(i) Less than 80 linear meters (260 linear feet) on pipes and less than 15 square meters (160 square feet) on other facility components, and

(ii) Less than one cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously or there is no asbestos.

(3) If the facility is being demolished under an order of a State or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, only the requirements of paragraphs (b)(1), (b)(2), (b)(3)(iii), (b)(4) (except (b)(4)(viii)), (b)(5), and (c)(4) through (c)(9) of this section apply.

(4) In a facility being renovated, including any individual nonscheduled renovation operation, all the requirements of paragraphs (b) and (c) of this section apply if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

(iii) To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations, predict the combined additive amount of RACM to be removed or stripped during a calendar year of January 1 through December 31.

(iv) To determine whether paragraph (a)(4) of this section applies to emergency renovation operations, estimate the combined amount of RACM to be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation.

(5) Owners or operators of demolition and renovation operations are exempt from the requirements of §§ 61.05(a), 61.07, and 61.09.

(b) *Notification requirements.* Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

(ii) At least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in paragraph (a)(4)(iii) of this section.

(iii) As early as possible before, but not later than, the following working day if the operation is a demolition ordered according to paragraph (a)(3) of this section or, if the operation is a renovation described in paragraph (a)(4)(iv) of this section.

(iv) For asbestos stripping or removal work in a demolition or renovation operation, described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section, and for a demolition described in paragraph (a)(2) of this section, that 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 as follows:

(A) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice,

(1) Notify the Administrator of the new start date by telephone as soon as possible before the original start date, and

(2) Provide the Administrator with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(B) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin on a date earlier than the original start date,

(1) Provide the Administrator with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.

(2) For demolitions covered by paragraph (a)(2) of this section, provide the Administrator written notice of a new start date at least 10 working days before commencement of demolition. Delivery of updated notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(C) In no event shall an operation covered by this paragraph begin on a date other than the date contained in the written notice of the new start date.

(4) Include the following in the notice:

(i) An indication of whether the notice is the original or a revised notification.

(ii) Name, address, and telephone number of both the facility owner and operator and the asbestos removal contractor owner or operator.

(iii) Type of operation: demolition or renovation.

(iv) Description of the facility or affected part of the facility including the size (square meters [square feet] and number of floors), age, and present and prior use of the facility.

(v) Procedure, including analytical methods, employed to detect the presence of RACM and Category I and Category II nonfriable ACM.

(vi) Estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in linear meters (linear feet), surface area in square meters (square feet) on other facility components, or volume in cubic meters (cubic feet) if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before demolition.

(vii) Location and street address (including building number or name and floor or room number, if appropriate), city, county, and state, of the facility being demolished or renovated.

(viii) Scheduled starting and completion dates of asbestos removal work (or any other activity, such as site preparation that would break up, dislodge, or similarly disturb asbestos material) in a demolition or renovation; planned renovation operations involving individual nonscheduled operations shall only include the beginning and ending dates of the report period as described in paragraph (a)(4)(iii) of this section.

(ix) Scheduled starting and completion dates of demolition or renovation.

(x) Description of planned demolition or renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components.

(xi) Description of work practices and engineering controls to be used to comply with the requirements of this subpart, including asbestos removal and waste-handling emission control procedures.

(xii) Name and location of the waste disposal site where the asbestos-containing waste material will be deposited.

(xiii) A certification that at least one person trained as required by paragraph (c)(8) of this section will supervise the stripping and removal described by this notification. This requirement shall become effective 1 year after promulgation of this regulation.

(xiv) For facilities described in paragraph (a)(3) of this section, the name, title, and authority of the State or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification.

(xv) For emergency renovations described in paragraph (a)(4)(iv) of this section, the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden.

(xvi) Description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder.

(xvii) Name, address, and telephone number of the waste transporter.

(5) The information required in paragraph (b)(4) of this section must be reported using a form similar to that shown in Figure 3.

(c) *Procedures for asbestos emission control.* Each owner or operator of a demolition or renovation activity to whom this paragraph applies, according to paragraph (a) of this section, shall comply with the following procedures:

(1) Remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. RACM need not be removed before demolition if:

(i) It is Category I nonfriable ACM that is not in poor condition and is not friable.

(ii) It is on a facility component that is encased in concrete or other similarly hard material and is adequately wet whenever exposed during demolition; or

(iii) It was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as asbestos-containing waste material and adequately wet at all times until disposed of.

(iv) They are Category II nonfriable ACM and the probability is low that the materials will become crumbled, pulverized, or reduced to powder during demolition.

(2) When a facility component that contains, is covered with, or is coated with RACM is being taken out of the facility as a unit or in sections:

(i) Adequately wet all RACM exposed during cutting or disjoining operations; and

(ii) Carefully lower each unit or section to the floor and to ground level, not dropping, throwing, sliding, or otherwise damaging or disturbing the RACM.

(3) When RACM is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation.

(i) In renovation operations, wetting is not required if:

(A) The owner or operator has obtained prior written approval from the Administrator based on a written application that wetting to comply with this paragraph would unavoidably damage equipment or present a safety hazard; and

(B) The owner or operator uses of the following emission control methods:

(1) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in § 61.152.

(2) A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials.

(3) Leak-tight wrapping to contain all RACM prior to dismantlement.

(ii) In renovation operations where wetting would result in equipment damage or a safety hazard, and the methods allowed in paragraph (c)(3)(i) of this section cannot be used, another method may be used after obtaining written approval from the Administrator based upon a determination that it is equivalent to wetting in controlling emissions or to the methods allowed in paragraph (c)(3)(i) of this section.

(iii) A copy of the Administrator's written approval shall be kept at the worksite and made available for inspection.

(4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections pursuant to paragraph (c)(2) of this section, it shall be stripped or contained in leak-tight wrapping, except as described in paragraph (c)(5) of this section. If stripped, either:

(i) Adequately wet the RACM during stripping; or

(ii) Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in § 61.152.

(5) For large facility components such as reactor vessels, large tanks, and steam generators, but not beams (which must be handled in accordance with paragraphs (c)(2), (3), and (4) of this section), the RACM is not required to be stripped if the following requirements are met:

(i) The component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM.

(ii) The component is encased in a leak-tight wrapping.

(iii) The leak-tight wrapping is labeled according to § 61.149(d)(1)(i), (ii), and (iii) during all loading and unloading operations and during storage.

(6) For all RACM, including material that has been removed or stripped:

(i) Adequately wet the material and ensure that it remains wet until collected and contained or treated in preparation for disposal in accordance with § 61.150; and

(ii) Carefully lower the material to the ground and floor, not dropping, throwing, sliding, or otherwise damaging or disturbing the material.

(iii) Transport the material to the ground via leak-tight chutes or containers if it has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections.

(iv) RACM contained in leak-tight wrapping that has been removed in accordance with paragraphs (c)(4) and (c)(3)(i)(B)(3) of this section need not be wetted.

(7) When the temperature at the point of wetting is below 0 °C (32 °F):

(i) The owner or operator need not comply with paragraph (c)(2)(i) and the wetting provisions of paragraph (c)(3) of this section.

(ii) The owner or operator shall remove facility components containing, coated with, or covered with RACM as units or in sections to the maximum extent possible.

(iii) During periods when wetting operations are suspended due to freezing temperatures, the owner or operator must record the temperature in the area containing the facility components at the beginning, middle, and end of each workday and keep daily temperature records available for inspection by the Administrator during normal business hours at the demolition or renovation site. The owner or operator shall retain the temperature records for at least 2 years.

(8) Effective 1 year after promulgation of this regulation, no RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present. Every 2 years, the trained on-site individual shall receive refresher training in the provisions of this regulation. The required training shall include as a minimum: applicability; notifications;

material identification; control procedures for removals including, at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and High Efficiency Particulate Air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection. Evidence that the required training has been completed shall be posted and made available for inspection by the Administrator at the demolition or renovation site.

(9) For facilities described in paragraph (a)(3) of this section, adequately wet the portion of the facility that contains RACM during the wrecking operation.

(10) If a facility is demolished by intentional burning, all RACM including Category I and Category II nonfriable ACM must be removed in accordance with the NESHAP before burning.

NOTIFICATION OF DEMOLITION AND RENOVATION			
Operator Project #	Postmark	Date Received	Notification #
I. TYPE OF NOTIFICATION (C=Original B=Revised C=Cancelled):			
II. FACILITY INFORMATION (Identify owner, removal contractor, and other operator)			
OWNER NAME:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
REMOVAL CONTRACTOR:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
OTHER OPERATOR:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
III. TYPE OF OPERATION (D=Demo D=Demolished Demo R=Renovation R=Rear.Renovations):			
IV. IS ASBESTOS PRESENT? (Yes/No)			
V. FACILITY DESCRIPTION (Include building name, number and floor or room number)			
Bldg Name:			
Address:			
City:	State:	County:	
Site Location:			
Building Size:	# of Floors:	Age in Years:	
Present Use:		Prior Use:	
VI. PROCEDURE, INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ASBESTOS MATERIAL:			
VII. APPROXIMATE AMOUNT OF ASBESTOS, INCLUDING:			
1. Regulated ACM to be removed		Nonfriable Asbestos Material Not to be removed	
2. Category I ACM Not Removed		Indicate Unit of Measurement Below	
3. Category II ACM Not Removed		UNIT	
Floors	RACM to be Removed	Cat I	Cat II
Surface Area		SqFt	Sq M
% of RACM of Facility Component		CuFt	Cu M
VIII. SCHEDULED DATE ASBESTOS REMOVAL (MM/DD/YY) STARTS		Completes	
IX. SCHEDULED DATE DEMO/RENOVATION (MM/DD/YY) STARTS		Completes	

Continued on page 140

Figure 3. Notification of Demolition and Renovation

NOTIFICATION OF DEMOLITION AND RENOVATION (continued)		
X. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED:		
XI. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE:		
XII. WASTE TRANSPORTER #1		
Name:		
Address:		
City:	State:	Zip:
Contact Person:	Telephone:	
WASTE TRANSPORTER #2		
Name:		
Address:		
City:	State:	Zip:
Contact Person:	Telephone:	
XIII. WASTE DISPOSAL SITE		
Name:		
Location:		
City:	State:	Zip:
Telephone:		
XIV. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW:		
Name:	Title:	
Authority:		
Date of Order (MM/DD/YY):	Date Ordered to Begin (MM/DD/YY):	
XV. FOR EMERGENCY RENOVATIONS		
Date and Hour of Emergency (MM/DD/YY):		
Description of the sudden, unexpected event:		
Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden:		
XVI. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFIBRABLE ASBESTOS MATERIAL BECOMES CRUMBLD, FULVERIZED, OR REDUCED TO POWDER.		
XVI. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. (Required 1 year after completion)		
(Signature of Owner/Operator)		(Date)
XVII. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT.		
(Signature of Owner/Operator)		(Date)

Figure 3. Notification of Demolition and Renovation

[55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.146 Standard for spraying.

The owner or operator of an operation in which asbestos-containing materials are spray applied shall comply with the following requirements:

(a) For spray-on application on buildings, structures, pipes, and conduits, do not use material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, except as provided in paragraph (c) of this section.

(b) For spray-on application of materials that contain more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, on equipment and machinery, except as provided in paragraph (c) of this section:

(1) Notify the Administrator at least 20 days before beginning the spraying operation. Include the following information in the notice:

(i) Name and address of owner or operator.

(ii) Location of spraying operation.

(iii) Procedures to be followed to meet the requirements of this paragraph.

(2) Discharge no visible emissions to the outside air from spray-on application of the asbestos-containing material or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(c) The requirements of paragraphs (a) and (b) of this section do not apply to the spray-on application of materials where the asbestos fibers in the materials are encapsulated with a bituminous or resinous binder during spraying and the materials are not friable after drying.

(d) Owners or operators of sources subject to this paragraph are exempt from the requirements of §§ 61.05(a), 61.07 and 61.09.

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48424, Nov. 20, 1990; 60 FR 31920, June 19, 1995]

§ 61.147 Standard for fabricating.

(a) *Applicability.* This section applies to the following fabricating operations using commercial asbestos:

(1) The fabrication of cement building products.

(2) The fabrication of friction products, except those operations that primarily install asbestos friction materials on motor vehicles.

(3) The fabrication of cement or silicate board for ventilation hoods; ovens; electrical panels; laboratory furniture, bulkheads, partitions, and ceilings for marine construction; and flow control devices for the molten metal industry.

(b) *Standard.* Each owner or operator of any of the fabricating operations to which this section applies shall either:

(1) Discharge no visible emissions to the outside air from any of the operations or from any building or structure in which they are conducted or from any other fugitive sources; or

(2) Use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) Monitor each potential source of asbestos emissions from any part of the fabricating facility, including air cleaning devices, process equipment, and buildings that house equipment for material processing and handling, at least once each day, during daylight hours, for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.

(4) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunctions, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

(i) Maintenance schedule.

(ii) Recordkeeping plan.

(5) Maintain records of the results of visible emission monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following:

(i) Date and time of each inspection.

(ii) Presence or absence of visible emissions.

- (iii) Condition of fabric filters, including presence of any tears, holes, and abrasions.
- (iv) Presence of dust deposits on clean side of fabric filters.
- (v) Brief description of corrective actions taken, including date and time.
- (vi) Daily hours of operation for each air cleaning device.
- (6) Furnish upon request and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.
- (7) Retain a copy of all monitoring and inspection records for at least 2 years.
- (8) Submit semiannually a copy of the visible emission monitoring records to the Administrator if visible emission occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48424, Nov. 20, 1991; 64 FR 7467, Feb. 12, 1999]

§ 61.148 Standard for insulating materials.

No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. The provisions of this section do not apply to spray-applied insulating materials regulated under § 61.146.

[55 FR 48424, Nov. 20, 1990]

§ 61.149 Standard for waste disposal for asbestos mills.

Each owner or operator of any source covered under the provisions of § 61.142 shall:

- (a) Deposit all asbestos-containing waste material at a waste disposal site operated in accordance with the provisions of § 61.154; and
- (b) Discharge no visible emissions to the outside air from the transfer of control device asbestos waste to the tailings conveyor, or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air. Dispose of the asbestos waste from control devices in accordance with § 61.150(a) or paragraph (c) of this section; and
- (c) Discharge no visible emissions to the outside air during the collection, processing, packaging, or on-site transporting of any asbestos-containing waste material, or use one of the disposal methods specified in paragraphs (c) (1) or (2) of this section, as follows:
 - (1) Use a wetting agent as follows:
 - (i) Adequately mix all asbestos-containing waste material with a wetting agent recommended by the manufacturer of the agent to effectively wet dust and tailings, before depositing the material at a waste disposal site. Use the agent as recommended for the particular dust by the manufacturer of the agent.
 - (ii) Discharge no visible emissions to the outside air from the wetting operation or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.
 - (iii) Wetting may be suspended when the ambient temperature at the waste disposal site is less than -9.5°C (15°F), as determined by an appropriate measurement method with an accuracy of $\pm 1^{\circ}\text{C}$ ($\pm 2^{\circ}\text{F}$). During periods when

wetting operations are suspended, the temperature must be recorded at least at hourly intervals, and records must be retained for at least 2 years in a form suitable for inspection.

(2) Use an alternative emission control and waste treatment method that has received prior written approval by the Administrator. To obtain approval for an alternative method, a written application must be submitted to the Administrator demonstrating that the following criteria are met:

- (i) The alternative method will control asbestos emissions equivalent to currently required methods.
 - (ii) The suitability of the alternative method for the intended application.
 - (iii) The alternative method will not violate other regulations.
 - (iv) The alternative method will not result in increased water pollution, land pollution, or occupational hazards.
- (d) When waste is transported by vehicle to a disposal site:

(1) Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of the waste so that the signs are visible. The markings must:

- (i) Be displayed in such a manner and location that a person can easily read the legend.
- (ii) Conform to the requirements for 51 cm x 36 cm (20 in x 14 in) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and
- (iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend

DANGER

ASBESTOS DUST HAZARD

CANCER AND LUNG DISEASE HAZARD

Authorized Personnel Only

Notation

2.5 cm (1 inch) Sans Serif, Gothic or Block

2.5 cm (1 inch) Sans Serif, Gothic or Block

1.9 cm ($\frac{3}{4}$ inch) Sans Serif, Gothic or Block

14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) For off-site disposal, provide a copy of the waste shipment record, described in paragraph (e)(1) of this section, to the disposal site owner or operator at the same time as the asbestos-containing waste material is delivered to the disposal site.

(e) For all asbestos-containing waste material transported off the facility site:

(1) Maintain asbestos waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name and address of the local, State, or EPA Regional agency responsible for administering the asbestos NESHAP program.

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) The name and telephone number of the disposal site operator.

(v) The name and physical site location of the disposal site.

(vi) The date transported.

(vii) The name, address, and telephone number of the transporter(s).

(viii) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.

(2) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial transporter, contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(3) Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received, and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

(4) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

(f) Furnish upon request, and make available for inspection by the Administrator, all records required under this section.

Generator	1. Work site name and mailing address		Owner's name	Owner's telephone no.
	2. Operator's name and address			Operator's telephone no.
	3. Waste disposal site (WDS) name, mailing address, and physical site location			WDS phone no.
	4. Name, and address of responsible agency			
	5. Description of materials		6. Containers No. Type	7. Total quantity m ³ (yd ³)
	8. Special handling instructions and additional information			
	9. OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.			
	Printed/typed name & title		Signature	Month Day Year
	10. Transporter 1 (Acknowledgment of receipt of materials)			
Transporter	Printed/typed name & title		Signature	Month Day Year
	Address and telephone no.			
11. Transporter 2 (Acknowledgment of receipt of materials)				
Printed/typed name & title		Signature	Month Day Year	
Address and telephone no.				
Disposal Site	12. Discrepancy indication space			
	13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item 12.			
Printed/typed name & title		Signature	Month Day Year	

(Continued)

Figure 4. Waste Shipment Record

INSTRUCTIONS

Waste Generator Section (Items 1-9)

1. Enter the name of the facility at which asbestos waste is generated and the address where the facility is located. In the appropriate spaces, also enter the name of the owner of the facility and the owner's phone number.
2. If a demolition or renovation, enter the name and address of the company and authorized agent responsible for performing the asbestos removal. In the appropriate spaces, also enter the phone number of the operator.
3. Enter the name, address, and physical site location of the waste disposal site (WDS) that will be receiving the asbestos materials. In the appropriate spaces, also enter the phone number of the WDS. Enter "on-site" if the waste will be disposed of on the generator's property.
4. Provide the name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.
5. Indicate the types of asbestos waste materials generated. If from a demolition or renovation, indicate the amount of asbestos that is
 - Friable asbestos material
 - Nonfriable asbestos material
6. Enter the number of containers used to transport the asbestos materials listed in item 5. Also enter one of the following container codes used in transporting each type of asbestos material (specify any other type of container used if not listed below):
 - DM - Metal drums, barrels
 - DP - Plastic drums, barrels
 - BA - 6 mil plastic bags or wrapping
7. Enter the quantities of each type of asbestos material removed in units of cubic meters (cubic yards).
8. Use this space to indicate special transportation, treatment, storage or disposal or Bill of Lading information. If an alternate waste disposal site is designated, note it here. Emergency response telephone numbers or similar information may be included here.
9. The authorized agent of the waste generator must read and then sign and date this certification. The date is the date of receipt by transporter.

NOTE: The waste generator must retain a copy of this form.

(continued)

Figure 4. Waste Shipment Record

Transporter Section (Items 10 & 11)

10. & 11. Enter name, address, and telephone number of each transporter used, if applicable. Print or type the full name and title of person accepting responsibility and acknowledging receipt of materials as listed on this waste shipment record for transport. Enter date of receipt and signature.

NOTE: The transporter must retain a copy of this form.

Disposal Site Section (Items 12 & 13)

12. The authorized representative of the WDS must note in this space any discrepancy between waste described on this manifest and waste actually received as well as any improperly enclosed or contained waste. Any rejected materials should be listed and destination of those materials provided. A site that converts asbestos-containing waste material to nonasbestos material is considered a WDS.
13. The signature (by hand) of the authorized WDS agent indicates acceptance and agreement with statements on this manifest except as noted in item 12. The date is the date of signature and receipt of shipment.

NOTE: The WDS must retain a completed copy of this form. The WDS must also send a completed copy to the operator listed in item 2.

Figure 4. Waste Shipment Record

§ 61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.

Each owner or operator of any source covered under the provisions of §§ 61.144, 61.145, 61.146, and 61.147 shall comply with the following provisions:

(a) Discharge no visible emissions to the outside air during the collection, processing (including incineration), packaging, or transporting of any asbestos-containing waste material generated by the source, or use one of the emission control and waste treatment methods specified in paragraphs (a) (1) through (4) of this section.

(1) Adequately wet asbestos-containing waste material as follows:

(i) Mix control device asbestos waste to form a slurry; adequately wet other asbestos-containing waste material; and

(ii) Discharge no visible emissions to the outside air from collection, mixing, wetting, and handling operations, or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air; and

(iii) After wetting, seal all asbestos-containing waste material in leak-tight containers while wet; or, for materials that will not fit into containers without additional breaking, put materials into leak-tight wrapping; and

(iv) Label the containers or wrapped materials specified in paragraph (a)(1)(iii) of this section using warning labels specified by Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.1001(j)(4) or 1926.1101(k)(8). The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible.

(v) For asbestos-containing waste material to be transported off the facility site, label containers or wrapped materials with the name of the waste generator and the location at which the waste was generated.

(2) Process asbestos-containing waste material into nonfriable forms as follows:

(i) Form all asbestos-containing waste material into nonfriable pellets or other shapes;

(ii) Discharge no visible emissions to the outside air from collection and processing operations, including incineration, or use the method specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) For facilities demolished where the RACM is not removed prior to demolition according to §§ 61.145(c)(1) (i), (ii), (iii), and (iv) or for facilities demolished according to § 61.145(c)(9), adequately wet asbestos-containing waste material at all times after demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials covered by this paragraph do not have to be sealed in leak-tight containers or wrapping but may be transported and disposed of in bulk.

(4) Use an alternative emission control and waste treatment method that has received prior approval by the Administrator according to the procedure described in § 61.149(c)(2).

(5) As applied to demolition and renovation, the requirements of paragraph (a) of this section do not apply to Category I nonfriable ACM waste and Category II nonfriable ACM waste that did not become crumbled, pulverized, or reduced to powder.

(b) All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at:

(1) A waste disposal site operated in accordance with the provisions of § 61.154, or

(2) An EPA-approved site that converts RACM and asbestos-containing waste material into nonasbestos (asbestos-free) material according to the provisions of § 61.155.

(3) The requirements of paragraph (b) of this section do not apply to Category I nonfriable ACM that is not RACM.

(c) Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that the signs are visible. The markings must conform to the requirements of §§ 61.149(d)(1) (i), (ii), and (iii).

(d) For all asbestos-containing waste material transported off the facility site:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.

(iii) The approximate quantity in cubic meters (cubic yards).

(iv) The name and telephone number of the disposal site operator.

(v) The name and physical site location of the disposal site.

(vi) The date transported.

(vii) The name, address, and telephone number of the transporter(s).

(viii) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.

(2) Provide a copy of the waste shipment record, described in paragraph (d)(1) of this section, to the disposal site owners or operators at the same time as the asbestos-containing waste material is delivered to the disposal site.

(3) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial transporter, contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(4) Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received, and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

(5) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

(e) Furnish upon request, and make available for inspection by the Administrator, all records required under this section.

[55 FR 48429, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991, as amended at 68 FR 54793, Sept. 18, 2003]

§ 61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations.

Each owner or operator of any inactive waste disposal site that was operated by sources covered under § 61.142, 61.144, or 61.147 and received deposits of asbestos-containing waste material generated by the sources, shall:

(a) Comply with one of the following:

(1) Either discharge no visible emissions to the outside air from an inactive waste disposal site subject to this paragraph; or

(2) Cover the asbestos-containing waste material with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material. In desert areas where vegetation would be difficult to maintain, at least 8 additional centimeters (3 inches) of well-graded, nonasbestos crushed rock may be placed on top of the final cover instead of vegetation and maintained to prevent emissions; or

(3) Cover the asbestos-containing waste material with at least 60 centimeters (2 feet) of compacted nonasbestos-containing material, and maintain it to prevent exposure of the asbestos-containing waste; or

(4) For inactive waste disposal sites for asbestos tailings, a resinous or petroleum-based dust suppression agent that effectively binds dust to control surface air emissions may be used instead of the methods in paragraphs (a) (1), (2), and (3) of this section. Use the agent in the manner and frequency recommended for the particular asbestos tailings by the manufacturer of the dust suppression agent to achieve and maintain dust control. Obtain prior written approval of the Administrator to use other equally effective dust suppression agents. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(b) Unless a natural barrier adequately deters access by the general public, install and maintain warning signs and fencing as follows, or comply with paragraph (a)(2) or (a)(3) of this section.

(1) Display warning signs at all entrances and at intervals of 100 m (328 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:

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

(ii) Conform to the requirements for 51 cm×36 cm (20"×14") upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

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

(3) When requesting a determination on whether a natural barrier adequately deters public access, supply information enabling the Administrator to determine whether a fence or a natural barrier adequately deters access by the general public.

(c) The owner or operator may use an alternative control method that has received prior approval of the Administrator rather than comply with the requirements of paragraph (a) or (b) of this section.

(d) 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 under this section, and follow the procedures specified in the notification. 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.
- (e) Within 60 days of a site becoming inactive and after the effective date of this subpart, record, in accordance with State law, a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:
- (1) The land has been used for the disposal of asbestos-containing waste material;
 - (2) The survey plot and record of the location and quantity of asbestos-containing waste disposed of within the disposal site required in § 61.154(f) have been filed with the Administrator; and
 - (3) The site is subject to 40 CFR part 61, subpart M.

[49 FR 13661, Apr. 5, 1984, as amended at 53 FR 36972, Sept. 23, 1988. Redesignated and amended at 55 FR 48429, Nov. 20, 1990]

§ 61.152 Air-cleaning.

(a) The owner or operator who uses air cleaning, as specified in §§ 61.142(a), 61.144(b)(2), 61.145(c)(3)(i)(B)(1), 61.145(c)(4)(ii), 61.145(c)(11)(i), 61.146(b)(2), 61.147(b)(2), 61.149(b), 61.149(c)(1)(ii), 61.150(a)(1)(ii), 61.150(a)(2)(ii), and 61.155(e) shall:

- (1) Use fabric filter collection devices, except as noted in paragraph (b) of this section, doing all of the following:
 - (i) Ensuring that the airflow permeability, as determined by ASTM Method D737-75, does not exceed $9 \text{ m}^3 / \text{min}/\text{m}^2$ ($30 \text{ ft}^3 / \text{min}/\text{ft}^2$) for woven fabrics or $11 \text{ m}^3 / \text{min}/\text{m}^2$ ($35 \text{ ft}^3 / \text{min}/\text{ft}^2$) for felted fabrics, except that $12 \text{ m}^3 / \text{min}/\text{m}^2$ ($40 \text{ ft}^3 / \text{min}/\text{ft}^2$) for woven and $14 \text{ m}^3 / \text{min}/\text{m}^2$ ($45 \text{ ft}^3 / \text{min}/\text{ft}^2$) for felted fabrics is allowed for filtering air from asbestos ore dryers; and
 - (ii) Ensuring that felted fabric weighs at least 475 grams per square meter (14 ounces per square yard) and is at least 1.6 millimeters (one-sixteenth inch) thick throughout; and
 - (iii) Avoiding the use of synthetic fabrics that contain fill yarn other than that which is spun.
 - (2) Properly install, use, operate, and maintain all air-cleaning equipment authorized by this section. Bypass devices may be used only during upset or emergency conditions and then only for so long as it takes to shut down the operation generating the particulate asbestos material.
 - (3) For fabric filter collection devices installed after January 10, 1989, provide for easy inspection for faulty bags.
- (b) There are the following exceptions to paragraph (a)(1):

(1) After January 10, 1989, if the use of fabric creates a fire or explosion hazard, or the Administrator determines that a fabric filter is not feasible, the Administrator may authorize as a substitute the use of wet collectors designed to operate with a unit contacting energy of at least 9.95 kilopascals (40 inches water gage pressure).

(2) Use a HEPA filter that is certified to be at least 99.97 percent efficient for 0.3 micron particles.

(3) The Administrator may authorize the use of filtering equipment other than described in paragraphs (a)(1) and (b)(1) and (2) of this section if the owner or operator demonstrates to the Administrator's satisfaction that it is equivalent to the described equipment in filtering particulate asbestos material.

[49 FR 13661, Apr. 5, 1984; 49 FR 25453, June 21, 1984, as amended at 51 FR 8199, Mar. 10, 1986. Redesignated and amended at 55 FR 48430, Nov. 20, 1990]

§ 61.153 Reporting.

(a) Any new source to which this subpart applies (with the exception of sources subject to §§ 61.143, 61.145, 61.146, and 61.148), which has an initial startup date preceding the effective date of this revision, shall provide the following information to the Administrator postmarked or delivered within 90 days of the effective date. In the case of a new source that does not have an initial startup date preceding the effective date, the information shall be provided, postmarked or delivered, within 90 days of the initial startup date. Any owner or operator of an existing source shall provide the following information to the Administrator within 90 days of the effective date of this subpart unless the owner or operator of the existing source has previously provided this information to the Administrator. Any changes in the information provided by any existing source shall be provided to the Administrator, postmarked or delivered, within 30 days after the change.

(1) A description of the emission control equipment used for each process; and

(i) If the fabric device uses a woven fabric, the airflow permeability in $\text{m}^3/\text{min}/\text{m}^2$ and; if the fabric is synthetic, whether the fill yarn is spun or not spun; and

(ii) If the fabric filter device uses a felted fabric, the density in g/m^2 , the minimum thickness in inches, and the airflow permeability in $\text{m}^3/\text{min}/\text{m}^2$.

(2) If a fabric filter device is used to control emissions,

(i) The airflow permeability in $\text{m}^3/\text{min}/\text{m}^2$ ($\text{ft}^3/\text{min}/\text{ft}^2$) if the fabric filter device uses a woven fabric, and, if the fabric is synthetic, whether the fill yarn is spun or not spun; and

(ii) If the fabric filter device uses a felted fabric, the density in g/m^2 (oz/yd^2), the minimum thickness in millimeters (inches), and the airflow permeability in $\text{m}^3/\text{min}/\text{m}^2$ ($\text{ft}^3/\text{min}/\text{ft}^2$).

(3) If a HEPA filter is used to control emissions, the certified efficiency.

(4) For sources subject to §§ 61.149 and 61.150:

(i) A brief description of each process that generates asbestos-containing waste material; and

(ii) The average volume of asbestos-containing waste material disposed of, measured in m^3/day (yd^3/day); and

(iii) The emission control methods used in all stages of waste disposal; and

(iv) The type of disposal site or incineration site used for ultimate disposal, the name of the site operator, and the name and location of the disposal site.

(5) For sources subject to §§ 61.151 and 61.154:

- (i) A brief description of the site; and
- (ii) The method or methods used to comply with the standard, or alternative procedures to be used.

(b) The information required by paragraph (a) of this section must accompany the information required by § 61.10. Active waste disposal sites subject to § 61.154 shall also comply with this provision. Roadways, demolition and renovation, spraying, and insulating materials are exempted from the requirements of § 61.10(a). The information described in this section must be reported using the format of appendix A of this part as a guide.

(Sec. 114. Clean Air Act as amended (42 U.S.C. 7414))

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48430, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.154 Standard for active waste disposal sites.

Each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under § 61.149, 61.150, or 61.155 shall meet the requirements of this section:

(a) Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of paragraph (c) or (d) of this section must be met.

(b) Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of paragraph (c)(1) of this section must be met.

(1) Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must:

- (i) Be posted in such a manner and location that a person can easily read the legend; and
- (ii) Conform to the requirements of 51 cm x 36 cm (20"x14") upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and
- (iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block.
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.

(3) Upon request and supply of appropriate information, the Administrator will determine whether a fence or a natural barrier adequately deters access by the general public.

(c) Rather than meet the no visible emission requirement of paragraph (a) of this section, at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

- (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. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(d) Rather than meet the no visible emission requirement of paragraph (a) of this section, use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in § 61.149(c)(2).

(e) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name, address, and telephone number of the transporter(s).

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) 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.

(v) 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.

(4) Retain a copy of all records and reports required by this paragraph for at least 2 years.

(f) 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.

(g) Upon closure, comply with all the provisions of § 61.151.

(h) Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.

(i) Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section.

(j) 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.

(Secs. 112 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7412, 7601(a))

[49 FR 13661, Apr. 5, 1990. Redesignated and amended at 55 FR 48431, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.155 Standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material.

Each owner or operator of an operation that converts RACM and asbestos-containing waste material into nonasbestos (asbestos-free) material shall:

(a) Obtain the prior written approval of the Administrator to construct the facility. To obtain approval, the owner or operator shall provide the Administrator with the following information:

(1) Application to construct pursuant to § 61.07.

(2) In addition to the information requirements of § 61.07(b)(3), a

(i) Description of waste feed handling and temporary storage.

(ii) Description of process operating conditions.

(iii) Description of the handling and temporary storage of the end product.

(iv) Description of the protocol to be followed when analyzing output materials by transmission electron microscopy.

(3) Performance test protocol, including provisions for obtaining information required under paragraph (b) of this section.

(4) The Administrator may require that a demonstration of the process be performed prior to approval of the application to construct.

(b) Conduct a start-up performance test. Test results shall include:

(1) A detailed description of the types and quantities of nonasbestos material, RACM, and asbestos-containing waste material processed, *e.g.*, asbestos cement products, friable asbestos insulation, plaster, wood, plastic, wire, etc. Test feed is to include the full range of materials that will be encountered in actual operation of the process.

(2) Results of analyses, using polarized light microscopy, that document the asbestos content of the wastes processed.

(3) Results of analyses, using transmission electron microscopy, that document that the output materials are free of asbestos. Samples for analysis are to be collected as 8-hour composite samples (one 200-gram (7-ounce) sample per hour), beginning with the initial introduction of RACM or asbestos-containing waste material and continuing until the end of the performance test.

(4) A description of operating parameters, such as temperature and residence time, defining the full range over which the process is expected to operate to produce nonasbestos (asbestos-free) materials. Specify the limits for each operating parameter within which the process will produce nonasbestos (asbestos-free) materials.

(5) The length of the test.

(c) During the initial 90 days of operation,

(1) Continuously monitor and log the operating parameters identified during start-up performance tests that are intended to ensure the production of nonasbestos (asbestos-free) output material.

(2) Monitor input materials to ensure that they are consistent with the test feed materials described during start-up performance tests in paragraph (b)(1) of this section.

(3) Collect and analyze samples, taken as 10-day composite samples (one 200-gram (7-ounce) sample collected every 8 hours of operation) of all output material for the presence of asbestos. Composite samples may be for fewer than 10 days. Transmission electron microscopy (TEM) shall be used to analyze the output material for the presence of asbestos. During the initial 90-day period, all output materials must be stored on-site until analysis shows the material to be asbestos-free or disposed of as asbestos-containing waste material according to § 61.150.

(d) After the initial 90 days of operation,

(1) Continuously monitor and record the operating parameters identified during start-up performance testing and any subsequent performance testing. Any output produced during a period of deviation from the range of operating conditions established to ensure the production of nonasbestos (asbestos-free) output materials shall be:

(i) Disposed of as asbestos-containing waste material according to § 61.150, or

(ii) Recycled as waste feed during process operation within the established range of operating conditions, or

(iii) Stored temporarily on-site in a leak-tight container until analyzed for asbestos content. Any product material that is not asbestos-free shall be either disposed of as asbestos-containing waste material or recycled as waste feed to the process.

(2) Collect and analyze monthly composite samples (one 200-gram (7-ounce) sample collected every 8 hours of operation) of the output material. Transmission electron microscopy shall be used to analyze the output material for the presence of asbestos.

(e) Discharge no visible emissions to the outside air from any part of the operation, or use the methods specified by § 61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(f) Maintain records on-site and include the following information:

(1) Results of start-up performance testing and all subsequent performance testing, including operating parameters, feed characteristic, and analyses of output materials.

(2) Results of the composite analyses required during the initial 90 days of operation under § 61.155(c).

(3) Results of the monthly composite analyses required under § 61.155(d).

- (4) Results of continuous monitoring and logs of process operating parameters required under § 61.155 (c) and (d).
- (5) The information on waste shipments received as required in § 61.154(e).
- (6) For output materials where no analyses were performed to determine the presence of asbestos, record the name and location of the purchaser or disposal site to which the output materials were sold or deposited, and the date of sale or disposal.
- (7) Retain records required by paragraph (f) of this section for at least 2 years.
- (g) Submit the following reports to the Administrator:
- (1) A report for each analysis of product composite samples performed during the initial 90 days of operation.
- (2) A quarterly report, including the following information concerning activities during each consecutive 3-month period:
- (i) Results of analyses of monthly product composite samples.
- (ii) A description of any deviation from the operating parameters established during performance testing, the duration of the deviation, and steps taken to correct the deviation.
- (iii) Disposition of any product produced during a period of deviation, including whether it was recycled, disposed of as asbestos-containing waste material, or stored temporarily on-site until analyzed for asbestos content.
- (iv) The information on waste disposal activities as required in § 61.154(f).
- (h) Nonasbestos (asbestos-free) output material is not subject to any of the provisions of this subpart. Output materials in which asbestos is detected, or output materials produced when the operating parameters deviated from those established during the start-up performance testing, unless shown by TEM analysis to be asbestos-free, shall be considered to be asbestos-containing waste and shall be handled and disposed of according to §§ 61.150 and 61.154 or reprocessed while all of the established operating parameters are being met.

[55 FR 48431, Nov. 20, 1990]

§ 61.156 Cross-reference to other asbestos regulations.

In addition to this subpart, the regulations referenced in Table 1 also apply to asbestos and may be applicable to those sources specified in §§ 61.142 through 61.151, 61.154, and 61.155 of this subpart. These cross-references are presented for the reader's information and to promote compliance with the cited regulations.

Table 1—Cross-Reference to Other Asbestos Regulations

Agency	CFR citation	Comment
EPA	40 CFR part 763, subpart E	Requires schools to inspect for asbestos and implement response actions and submit asbestos management plans to States. Specifies use of accredited inspectors, air sampling methods, and waste disposal procedures.
	40 CFR part 427	Effluent standards for asbestos manufacturing source categories.
	40 CFR part 763, subpart G	Protects public employees performing asbestos abatement work in States not covered by OSHA asbestos standard.
OSHA	29 CFR 1910.1001	Worker protection measures-engineering controls, worker training, labeling, respiratory protection, bagging of waste, permissible exposure level.

Agency	CFR citation	Comment
	29 CFR 1926.1101	Worker protection measures for all construction work involving asbestos, including demolition and renovation-work practices, worker training, bagging of waste, permissible exposure level.
MSHA	30 CFR part 56, subpart D	Specifies exposure limits, engineering controls, and respiratory protection measures for workers in surface mines.
	30 CFR part 57, subpart D	Specifies exposure limits, engineering controls, and respiratory protection measures for workers in underground mines.
DOT	49 CFR parts 171 and 172	Regulates the transportation of asbestos-containing waste material. Requires waste containment and shipping papers.

[55 FR 48432, Nov. 20, 1990, as amended at 60 FR 31920, June 19, 1995; 68 FR 54793, Sept. 18, 2003; 69 FR 43324, July 20, 2004]

§ 61.157 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(d) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities that will not be delegated to States:

(1) Section 61.149(c)(2)

(2) Section 61.150(a)(4)

(3) Section 61.151(c)

(4) Section 61.152(b)(3)

(5) Section 61.154(d)

(6) Section 61.155(a).

[55 FR 48433, Nov. 20, 1990]

Appendix A to Subpart M of Part 61—Interpretive Rule Governing Roof Removal Operations

I. Applicability of the Asbestos NESHAP

1.1. Asbestos-containing material (ACM) is material containing more than one percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy. The NESHAP classifies ACM as either “friable” or “nonfriable”. Friable ACM is ACM that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure. Nonfriable ACM is ACM that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure.

1.2. Nonfriable ACM is further classified as either Category I ACM or Category II ACM. Category I ACM and Category II ACM are distinguished from each other by their potential to release fibers when damaged. Category I ACM includes asbestos-containing gaskets, packings, resilient floor coverings, resilient floor covering mastic, and asphalt roofing products containing more than one percent asbestos. Asphalt roofing products which may contain asbestos include built-up roofing; asphalt-containing single ply membrane systems; asphalt shingles; asphalt-containing underlayment felts; asphalt-containing roof coatings and mastics; and asphalt-containing base flashings. ACM roofing products that use other bituminous or resinous binders (such as coal tars or pitches) are also considered to be Category I ACM. Category II ACM includes all other nonfriable ACM, for example, asbestos-cement (A/C) shingles, A/C tiles, and transite boards or panels containing more than one percent asbestos. Generally speaking, Category II ACM is more likely to become friable when damaged than is Category I ACM. The applicability of the NESHAP to Category I and II

ACM depends on: (1) the condition of the material at the time of demolition or renovation, (2) the nature of the operation to which the material will be subjected, (3) the amount of ACM involved.

1.3. Asbestos-containing material regulated under the NESHAP is referred to as "regulated asbestos-containing material" (RACM). RACM is defined in § 61.141 of the NESHAP and includes: (1) friable asbestos-containing material; (2) Category I nonfriable ACM that has become friable; (3) Category I nonfriable ACM that has been or will be sanded, ground, cut, or abraded; or (4) Category II nonfriable ACM that has already been or is likely to become crumbled, pulverized, or reduced to powder. If the coverage threshold for RACM is met or exceeded in a renovation or demolition operation, then all friable ACM in the operation, and in certain situations, nonfriable ACM in the operation, are subject to the NESHAP.

A. Threshold Amounts of Asbestos-Containing Roofing Material

1.A.1. The NESHAP does not cover roofing projects on single family homes or on residential buildings containing four or fewer dwelling units. 40 CFR 61.141. For other roofing renovation projects, if the total asbestos-containing roof area undergoing renovation is less than 160 ft², the NESHAP does not apply, regardless of the removal method to be used, the type of material (Category I or II), or its condition (friable versus nonfriable). 40 CFR 61.145(a)(4). However, EPA would recommend the use of methods that damage asbestos-containing roofing material as little as possible. EPA has determined that where a rotating blade (RB) roof cutter or equipment that similarly damages the roofing material is used to remove Category I nonfriable asbestos-containing roofing material, the removal of 5580 ft² of that material will create 160 ft² of RACM. For the purposes of this interpretive rule, "RB roof cutter" means an engine-powered roof cutting machine with one or more rotating cutting blades the edges of which are blunt. (Equipment with blades having sharp or tapered edges, and/or which does not use a rotating blade, is used for "slicing" rather than "cutting" the roofing material; such equipment is not included in the term "RB roof cutter".) Therefore, it is EPA's interpretation that when an RB roof cutter or equipment that similarly damages the roofing material is used to remove Category I nonfriable asbestos-containing roofing material, any project that is 5580 ft² or greater is subject to the NESHAP; conversely, it is EPA's interpretation that when an RB roof cutter or equipment that similarly damages the roofing material is used to remove Category I nonfriable asbestos-containing roofing material in a roof removal project that is less than 5580 ft², the project is not subject to the NESHAP, except that notification is always required for demolitions. EPA further construes the NESHAP to mean that if slicing or other methods that do not sand, grind, cut or abrade will be used on Category I nonfriable ACM, the NESHAP does not apply, regardless of the area of roof to be removed.

1.A.2. For asbestos cement (A/C) shingles (or other Category II roofing material), if the area of the roofing material to be removed is at least 160 ft² and the removal methods will crumble, pulverize, reduce to powder, or contaminate with RACM (from other ACM that has been crumbled, pulverized or reduced to powder) 160 ft² or more of such roofing material, the removal is subject to the NESHAP. Conversely, if the area of the A/C shingles (or other Category II roofing materials) to be removed is less than 160 ft², the removal is not subject to the NESHAP regardless of the removal method used, except that notification is always required for demolitions. 40 CFR 61.145(a). However, EPA would recommend the use of methods that damage asbestos-containing roofing material as little as possible. If A/C shingles (or other Category II roofing materials) are removed without 160 ft² or more of such roofing material being crumbled, pulverized, reduced to powder, or contaminated with RACM (from other ACM that has been crumbled, pulverized or reduced to powder), the operation is not subject to the NESHAP, even where the total area of the roofing material to be removed exceeds 160 ft²; provided, however, that if the renovation includes other operations involving RACM, the roof removal operation is covered if the total area of RACM from all renovation activities exceeds 160 ft². See the definition of regulated asbestos-containing material (RACM), 40 CFR 61.141.

1.A.3. Only roofing material that meets the definition of ACM can qualify as RACM subject to the NESHAP. Therefore, to determine if a removal operation that meets or exceeds the coverage threshold is subject to the NESHAP, any suspect roofing material (i.e. roofing material that may be ACM) should be tested for asbestos. If any such roofing material contains more than one percent asbestos and if the removal operation is covered by the NESHAP, then EPA must be notified and the work practices in § 61.145(c) must be followed. In EPA's view, if a removal operation involves at least the threshold level of suspect material, a roofing contractor may choose not to test for asbestos if the contractor follows the notification and work practice requirements of the NESHAP.

B. A/C Shingle Removal (Category II ACM Removal)

1.B.1. A/C shingles, which are Category II nonfriable ACM, become regulated ACM if the material has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations. 40 CFR 61.141. However, merely breaking an A/C

shingle (or any other category II ACM) that is not friable may not necessarily cause the material to become RACM. A/C shingles are typically nailed to buildings on which they are attached. EPA believes that the extent of breakage that will normally result from carefully removing A/C shingles and lowering the shingles to the ground will not result in crumbling, pulverizing or reducing the shingles to powder. Conversely, the extent of breakage that will normally occur if the A/C shingles are dropped from a building or scraped off of a building with heavy machinery would cause the shingles to become RACM. EPA therefore construes the NESHAP to mean that the removal of A/C shingles that are not friable, using methods that do not crumble, pulverize, or reduce the A/C shingles to powder (such as pry bars, spud bars and shovels to carefully pry the material), is not subject to the NESHAP provided that the A/C shingles are properly handled during and after removal, as discussed in this paragraph and the asbestos NESHAP. This interpretation also applies to other Category II nonfriable asbestos-containing roofing materials.

C. Cutting vs. Slicing and Manual Methods for Removal of Category I ACM

1.C.1. Because of damage to the roofing material, and the potential for fiber release, roof removal operations using rotating blade (RB) roof cutters or other equipment that sand, grind, cut or abrade the roof material are subject to the NESHAP. As EPA interprets the NESHAP, the use of certain manual methods (using equipment such as axes, hatchets, or knives, spud bars, pry bars, and shovels, but not saws) or methods that slice, shear, or punch (using equipment such as a power slicer or power plow) does not constitute "cutting, sanding, grinding or abrading." This is because these methods do not destroy the structural matrix or integrity of the material such that the material is crumbled, pulverized or reduced to powder. Hence, it is EPA's interpretation that when such methods are used, assuming the roof material is not friable, the removal operation is not subject to the regulation.

1.C.2. Power removers or power tear-off machines are typically used to pry the roofing material up from the deck after the roof membrane has been cut. It is EPA's interpretation that when these machines are used to pry roofing material up, their use is not regulated by the NESHAP.

1.C.3. As noted previously, the NESHAP only applies to the removal of asbestos-containing roofing materials. Thus, the NESHAP does not apply to the use of RB cutters to remove non-asbestos built up roofing (BUR). On roofs containing some asbestos-containing and some non-asbestos-containing materials, coverage under the NESHAP depends on the methods used to remove each type of material in addition to other coverage thresholds specified above. For example, it is not uncommon for existing roofs to be made of non-asbestos BUR and base flashings that do contain asbestos. In that situation, EPA construes the NESHAP to be inapplicable to the removal of the non-asbestos BUR using an RB cutter so long as the RB cutter is not used to cut 5580 ft² or more of the asbestos-containing base flashing or other asbestos-containing material into sections. In addition, the use of methods that slice, shear, punch or pry could then be used to remove the asbestos flashings and not trigger coverage under the NESHAP.

II. Notification

2.1. Notification for a demolition is always required under the NESHAP. However, EPA believes that few roof removal jobs constitute "demolitions" as defined in the NESHAP (§ 61.141). In particular, it is EPA's view that the removal of roofing systems (i.e., the roof membrane, insulation, surfacing, coatings, flashings, mastic, shingles, and felt underlayment), when such removal is not a part of a demolition project, constitutes a "renovation" under the NESHAP. If the operation is a renovation, and Category I roofing material is being removed using either manual methods or slicing, notification is not required by the NESHAP. If Category II material is not friable and will be removed without crumbling, pulverizing, or reducing it to powder, no notification is required. Also, if the renovation involves less than the threshold area for applicability as discussed above, then no notification is required. However, if a roof removal meets the applicability and threshold requirements under the NESHAP, then EPA (or the delegated agency) must be notified in advance of the removal in accordance with the requirements of § 61.145(b), as follows:

- Notification must be given in writing at least 10 working days in advance and must include the information in § 61.145(b)(4), except for emergency renovations as discussed below.
- The notice must be updated as necessary, including, for example, when the amount of asbestos-containing roofing material reported changes by 20 percent or more.
- EPA must be notified if the start date of the roof removal changes. If the start date of a roof removal project is changed to an earlier date, EPA must be provided with a written notice of the new start date at least 10 working days

in advance. If the start date changes to a later date, EPA must be notified by telephone as soon as possible before the original start date and a written notice must be sent as soon as possible.

- For emergency renovations (as defined in § 61.141), where work must begin immediately to avoid safety or public health hazards, equipment damage, or unreasonable financial burden, the notification must be postmarked or delivered to EPA as soon as possible, but no later than the following work day.

III. Emission Control Practices

A. Requirements To Adequately Wet and Discharge No Visible Emission

3.A.1. The principal controls contained in the NESHAP for removal operations include requirements that the affected material be adequately wetted, and that asbestos waste be handled, collected, and disposed of properly. The requirements for disposal of waste materials are discussed separately in section IV below. The emission control requirements discussed in this section III apply only to roof removal operations that are covered by the NESHAP as set forth in Section I above.

3.A.2. For any operation subject to the NESHAP, the regulation (§§ 61.145(c)(2)(i), (3), (6)(i)) requires that RACM be adequately wet (as defined in § 61.141) during the operation that damages or disturbs the asbestos material until collected for disposal.

3.A.3. When using an RB roof cutter (or any other method that sands, grinds, cuts or abrades the roofing material) to remove Category I asbestos-containing roofing material, the emission control requirements of § 61.145(c) apply as discussed in Section I above. EPA will consider a roof removal project to be in compliance with the “adequately wet” and “discharge no visible emission” requirements of the NESHAP if the RB roof cutter is equipped and operated with the following: (1) a blade guard that completely encloses the blade and extends down close to the roof surface; and (2) a device for spraying a fine mist of water inside the blade guard, and which device is in operation during the cutting of the roof.

B. Exemptions From Wetting Requirements

3.B.1. The NESHAP provides that, in certain instances, wetting may not be required during the cutting of Category I asbestos roofing material with an RB roof cutter. If EPA determines in accordance with § 61.145(c)(3)(i), that wetting will unavoidably damage the building, equipment inside the building, or will present a safety hazard while stripping the ACM from a facility component that remains in place, the roof removal operation will be exempted from the requirement to wet during cutting. EPA must have sufficient written information on which to base such a decision. Before proceeding with a dry removal, the contractor must have received EPA's written approval. Such exemptions will be made on a case-by-case basis.

3.B.2. It is EPA's view that, in most instances, exemptions from the wetting requirements are not necessary. Where EPA grants an exemption from wetting because of the potential for damage to the building, damage to equipment within the building or a safety hazard, the NESHAP specifies alternative control methods (§ 61.145(c)(3)(i)(B)). Alternative control methods include (a) the use of local exhaust ventilation systems that capture the dust, and do not produce visible emissions, or (b) methods that are designed and operated in accordance with the requirements of § 61.152, or (c) other methods that have received the written approval of EPA. EPA will consider an alternative emission control method in compliance with the NESHAP if the method has received written approval from EPA and the method is being implemented consistent with the approved procedures (§ 61.145(c)(3)(ii) or § 61.152(b)(3)).

3.B.3. An exemption from wetting is also allowed when the air or roof surface temperature at the point of wetting is below freezing, as specified in § 61.145(c)(7). If freezing temperatures are indicated as the reason for not wetting, records must be kept of the temperature at the beginning, middle and end of the day on which wetting is not performed and the records of temperature must be retained for at least 2 years. 42 CFR § 61.145(c)(7)(iii). It is EPA's interpretation that in such cases, no written application to, or written approval by the Administrator is needed for using emission control methods listed in § 61.145(c)(3)(i)(B), or alternative emission control methods that have been previously approved by the Administrator. However, such written application or approval is required for alternative emission control methods that have not been previously approved. Any dust and debris collected from cutting must still be kept wet and placed in containers. All of the other requirements for notification and waste disposal would continue to apply as described elsewhere in this notice and the Asbestos NESHAP.

C. Waste Collection and Handling

3.C.1. It is EPA's interpretation that waste resulting from slicing and other methods that do not cut, grind, sand or abrade Category I nonfriable asbestos-containing roofing material is not subject to the NESHAP and can be disposed of as nonasbestos waste. EPA further construes the NESHAP to provide that if Category II roofing material (such as A/C shingles) is removed and disposed of without crumbling, pulverizing, or reducing it to powder, the waste from the removal is not subject to the NESHAP waste disposal requirements. EPA also interprets the NESHAP to be inapplicable to waste resulting from roof removal operations that do not meet or exceed the coverage thresholds described in section I above. Of course, other State, local, or Federal regulations may apply.

3.C.2. It is EPA's interpretation that when an RB roof cutter, or other method that similarly damages the roofing material, is used to cut Category I asbestos containing roofing material, the damaged material from the cut (the sawdust or debris) is considered asbestos containing waste subject to § 61.150 of the NESHAP, provided the coverage thresholds discussed above in section 1 are met or exceeded. This sawdust or debris must be disposed of at a disposal site operated in accordance with the NESHAP. It is also EPA's interpretation of the NESHAP that if the remainder of the roof is free of the sawdust and debris generated by the cutting, or if such sawdust or debris is collected as discussed below in paragraphs 3.C.3, 3.C.4, 3.C.5 and 3.C.6, the remainder of the roof can be disposed of as nonasbestos waste because it is considered to be Category I nonfriable material (as long as the remainder of the roof is in fact nonasbestos material or if it is Category I asbestos material and the removal methods do not further sand, grind, cut or abrade the roof material). EPA further believes that if the roof is not cleaned of such sawdust or debris, *i.e.*, it is contaminated, then it must be treated as asbestos-containing waste material and be handled in accordance with § 61.150.

3.C.3. In order to be in compliance with the NESHAP while using an RB roof cutter (or device that similarly damages the roofing material) to cut Category I asbestos containing roofing material, the dust and debris resulting from the cutting of the roof should be collected as soon as possible after the cutting operation, and kept wet until collected and placed in leak-tight containers. EPA believes that where the blade guard completely encloses the blade and extends down close to the roof surface and is equipped with a device for spraying a fine mist of water inside the blade guard, and the spraying device is in operation during the cutting, most of the dust and debris from cutting will be confined along the cut. The most efficient methods to collect the dust and debris from cutting are to immediately collect or vacuum up the damaged material where it lies along the cut using a filtered vacuum cleaner or debris collector that meets the requirements of 40 CFR 61.152 to clean up as much of the debris as possible, or to gently sweep up the bulk of the debris, and then use a filtered vacuum cleaner that meets the requirements of 40 CFR 61.152 to clean up as much of the remainder of the debris as possible. On smooth surfaced roofs (nonaggregate roofs), sweeping up the debris and then wet wiping the surface may be done in place of using a filtered vacuum cleaner. It is EPA's view that if these decontamination procedures are followed, the remaining roofing material does not have to be collected and disposed of as asbestos waste. Additionally, it is EPA's view that where such decontamination procedures are followed, if the remaining portions of the roof are non-asbestos or Category I nonfriable asbestos material, and if the remaining portions are removed using removal methods that slice, shear, punch or pry, as discussed in section 1.C above, then the remaining portions do not have to be collected and disposed of as asbestos waste and the NESHAP's no visible emissions and adequately wet requirements are not applicable to the removal of the remaining portions. In EPA's interpretation, the failure of a filtered vacuum cleaner or debris collector to collect larger chunks or pieces of damaged roofing material created by the RB roof cutter does not require the remaining roofing material to be handled and disposed of as asbestos waste, provided that such visible chunks or pieces of roofing material are collected (e.g. by gentle sweeping) and disposed of as asbestos waste. Other methods of decontamination may not be adequate, and should be approved by the local delegated agency.

3.C.4. In EPA's interpretation, if the debris from the cutting is not collected immediately, it will be necessary to lightly mist the dust or debris, until it is collected, as discussed above, and placed in containers. The dust or debris should be lightly misted frequently enough to prevent the material from drying, and to prevent airborne emissions, prior to collection as described above. It is EPA's interpretation of the NESHAP that if these procedures are followed, the remaining roofing material does not have to be collected and disposed of as asbestos waste, as long as the remaining roof material is in fact nonasbestos material or if it is Category I asbestos material and the removal methods do not further sand, grind, cut or abrade the roof material.

3.C.5. It is EPA's interpretation that, provided the roofing material is not friable prior to the cutting operation, and provided the roofing material has not been made friable by the cutting operation, the appearance of rough, jagged or damaged edges on the remaining roofing material, due to the use of an RB roof cutter, does not require that such remaining roofing material be handled and disposed of as asbestos waste. In addition, it is also EPA's interpretation that if the sawdust or debris generated by the use of an RB roof cutter has been collected as discussed in paragraphs

3.C.3, 3.C.4 and 3.C.6, the presence of dust along the edge of the remaining roof material does not render such material "friable" for purposes of this interpretive rule or the NESHAP, provided the roofing material is not friable prior to the cutting operation, and provided that the remaining roofing material near the cutline has not been made friable by the cutting operation. Where roofing material near the cutline has been made friable by the use of the RB cutter (*i.e.* where such remaining roofing material near the cutline can be crumbled, pulverized or reduced to powder using hand pressure), it is EPA's interpretation that the use of an encapsulant will ensure that such friable material need not be treated or disposed of as asbestos containing waste material. The encapsulant may be applied to the friable material after the roofing material has been collected into stacks for subsequent disposal as nonasbestos waste. It is EPA's view that if the encapsulation procedure set forth in this paragraph is followed in operations where roofing material near the cutline has been rendered friable by the use of an RB roof cutter, and if the decontamination procedures set forth in paragraph 3.C.3 have been followed, the NESHAP's no visible emissions and adequately wet requirements would be met for the removal, handling and disposal of the remaining roofing material.

3.C.6. As one way to comply with the NESHAP, the dust and debris from cutting can be placed in leak-tight containers, such as plastic bags, and the containers labeled using warning labels required by OSHA (29 CFR 1926.58). In addition, the containers must have labels that identify the waste generator (such as the name of the roofing contractor, abatement contractor, and/or building owner or operator) and the location of the site at which the waste was generated.

IV. Waste Disposal

A. Disposal Requirements

4.A.1. Section 61.150(b) requires that, as soon as is practical, all collected dust and debris from cutting as well as any contaminated roofing squares, must be taken to a landfill that is operated in accordance with § 61.154 or to an EPA-approved site that converts asbestos waste to nonasbestos material in accordance with § 61.155. During the loading and unloading of affected waste, asbestos warning signs must be affixed to the vehicles.

B. Waste Shipment Record

4.B.1. For each load of asbestos waste that is regulated under the NESHAP, a waste shipment record (WSR) must be maintained in accordance with § 61.150(d). Information that must be maintained for each waste load includes the following:

- Name, address, and telephone number of the waste generator
- Name and address of the local, State, or EPA regional office responsible for administering the asbestos NESHAP program
- Quantity of waste in cubic meters (or cubic yards)
- Name and telephone number of the disposal site operator
- Name and physical site location of the disposal site
- Date transported
- Name, address, and telephone number of the transporter(s)
- Certification that the contents meet all government regulations for transport by highways.

4.B.2. The waste generator is responsible for ensuring that a copy of the WSR is delivered to the disposal site along with the waste shipment. If a copy of the WSR signed by the disposal site operator is not returned to the waste generator within 35 days, the waste generator must contact the transporter and/or the disposal site to determine the status of the waste shipment. 40 CFR 61.150(d)(3). If the signed WSR is not received within 45 days, the waste generator must report, in writing, to the responsible NESHAP program agency and send along a copy of the WSR. 40

CFR 61.150(d)(4). Copies of WSRs, including those signed by the disposal site operator, must be retained for at least 2 years. 40 CFR 61.150(d)(5).

V. Training

5.1. For those roof removals that are subject to the NESHAP, at least one on-site supervisor trained in the provisions of the NESHAP must be present during the removal of the asbestos roofing material. 40 CFR 61.145(c)(8). In EPA's view, this person can be a job foreman, a hired consultant, or someone who can represent the building owner or contractor responsible for the removal. In addition to the initial training requirement, a refresher training course is required every 2 years. The NESHAP training requirements became effective on November 20, 1991.

5.2. Asbestos training courses developed specifically to address compliance with the NESHAP in roofing work, as well as courses developed for other purposes can satisfy this requirement of the NESHAP, as long as the course covers the areas specified in the regulation. EPA believes that Asbestos Hazard Emergency Response Act (AHERA) training courses will, for example, satisfy the NESHAP training requirements. However, nothing in this interpretive rule or in the NESHAP shall be deemed to require that roofing contractors or roofing workers performing operations covered by the NESHAP must be trained or accredited under AHERA, as amended by the Asbestos School Hazard Abatement Reauthorization Act (ASHARA). Likewise, state or local authorities may independently impose additional training, licensing, or accreditation requirements on roofing contractors performing operations covered by the NESHAP, but such additional training, licensing or accreditation is not called for by this interpretive rule or the federal NESHAP.

5.3. For removal of Category I asbestos containing roofing material where RB roof cutters or equipment that similarly damages the asbestos-containing roofing material are used, the NESHAP training requirements (§ 61.145(c)(8)) apply as discussed in Section I above. It is EPA's intention that removal of Category I asbestos-containing roofing material using hatchets, axes, knives, and/or the use of spud bars, pry bars and shovels to lift the roofing material, or similar removal methods that slice, punch, or shear the roof membrane are not subject to the training requirements, since these methods do not cause the roof removal to be subject to the NESHAP. Likewise, it is EPA's intention that roof removal operations involving Category II nonfriable ACM are not subject to the training requirements where such operations are not subject to the NESHAP as discussed in section I above.

[59 FR 31158, June 17, 1994, as amended at 60 FR 31920, June 19, 1995]

Attachment D

Part 70 Operating Permit Renewal No: T163-36018-00114

[Downloaded from the eCFR on July 23, 2013]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

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

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

§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 AAAAA of Part 63—Applicability of NESHAP General Provisions to Subpart AAAAA

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	

Part 63 Citation	Description	Explanation
	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	

Attachment E

Part 70 Operating Permit Renewal No: T163-36018-00114

[Downloaded from the eCFR on May 13, 2013]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

Source: 73 FR 1945, Jan. 10, 2008, unless otherwise noted.

What This Subpart Covers

§ 63.11110 What is the purpose of this subpart?

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tanks at gasoline dispensing facilities (GDF). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

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

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

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

(c) If your GDF has a monthly throughput of 10,000 gallons of gasoline or more, you must comply with the requirements in § 63.11117.

(d) If your GDF has a monthly throughput of 100,000 gallons of gasoline or more, you must comply with the requirements in § 63.11118.

(e) An affected source shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. For new or reconstructed affected sources, as specified in § 63.11112(b) and (c), recordkeeping to document monthly throughput must begin upon startup of the affected source. For existing sources, as specified in § 63.11112(d), recordkeeping to document monthly throughput must begin on January 10, 2008. For existing sources that are subject to this subpart only because they load gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, recordkeeping to document monthly throughput must begin on January 24, 2011. Records required under this paragraph shall be kept for a period of 5 years.

(f) If you are an owner or operator of affected sources, as defined in paragraph (a) of this section, you are not required to obtain a permit under 40 CFR part 70 or 40 CFR part 71 as a result of being subject to this subpart. However, you must still apply for and obtain a permit under 40 CFR part 70 or 40 CFR part 71 if you meet one or more of the applicability criteria found in 40 CFR 70.3(a) and (b) or 40 CFR 71.3(a) and (b).

(g) The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation gasoline within the airport, is not subject to this subpart.

(h) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separate locations within the area source, each GDF is treated as a separate affected source.

(i) If your affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold.

(j) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to § 63.11116 of this subpart.

(k) For any affected source subject to the provisions of this subpart and another Federal rule, you may elect to comply only with the more stringent provisions of the applicable subparts. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the affected source and provisions with which you will comply in your Notification of Compliance Status required under § 63.11124. You also must demonstrate in your Notification of Compliance Status that each provision with which you will comply is at least as stringent as the otherwise applicable requirements in this subpart. You are responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, you are violating this subpart. Compliance with this rule is your responsibility and the Notification of Compliance Status does not alter or affect that responsibility.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4181, Jan. 24, 2011]

§ 63.11112 What parts of my affected source does this subpart cover?

(a) The emission sources to which this subpart applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in § 63.11111. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this subpart.

(b) An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in § 63.11111 at the time you commenced operation.

(c) An affected source is reconstructed if you meet the criteria for reconstruction as defined in § 63.2.

(d) An affected source is an existing affected source if it is not new or reconstructed.

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

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section, except as specified in paragraph (d) of this section.

(1) If you start up your affected source before January 10, 2008, you must comply with the standards in this subpart no later than January 10, 2008.

(2) If you start up your affected source after January 10, 2008, you must comply with the standards in this subpart upon startup of your affected source.

(b) If you have an existing affected source, you must comply with the standards in this subpart no later than January 10, 2011.

(c) If you have an existing affected source that becomes subject to the control requirements in this subpart because of an increase in the monthly throughput, as specified in § 63.11111(c) or § 63.11111(d), you must comply with the standards in this subpart no later than 3 years after the affected source becomes subject to the control requirements in this subpart.

(d) If you have a new or reconstructed affected source and you are complying with Table 1 to this subpart, you must comply according to paragraphs (d)(1) and (2) of this section.

(1) If you start up your affected source from November 9, 2006 to September 23, 2008, you must comply no later than September 23, 2008.

(2) If you start up your affected source after September 23, 2008, you must comply upon startup of your affected source.

(e) The initial compliance demonstration test required under § 63.11120(a)(1) and (2) must be conducted as specified in paragraphs (e)(1) and (2) of this section.

(1) If you have a new or reconstructed affected source, you must conduct the initial compliance test upon installation of the complete vapor balance system.

(2) If you have an existing affected source, you must conduct the initial compliance test as specified in paragraphs (e)(2)(i) or (e)(2)(ii) of this section.

(i) For vapor balance systems installed on or before December 15, 2009, you must test no later than 180 days after the applicable compliance date specified in paragraphs (b) or (c) of this section.

(ii) For vapor balance systems installed after December 15, 2009, you must test upon installation of the complete vapor balance system.

(f) If your GDF is subject to the control requirements in this subpart only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, you must comply with the standards in this subpart as specified in paragraphs (f)(1) or (f)(2) of this section.

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

(2) If your GDF is a new or reconstructed facility, you must comply by the dates specified in paragraphs (f)(2)(i) and (ii) of this section.

(i) If you start up your GDF after December 15, 2009, but before January 24, 2011, you must comply no later than January 24, 2011.

(ii) If you start up your GDF after January 24, 2011, you must comply upon startup of your GDF.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 35944, June 25, 2008; 76 FR 4181, Jan. 24, 2011]

Emission Limitations and Management Practices

§ 63.11115 What are my general duties to minimize emissions?

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

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

of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

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

[76 FR 4182, Jan. 24, 2011]

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

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

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

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

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

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

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4182, Jan. 24, 2011]

§ 63.11117 Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.

(a) You must comply with the requirements in section § 63.11116(a).

(b) Except as specified in paragraph (c) of this section, you must only load gasoline into storage tanks at your facility by utilizing submerged filling, as defined in § 63.11132, and as specified in paragraphs (b)(1), (b)(2), or (b)(3) of this section. The applicable distances in paragraphs (b)(1) and (2) shall be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank.

(1) Submerged fill pipes installed on or before November 9, 2006, must be no more than 12 inches from the bottom of the tank.

(2) Submerged fill pipes installed after November 9, 2006, must be no more than 6 inches from the bottom of the tank.

(3) Submerged fill pipes not meeting the specifications of paragraphs (b)(1) or (b)(2) of this section are allowed if the owner or operator can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by the Administrator's delegated representative during the course of a site visit.

(c) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the submerged fill requirements in paragraph (b) of this section, but must comply only with all of the requirements in § 63.11116.

(d) You must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(e) You must submit the applicable notifications as required under § 63.11124(a).

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

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4182, Jan. 24, 2011]

§ 63.11118 Requirements for facilities with monthly throughput of 100,000 gallons of gasoline or more.

(a) You must comply with the requirements in §§ 63.11116(a) and 63.11117(b).

(b) Except as provided in paragraph (c) of this section, you must meet the requirements in either paragraph (b)(1) or paragraph (b)(2) of this section.

(1) Each management practice in Table 1 to this subpart that applies to your GDF.

(2) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(2)(i) and (ii) of this section, you will be deemed in compliance with this subsection.

(i) You operate a vapor balance system at your GDF that meets the requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(ii) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraph (b)(2)(i)(A) or paragraph (b)(2)(i)(B) of this section.

(c) The emission sources listed in paragraphs (c)(1) through (3) of this section are not required to comply with the control requirements in paragraph (b) of this section, but must comply with the requirements in § 63.11117.

(1) Gasoline storage tanks with a capacity of less than 250 gallons that are constructed after January 10, 2008.

(2) Gasoline storage tanks with a capacity of less than 2,000 gallons that were constructed before January 10, 2008.

(3) Gasoline storage tanks equipped with floating roofs, or the equivalent.

(d) Cargo tanks unloading at GDF must comply with the management practices in Table 2 to this subpart.

(e) You must comply with the applicable testing requirements contained in § 63.11120.

(f) You must submit the applicable notifications as required under § 63.11124.

(g) You must keep records and submit reports as specified in §§ 63.11125 and 63.11126.

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

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008]

Testing and Monitoring Requirements

§ 63.11120 What testing and monitoring requirements must I meet?

(a) Each owner or operator, at the time of installation, as specified in § 63.11113(e), of a vapor balance system required under § 63.11118(b)(1), and every 3 years thereafter, must comply with the requirements in paragraphs (a)(1) and (2) of this section.

(1) You must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 1 to this subpart, for pressure-vacuum vent valves installed on your gasoline storage tanks using the test methods identified in paragraph (a)(1)(i) or paragraph (a)(1)(ii) of this section.

(i) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E,—Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003 (incorporated by reference, see § 63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in § 63.7(f).

(2) You must demonstrate compliance with the static pressure performance requirement specified in item 1(h) of Table 1 to this subpart for your vapor balance system by conducting a static pressure test on your gasoline storage tanks using the test methods identified in paragraphs (a)(2)(i), (a)(2)(ii), or (a)(2)(iii) of this section.

(i) California Air Resources Board Vapor Recovery Test Procedure TP-201.3,—Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended March 17, 1999 (incorporated by reference, see § 63.14).

(ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in § 63.7(f).

(iii) Bay Area Air Quality Management District Source Test Procedure ST-30—Static Pressure Integrity Test—Underground Storage Tanks, adopted November 30, 1983, and amended December 21, 1994 (incorporated by reference, see § 63.14).

(b) Each owner or operator choosing, under the provisions of § 63.6(g), to use a vapor balance system other than that described in Table 1 to this subpart must demonstrate to the Administrator or delegated authority under paragraph § 63.11131(a) of this subpart, the equivalency of their vapor balance system to that described in Table 1 to this subpart using the procedures specified in paragraphs (b)(1) through (3) of this section.

(1) You must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction using the California Air Resources Board Vapor Recovery Test Procedure TP-201.1,—Volumetric Efficiency for Phase I Vapor Recovery Systems, adopted April 12, 1996, and amended February 1, 2001, and October 8, 2003, (incorporated by reference, see § 63.14).

(2) You must, during the initial performance test required under paragraph (b)(1) of this section, determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of Table 1 to this subpart and for the static pressure performance requirement in item 1(h) of Table 1 to this subpart.

(3) You must comply with the testing requirements specified in paragraph (a) of this section.

(c) Conduct of performance tests. Performance tests conducted for this subpart shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (*i.e.*, performance based on normal operating conditions) of the affected source. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(d) Owners and operators of gasoline cargo tanks subject to the provisions of Table 2 to this subpart must conduct annual certification testing according to the vapor tightness testing requirements found in § 63.11092(f).

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4182, Jan. 24, 2011]

Notifications, Records, and Reports

§ 63.11124 What notifications must I submit and when?

(a) Each owner or operator subject to the control requirements in § 63.11117 must comply with paragraphs (a)(1) through (3) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in § 63.11117, unless you meet the requirements in paragraph (a)(3) of this section. If your affected source is subject to the control requirements in § 63.11117 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, you must submit the Initial Notification by May 24, 2011. The Initial Notification must contain the information specified in paragraphs (a)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and delegated State authority as specified in § 63.13.

(i) The name and address of the owner and the operator.

(ii) The address (i.e., physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of § 63.11117 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13, within 60 days of the applicable compliance date specified in § 63.11113, unless you meet the requirements in paragraph (a)(3) of this section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy, must indicate whether the source has complied with the requirements of this subpart, and must indicate whether the facilities' monthly throughput is calculated based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (a)(1) of this section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (a)(1) of this section.

(3) If, prior to January 10, 2008, you are operating in compliance with an enforceable State, local, or tribal rule or permit that requires submerged fill as specified in § 63.11117(b), you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (a)(1) or paragraph (a)(2) of this section.

(b) Each owner or operator subject to the control requirements in § 63.11118 must comply with paragraphs (b)(1) through (5) of this section.

(1) You must submit an Initial Notification that you are subject to this subpart by May 9, 2008, or at the time you become subject to the control requirements in § 63.11118. If your affected source is subject to the control requirements in § 63.11118 only because it loads gasoline into fuel tanks other than those in motor vehicles, as defined in § 63.11132, you must submit the Initial Notification by May 24, 2011. The Initial Notification must contain the information specified in paragraphs (b)(1)(i) through (iii) of this section. The notification must be submitted to the applicable EPA Regional Office and delegated State authority as specified in § 63.13.

(i) The name and address of the owner and the operator.

(ii) The address (i.e., physical location) of the GDF.

(iii) A statement that the notification is being submitted in response to this subpart and identifying the requirements in paragraphs (a) through (c) of § 63.11118 that apply to you.

(2) You must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority, as specified in § 63.13, in accordance with the schedule specified in § 63.9(h). The Notification of

Compliance Status must be signed by a responsible official who must certify its accuracy, must indicate whether the source has complied with the requirements of this subpart, and must indicate whether the facility's throughput is determined based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks. If your facility is in compliance with the requirements of this subpart at the time the Initial Notification required under paragraph (b)(1) of this section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (b)(1) of this section.

(3) If, prior to January 10, 2008, you satisfy the requirements in both paragraphs (b)(3)(i) and (ii) of this section, you are not required to submit an Initial Notification or a Notification of Compliance Status under paragraph (b)(1) or paragraph (b)(2) of this subsection.

(i) You operate a vapor balance system at your gasoline dispensing facility that meets the requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(A) Achieves emissions reduction of at least 90 percent.

(B) Operates using management practices at least as stringent as those in Table 1 to this subpart.

(ii) Your gasoline dispensing facility is in compliance with an enforceable State, local, or tribal rule or permit that contains requirements of either paragraphs (b)(3)(i)(A) or (b)(3)(i)(B) of this section.

(4) You must submit a Notification of Performance Test, as specified in § 63.9(e), prior to initiating testing required by § 63.11120(a) and (b).

(5) You must submit additional notifications specified in § 63.9, as applicable.

[73 FR 1945, Jan. 10, 2008, as amended at 73 FR 12276, Mar. 7, 2008; 76 FR 4182, Jan. 24, 2011]

§ 63.11125 What are my recordkeeping requirements?

(a) Each owner or operator subject to the management practices in § 63.11118 must keep records of all tests performed under § 63.11120(a) and (b).

(b) Records required under paragraph (a) of this section shall be kept for a period of 5 years and shall be made available for inspection by the Administrator's delegated representatives during the course of a site visit.

(c) Each owner or operator of a gasoline cargo tank subject to the management practices in Table 2 to this subpart must keep records documenting vapor tightness testing for a period of 5 years. Documentation must include each of the items specified in § 63.11094(b)(2)(i) through (viii). Records of vapor tightness testing must be retained as specified in either paragraph (c)(1) or paragraph (c)(2) of this section.

(1) The owner or operator must keep all vapor tightness testing records with the cargo tank.

(2) As an alternative to keeping all records with the cargo tank, the owner or operator may comply with the requirements of paragraphs (c)(2)(i) and (ii) of this section.

(i) The owner or operator may keep records of only the most recent vapor tightness test with the cargo tank, and keep records for the previous 4 years at their office or another central location.

(ii) Vapor tightness testing records that are kept at a location other than with the cargo tank must be instantly available (e.g., via e-mail or facsimile) to the Administrator's delegated representative during the course of a site visit or within a mutually agreeable time frame. Such records must be an exact duplicate image of the original paper copy record with certifying signatures.

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

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

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

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4183, Jan. 24, 2011]

§ 63.11126 What are my reporting requirements?

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

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

[76 FR 4183, Jan. 24, 2011]

Other Requirements and Information

§ 63.11130 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions apply to you.

§ 63.11131 Who implements and 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 U.S. EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of 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 Administrator of U.S. EPA and cannot be transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (3) of this section.

(1) Approval of alternatives to the requirements in §§ 63.11116 through 63.11118 and 63.11120.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

§ 63.11132 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act (CAA), or in subparts A and BBBBBB of this part. For purposes of this subpart, definitions in this section supersede definitions in other parts or subparts.

Dual-point vapor balance system means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater, which is used as a fuel for internal combustion engines.

Gasoline cargo tank means a delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load.

Gasoline dispensing facility (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.

Monthly throughput means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

Motor vehicle means any self-propelled vehicle designed for transporting persons or property on a street or highway.

Nonroad engine means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 of this title or section 7521 of this title.

Nonroad vehicle means a vehicle that is powered by a nonroad engine, and that is not a motor vehicle or a vehicle used solely for competition.

Submerged filling means, for the purposes of this subpart, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than the applicable distance specified in § 63.11117(b) from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

Vapor balance system means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

Vapor-tight means equipment that allows no loss of vapors. Compliance with vapor-tight requirements can be determined by checking to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

Vapor-tight gasoline cargo tank means a gasoline cargo tank which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in § 63.11092(f) of this part.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4183, Jan. 24, 2011]

Table 1 to Subpart CCCCCC of Part 63—Applicability Criteria and Management Practices for Gasoline Dispensing Facilities With Monthly Throughput of 100,000 Gallons of Gasoline or More¹

If you own or operate	Then you must
1. A new, reconstructed, or existing GDF subject to § 63.11118	Install and operate a vapor balance system on your gasoline storage tanks that meets the design criteria in paragraphs (a) through (h).
	(a) All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.
	(b) The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor-tight, as defined in § 63.11132.
	(c) The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer.
	(d) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.
	(e) If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in § 63.11117(b).
	(f) Liquid fill connections for all systems shall be equipped with vapor-tight caps.
	(g) Pressure/vacuum (PV) vent valves shall be installed on the storage tank vent pipes. The pressure specifications for PV vent valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water.
	(h) The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation:
	$P_f = 2e^{-500.887/v}$
	Where:
	P_f = Minimum allowable final pressure, inches of water.
	v = Total ullage affected by the test, gallons.
	e = Dimensionless constant equal to approximately 2.718.
	2 = The initial pressure, inches water.
2. A new or reconstructed GDF, or any storage tank(s) constructed after November 9, 2006, at an existing affected facility subject to § 63.11118	Equip your gasoline storage tanks with a dual-point vapor balance system, as defined in § 63.11132, and comply with the requirements of item 1 in this Table.

¹ The management practices specified in this Table are not applicable if you are complying with the requirements in § 63.11118(b)(2), except that if you are complying with the requirements in § 63.11118(b)(2)(i)(B), you must operate using management practices at least as stringent as those listed in this Table.

Table 2 to Subpart CCCCCC of Part 63—Applicability Criteria and Management Practices for Gasoline Cargo Tanks Unloading at Gasoline Dispensing Facilities With Monthly Throughput of 100,000 Gallons of Gasoline or More

If you own or operate	Then you must
A gasoline cargo tank	Not unload gasoline into a storage tank at a GDF subject to the control requirements in this subpart unless the following conditions are met:
	(i) All hoses in the vapor balance system are properly connected,
	(ii) The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect,
	(iii) All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight,
	(iv) All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and
	(v) All hatches on the tank truck are closed and securely fastened.
	(vi) The filling of storage tanks at GDF shall be limited to unloading from vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 shall be carried with the cargo tank, as specified in § 63.11125(c).

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4184, Jan. 24, 2011]

Table 3 to Subpart CCCCCC of Part 63—Applicability of General Provisions

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions, notifications	Yes, specific requirements given in § 63.11111.
§ 63.1(c)(2)	Title V Permit	Requirements for obtaining a title V permit from the applicable permitting authority	Yes, § 63.11111(f) of subpart CCCCCC exempts identified area sources from the obligation to obtain title V operating permits.
§ 63.2	Definitions	Definitions for part 63 standards	Yes, additional definitions in § 63.11132.
§ 63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§ 63.4	Prohibited Activities and Circumvention	Prohibited activities; Circumvention, severability	Yes.
§ 63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes, except that these notifications are not required for facilities subject to § 63.11116
§ 63.6(a)	Compliance with Standards/Operation & Maintenance—Applicability	General Provisions apply unless compliance extension; General Provisions apply to area sources that become major	Yes.
§ 63.6(b)(1)-(4)	Compliance Dates for New and Reconstructed Sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for CAA section 112(f)	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source	No.
§ 63.6(c)(1)-(2)	Compliance Dates for Existing Sources	Comply according to date in this subpart, which must be no later than 3 years after effective date; for CAA section 112(f) standards, comply within 90 days of effective date unless compliance extension	No, § 63.11113 specifies the compliance dates.
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major	Area sources That become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years)	No.
§ 63.6(d)	[Reserved]		
63.6(e)(1)(i)	General duty to minimize emissions	Operate to minimize emissions at all times; information Administrator will use to determine if operation and maintenance requirements were met.	No. See § 63.11115 for general duty requirement.
63.6(e)(1)(ii)	Requirement to correct malfunctions ASAP	Owner or operator must correct malfunctions as soon as possible.	No.
§ 63.6(e)(2)	[Reserved]		
§ 63.6(e)(3)	Startup, Shutdown, and Malfunction (SSM) Plan	Requirement for SSM plan; content of SSM plan; actions during SSM	No.
§ 63.6(f)(1)	Compliance Except During SSM	You must comply with emission standards at all times except during SSM	No.
§ 63.6(f)(2)-(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§ 63.6(g)(1)-(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§ 63.6(h)(1)	Compliance with Opacity/Visible Emission (VE) Standards	You must comply with opacity/VE standards at all times except during SSM	No.
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/VE Standards	If standard does not State test method, use EPA Method 9 for opacity in appendix A of part 60 of this chapter and EPA Method 22 for VE in appendix A of part 60 of this chapter	No.
§ 63.6(h)(2)(ii)	[Reserved]		
§ 63.6(h)(2)(iii)	Using Previous Tests To Demonstrate Compliance With Opacity/VE Standards	Criteria for when previous opacity/VE testing can be used to show compliance with this subpart	No.
§ 63.6(h)(3)	[Reserved]		
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date	Must notify Administrator of anticipated date of observation	No.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.6(h)(5)(i), (iii)-(v)	Conducting Opacity/VE Observations	Dates and schedule for conducting opacity/VE observations	No.
§ 63.6(h)(5)(ii)	Opacity Test Duration and Averaging Times	Must have at least 3 hours of observation with 30 6-minute averages	No.
§ 63.6(h)(6)	Records of Conditions During Opacity/VE Observations	Must keep records available and allow Administrator to inspect	No.
§ 63.6(h)(7)(i)	Report Continuous Opacity Monitoring System (COMS) Monitoring Data From Performance Test	Must submit COMS data with other performance test data	No.
§ 63.6(h)(7)(ii)	Using COMS Instead of EPA Method 9	Can submit COMS data instead of EPA Method 9 results even if rule requires EPA Method 9 in appendix A of part 60 of this chapter, but must notify Administrator before performance test	No.
§ 63.6(h)(7)(iii)	Averaging Time for COMS During Performance Test	To determine compliance, must reduce COMS data to 6-minute averages	No.
§ 63.6(h)(7)(iv)	COMS Requirements	Owner/operator must demonstrate that COMS performance evaluations are conducted according to § 63.8(e); COMS are properly maintained and operated according to § 63.8(c) and data quality as § 63.8(d)	No.
§ 63.6(h)(7)(v)	Determining Compliance with Opacity/VE Standards	COMS is probable but not conclusive evidence of compliance with opacity standard, even if EPA Method 9 observation shows otherwise. Requirements for COMS to be probable evidence-proper maintenance, meeting Performance Specification 1 in appendix B of part 60 of this chapter, and data have not been altered	No.
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards	Administrator will use all COMS, EPA Method 9 (in appendix A of part 60 of this chapter), and EPA Method 22 (in appendix A of part 60 of this chapter) results, as well as information about operation and maintenance to determine compliance	No.
§ 63.6(h)(9)	Adjusted Opacity Standard	Procedures for Administrator to adjust an opacity standard	No.
§ 63.6(i)(1)-(14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§ 63.6(j)	Presidential Compliance Exemption	President may exempt any source from requirement to comply with this subpart	Yes.
§ 63.7(a)(2)	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date	Yes.
§ 63.7(a)(3)	CAA Section 114 Authority	Administrator may require a performance test under CAA section 114 at any time	Yes.
§ 63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 days before the test	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.7(b)(2)	Notification of Re-scheduling	If have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay	Yes.
§ 63.7(c)	Quality Assurance (QA)/Test Plan	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.
§ 63.7(d)	Testing Facilities	Requirements for testing facilities	Yes.
63.7(e)(1)	Conditions for Conducting Performance Tests	Performance test must be conducted under representative conditions	No, § 63.11120(c) specifies conditions for conducting performance tests.
§ 63.7(e)(2)	Conditions for Conducting Performance Tests	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative	Yes.
§ 63.7(e)(3)	Test Run Duration	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes.
§ 63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method	Yes.
§ 63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the Notification of Compliance Status; keep data for 5 years	Yes.
§ 63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test	Yes.
§ 63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in standard	Yes.
§ 63.8(a)(2)	Performance Specifications	Performance Specifications in appendix B of 40 CFR part 60 apply	Yes.
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring of Flares	Monitoring requirements for flares in § 63.11 apply	Yes.
§ 63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.8(b)(2)-(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup	No.
§ 63.8(c)(1)	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices	No.
§ 63.8(c)(1)(i)-(iii)	Operation and Maintenance of Continuous Monitoring Systems (CMS)	Must maintain and operate each CMS as specified in § 63.6(e)(1); must keep parts for routine repairs readily available; must develop a written SSM plan for CMS, as specified in § 63.6(e)(3)	No.
§ 63.8(c)(2)-(8)	CMS Requirements	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test	No.
§ 63.8(d)	CMS Quality Control	Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions	No.
§ 63.8(e)	CMS Performance Evaluation	Notification, performance evaluation test plan, reports	No.
§ 63.8(f)(1)-(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring	No.
§ 63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy tests for continuous emissions monitoring system (CEMS)	No.
§ 63.8(g)	Data Reduction	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average	No.
§ 63.9(a)	Notification Requirements	Applicability and State delegation	Yes.
§ 63.9(b)(1)-(2), (4)-(5)	Initial Notifications	Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each	Yes.
§ 63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.9(d)	Notification of Special Compliance Requirements for New Sources	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date	Yes.
§ 63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	Yes.
§ 63.9(f)	Notification of VE/Opacity Test	Notify Administrator 30 days prior	No.
§ 63.9(g)	Additional Notifications when Using CMS	Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative	Yes, however, there are no opacity standards.
§ 63.9(h)(1)-(6)	Notification of Compliance Status	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after; when to submit to Federal vs. State authority	Yes, however, there are no opacity standards.
§ 63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change when notifications must be submitted	Yes.
§ 63.9(j)	Change in Previous Information	Must submit within 15 days after the change	Yes.
§ 63.10(a)	Recordkeeping/Reporting	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source	Yes.
§ 63.10(b)(1)	Recordkeeping/Reporting	General requirements; keep all records readily available; keep for 5 years	Yes.
§ 63.10(b)(2)(i)	Records related to SSM	Recordkeeping of occurrence and duration of startups and shutdowns	No.
§ 63.10(b)(2)(ii)	Records related to SSM	Recordkeeping of malfunctions	No. See § 63.11125(d) for recordkeeping of (1) occurrence and duration and (2) actions taken during malfunction.
§ 63.10(b)(2)(iii)	Maintenance records	Recordkeeping of maintenance on air pollution control and monitoring equipment	Yes.
§ 63.10(b)(2)(iv)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(v)	Records Related to SSM	Actions taken to minimize emissions during SSM	No.
§ 63.10(b)(2)(vi)-(xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	No.
§ 63.10(b)(2)(xii)	Records	Records when under waiver	Yes.
§ 63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test	Yes.
§ 63.10(b)(2)(xiv)	Records	All documentation supporting Initial Notification and Notification of Compliance Status	Yes.
§ 63.10(b)(3)	Records	Applicability determinations	Yes.
§ 63.10(c)	Records	Additional records for CMS	No.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§ 63.10(d)(2)	Report of Performance Test Results	When to submit to Federal or State authority	Yes.
§ 63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	No.
§ 63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.
§ 63.10(d)(5)	SSM Reports	Contents and submission	No. See § 63.11126(b) for malfunction reporting requirements.
§ 63.10(e)(1)-(2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; two-three copies of COMS performance evaluation	No.
§ 63.10(e)(3)(i)-(iii)	Reports	Schedule for reporting excess emissions	No.
§ 63.10(e)(3)(iv)-(v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)-(8) and 63.10(c)(5)-(13)	No.
§ 63.10(e)(3)(iv)-(v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)-(8) and 63.10(c)(5)-(13)	No, § 63.11130(K) specifies excess emission events for this subpart.
§ 63.10(e)(3)(vi)-(viii)	Excess Emissions Report and Summary Report	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.10(c)(5)-(13) and 63.8(c)(7)-(8)	No.
§ 63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data	No.
§ 63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.

Citation	Subject	Brief description	Applies to subpart CCCCCC
§ 63.11(b)	Flares	Requirements for flares	No.
§ 63.12	Delegation	State authority to enforce standards	Yes.
§ 63.13	Addresses	Addresses where reports, notifications, and requests are sent	Yes.
§ 63.14	Incorporations by Reference	Test methods incorporated by reference	Yes.
§ 63.15	Availability of Information	Public and confidential information	Yes.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4184, Jan. 24, 2011]

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

Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

Source Name:	BFI Waste Systems of North America LLC - Laubscher Meadows Landfill
Source Location:	2121 Wimberg Road, Evansville, Indiana 47720
County:	Vanderburgh County (Center Township)
SIC Code:	4953 (Refuse Systems)
Permit Renewal No.:	T163-36018-00114
Permit Reviewer:	David Matousek

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from BFI Waste Systems of North America LLC - Laubscher Meadows Landfill relating to the operation of a stationary municipal solid waste landfill. On July 6, 2015, BFI Waste Systems of North America LLC - Laubscher Meadows Landfill submitted an application to the OAQ requesting to renew its operating permit. BFI Waste Systems of North America LLC - Laubscher Meadows Landfill was issued its second Part 70 Operating Permit Renewal (T163-29964-00114) on May 5, 2011.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units:

- (a) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAAA]
- (b) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAAA] [326 IAC 6.5]

Emission Units and Pollution Control Equipment Removed From the Source

The source has removed the following emission units:

- (a) Composting Tub Grinder and Screener
- (b) Natural gas-fired combustion sources with heat input equal to or less than 10 MMBtu/hr
- (c) One (1) 250 gallon waste oil tank
- (d) One (1) 8.5 HP gasoline-fired pump (non-road engine)
- (e) One (1) 3.5 HP fuel caddy
- (f) Submersible pumps
- (g) Solidification Basin
- (h) Recycling and Material Handling

Specifically Regulated Insignificant Activities

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

- (a) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4] [326 IAC 6-5] [326 IAC 6.5]
- (b) A gasoline fuel transfer/dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day and filling storage tanks having a capacity equal to or less than ten thousand five hundred (10,500) gallons, identified as GAS1, constructed after January 10, 2008. Such storage tanks may be in a fixed location or on mobile equipment. The operation consists of one (1) 274 gallon gasoline storage tank with a throughput of 1,500 gallons per year. [40 CFR 63, Subpart CCCCCC]
- (c) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 and consisting of one (1) 30 gallon parts cleaning station, identified as PC1. [326 IAC 8-3-2] [326 IAC 8-3-8]
- (d) Space heaters, process heaters, heat treat furnaces, or boilers using propane or liquefied petroleum gas or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) British thermal units per hour, consisting of one (1) LPG heater, identified as HTR-1, with a maximum heat input of 0.135 MMBtu/hr. [326 IAC 6.5]
- (e) Composting Organic Pile Emissions. [326 IAC 6.5]
- (f) Composting Drop Point Emissions. [326 IAC 6.5]

Other Insignificant Activities

This stationary source also includes the following insignificant activities which are not specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Combustion source flame safety purging on start-up.
- (b) A petroleum fuel other than gasoline dispensing facility, having a storage tank capacity less than or equal to ten thousand five hundred (10,500) gallons, and dispensing three thousand five hundred (3,500) gallons per day or less. Including the following:
 - (1) One (1) 8,000 gallon diesel fuel tank dispensing 6,500 gallons per month.
 - (2) One (1) 10,000 gallon diesel fuel tank dispensing 30,000 gallons per month.
 - (3) One (1) 563 gallon mobile diesel fuel tank.
- (c) The following VOC and HAP storage containers:
 - (1) Storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons, including four (4) 300 gallon oil tanks.

- (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (d) Equipment used exclusively for filling drums, pails, or other packaging containers from 55 gallon drums with lubricating oils and greases.
- (e) Production related activities, including the application of oils, greases, and lubricants as temporary protective coatings.
- (f) Other activities:
 - (1) One (1) 6,000 gallon condensate storage tank.
 - (2) Four (4) 50 gallon condensate storage tanks.

Trivial Activities

- (a) Water related activities, including the following:
 - (1) Production of hot water for on-site personal use not related to any industrial or production process.
 - (2) Pressure washing of equipment.
- (b) Combustion activities, including the following:
 - (1) Portable electrical generators that can be moved by hand from one (1) location to another. As used in this item, "moved by hand" means that it can be moved without the assistance of any motorized or nonmotorized vehicle, conveyance, or device.
 - (2) Combustion emissions from propulsion of mobile sources.
 - (3) Fuel use related to food preparation for on-site consumption.
 - (4) Tobacco smoking rooms and areas.
 - (5) Indoor and outdoor kerosene heaters.
- (c) Activities related to ventilation, venting equipment, and refrigeration, including the following:
 - (1) Ventilation exhaust, central chiller water systems, refrigeration, and air conditioning equipment, not related to any industrial or production process, including natural draft hoods or ventilating systems that do not remove air pollutants.
 - (2) Stack and vents from plumbing traps used to prevent the discharge of sewer gases, handling domestic sewage only, excluding those at wastewater treatment plants or those handling any industrial waste.
 - (3) Air vents from air compressors.
 - (4) Vents for air cooling of electric motors provided the air does not commingle with regulated air pollutants.

- (d) Activities related to routine fabrication, maintenance, and repair of buildings, structures, equipment, or vehicles at the source where air emissions from those activities would not be associated with any commercial production process, including the following:
 - (1) Activities associated with the repair and maintenance of paved and unpaved roads, including paving or sealing, or both, of parking lots and roadways.
 - (2) Painting, including interior and exterior painting of buildings, and solvent use excluding degreasing operations utilizing halogenated organic solvents.
 - (3) Brazing, soldering, or welding operations and associated equipment.
 - (4) Portable blast-cleaning equipment with enclosures.
 - (5) Blast-cleaning equipment using water as the suspension agent and associated equipment.
 - (6) Batteries and battery charging stations except at battery manufacturing plants.
 - (7) Lubrication, including the following:
 - (i) Hand-held spray can lubrication.
 - (ii) Dipping metal parts into lubricating oil.
 - (iii) Manual or automated addition of cutting oil in machining operations.
 - (8) Instrument air dryer and filter maintenance.
- (e) Activities performed using hand-held equipment, including the following: buffing, drilling, grinding, routing, sanding, sawing, surface grinding, and machining wood, metal, or plastic.
- (f) Housekeeping and janitorial activities and supplies, including the following:
 - (1) Vacuum cleaning systems used exclusively for housekeeping or custodial activities, or both.
 - (2) Steam cleaning activities.
 - (3) Restrooms and associated cleanup operations and supplies.
 - (4) Alkaline or phosphate cleaners and associated equipment.
 - (5) Mobile floor sweepers and floor scrubbers.
 - (6) Pest control fumigation.
- (g) Office related activities, including the following:
 - (1) Office supplies and equipment.
 - (2) Photocopying equipment and associated supplies.

- (3) Paper shredding.
- (4) Blueprint machines, photographic equipment, and associated supplies.
- (h) Lawn care and landscape maintenance activities and equipment, including the storage, spraying, or application of insecticides, pesticides, and herbicides.
- (i) Storage equipment and activities, including
 - (1) Pressurized storage tanks and associated piping for liquid natural gas (LNG).
 - (2) Storage tanks, vessels, and containers holding or storing liquid substances that do not contain any VOC or HAP.
 - (3) Storage tanks, reservoirs, and pumping and handling equipment of any size containing, soap, vegetable oil, grease, wax, animal fat; and nonvolatile aqueous salt solutions; provided appropriate lids and covers are utilized.
 - (4) Storage of any non-HAP containing material in solid form stored in a sealed or covered container.
 - (5) Portable containers used for the collection, storage, or disposal of materials provided the container capacity is equal to or less than forty-six hundredths (0.46) cubic meters and the container is closed, except when the material is added or removed.
- (j) Emergency and standby equipment, including safety and emergency equipment except engine driven fire pumps, including fire suppression systems and emergency road flares.
- (k) Sampling and testing equipment and activities, including the following:
 - (1) Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis.
 - (2) Ground water monitoring wells and associated sample collection equipment.
 - (3) Sampling activities, including the sampling of waste.
- (l) Use of consumer products and equipment where the product or equipment is:
 - (1) used at a source in the same manner as normal consumer use; and
 - (2) not associated with any production process.
- (m) Activities generating limited amounts of fugitive dust, including the following:
 - (1) Fugitive emissions related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes under subdivision (22)(B), and any required fugitive dust control plan or its equivalent is submitted.
 - (2) Soil boring.

- (n) Activities associated with production, including the following:
 - (1) Air compressors and pneumatically operated equipment, including hand tools.
 - (2) Compressor or pump lubrication and seal oil systems.
- (o) Miscellaneous equipment, but not emissions associated with the process for which the equipment is used, and activities, including the following:
 - (1) Condensate drains for natural gas and landfill gas.
 - (2) Soil borrow pits.
 - (3) Manual loading and unloading operations.

Non-Road Engines

The Permittee indicates the source contains the following non-road engines as defined in 40 CFR 1068.30:

Engine Description	Fuel Type	Output Power (HP)
6-inch Pump	Diesel	100.2
4-inch Pump	Diesel	61.9
Light Plant	Diesel	10.5
Light Plant	Diesel	10.5
Service Truck Welder	Gasoline	16
Service Truck Air Compressor	Gasoline	13
Air Compressor	Diesel	49
Generator	Gasoline	10
4-inch Trash Pump	Gasoline	10

Existing Approvals

Since the issuance of the Part 70 Operating Permit Renewal (T163-29964-00114) on May 5, 2011, the source has constructed or has been operating under the following additional approvals:

- (a) Significant Permit Modification No. 163-30618-00114, issued on November 2, 2011;
- (b) Administrative Amendment No. 163-35088-00114, issued on December 24, 2014; and
- (c) Administrative Amendment No. 163-36063-00114, issued on July 28, 2015.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the State Implementation Plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

Enforcement Issue

There are no enforcement actions pending.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

County Attainment Status

The source is located in Vanderburgh County (Center Township).

Pollutant	Designation
SO ₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Attainment effective October 27, 2011, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.

¹Attainment effective October 18, 2000, for the 1-hour ozone standard for the Evansville area, including Vanderburgh County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005.

- (a) **Ozone Standards**
 Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) 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 NO_x emissions are considered when evaluating the rule applicability relating to ozone. Vanderburgh County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) **PM_{2.5}**
 Vanderburgh County has been classified as attainment for PM_{2.5}. Therefore, direct PM_{2.5}, SO₂, and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) **Other Criteria Pollutants**
 Vanderburgh County has been classified as attainment or unclassifiable in Indiana for SO₂, CO, PM₁₀, NO₂, and lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7, and there is no applicable New Source Performance Standard that was in effect on August 7, 1980, fugitive emissions, except for hazardous air pollutants (HAPs) are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability. Note: The landfill is subject to 40 CFR 61, Subpart M; however, landfills were not subject to this NSPS until after August 7, 1980.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Unrestricted Potential Emissions	
Pollutant	Tons/year
PM	7.88
PM ₁₀	7.88
PM _{2.5}	7.88
SO ₂	26.68
NO _x	35.95
VOC	27.89
CO	200.33

HAP	tons/year
Toluene	6.22
Hydrochloric Acid	3.75
Xylene	2.21
Dichloromethane	2.08
Tetrachloroethylene	1.06
Minor HAP (< 1.0 TPY)	5.74
Combined HAP	21.06

Appendix A of this TSD reflects the unrestricted potential emissions of the source.

On June 23, 2014, in the case of Utility Air Regulatory Group v. EPA, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHGs emissions to determine operating permit applicability or PSD applicability to a source or modification.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of CO is equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Operating Permit Renewal.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, because the source met the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Potential to Emit After Issuance

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

Controlled Potential to Emit of the Entire Source After Issuance (TPY)									
Emission Unit	PM	PM₁₀	Direct PM_{2.5}	SO₂	VOC	CO	NO_x	Combined HAP	Single HAP
Municipal Solid Waste Landfill	0.00	0.00	0.00	0.00	0.53	0.10	0.00	0.26	Toluene 0.09
Fugitive Landfill HAP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.32	Toluene 1.55
Flare (Emissions Unit #2)	7.88	7.88	7.88	26.67	0.99	195.20	35.87	3.75	HCL** 3.75
Insignificant Activities									
Gasoline Transfer Facility	0.00	0.00	0.00	0.00	0.01	0.00	0.00	4.51E-04	Toluene 1.21E-04
Degreaser	0.00	0.00	0.00	0.00	0.53	0.00	0.00	0.02	Toluene 5.34E-03
Propane Combustion Sources	negligible	negligible	negligible	negligible	negligible	0.05	0.08	0.00	0.00
Total Controlled PTE	7.88	7.88	7.88	26.68	2.07	195.35	35.95	8.35	HCL** 3.75
Title V Major Source Thresholds	NA*	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	NA	NA

* Under the Part 70 Permit program (40 CFR 70), PM10 and PM2.5, not particulate matter (PM), are each considered as a regulated air pollutant". ** HCL is hydrochloric acid.

On June 23, 2014, in the case of Utility Air Regulatory Group v. EPA, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHGs emissions to determine operating permit applicability or PSD applicability to a source or modification.

- (a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no PSD regulated pollutant is emitted at a rate of two hundred fifty (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(ff)(1).
- (b) This existing source is not a major stationary source under Emission Offset (326 IAC 2-3) because no nonattainment regulated pollutant is emitted at a rate of 100 tons per year or more.
- (c) These emissions are based upon Appendix A to the Technical Support Document.
- (d) This existing source is not a major source of HAPs, as defined in 40 CFR 63.2, because HAPs emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Federal Rule Applicability

CAM:

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each existing pollutant-specific emission unit that meets 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 only emission unit with a potential to emit before controls equal to or greater than any Part 70 major source threshold is the landfill gas flare, identified as Emission Unit #2. Emission Unit #2 has potential CO emissions of 195.2 TPY. However, CO emissions from the landfill gas flare are not controlled. In addition, the flare is subject to a New Source Performance Standard (NSPS), 40 CFR 60, Subpart WWW, which was promulgated after November 15, 1990. Therefore based on this evaluation, the requirements of 40 CFR Part 64, CAM are not applicable to any of the existing units as part of this Part 70 permit renewal.

- (b) **40 CFR 60, Subpart Cc (Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills) (326 IAC 12):** This subpart establishes emission guidelines and compliance times for certain pollutants from certain designated municipal solid waste (MSW) landfills. A municipal solid waste landfill means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. Municipal solid waste landfills may be publicly or privately owned. An MSW landfill may also accept other types of RCRA Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. 40 CFR 60, Subpart Cc applies to each MSW landfill for which construction, reconstruction, or modification was commenced before May 30, 1991. This municipal solid waste landfill was constructed in 1979, and modified in 1995 and 1998. Therefore, the provisions of 40 CFR 60, Subpart Cc are not included in the permit.
- (c) **40 CFR 60, Subpart K (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978) (326 IAC 12):** This subpart applies to each petroleum liquid storage vessel with a storage capacity greater than 40,000 gallons (151,412 liters) but not exceeding 65,000 gallons (246,052 liters), which was constructed after March 8, 1974 and prior to May 19, 1978, or has a capacity greater than 65,000 gallons, which commenced construction after June 11, 1973, and prior to May 19, 1978. This source does not contain any petroleum liquid storage vessels with a capacity of 40,000 gallons or more. Therefore, the provisions of 40 CFR 60, Subpart K are not included in the permit.
- (d) **40 CFR 60, Subpart Ka (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984) (326 IAC 12):** The affected facility to which 40 CFR 60, Subpart Ka applies is each petroleum liquid storage vessel with a capacity greater than 40,000 gallons (151,416 liters) for which construction commenced after May 18, 1978 and prior to July 23, 1984. This source does not contain any petroleum liquid storage vessels with a capacity of 40,000 gallons or more constructed after May 18, 1978 and prior to July 23, 1984. Therefore, the provisions of 40 CFR 60, Subpart Ka are not included in the permit.
- (e) **40 CFR 60, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984) (326 IAC 12):** The affected facility to which 40 CFR 60, Subpart Kb applies is each storage vessel with a capacity greater than or equal to 19,812.90 gallons (75 cubic meters) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984. Storage vessels with a capacity greater than 39,890 gallons (151 cubic meters) storing a liquid with a maximum true vapor pressure less than 0.5076 psi (3.5 kPa), or with a capacity greater than or equal to 19,812.90 gallons but less than 39,890 gallons storing a liquid with a maximum true vapor pressure less than 2.18 psi (15 kPa) are not subject to 40 CFR 60, Subpart Kb. 40 CFR 60, Subpart Kb does not apply to the following:
- (1) Vessels at coke oven by-product plants
 - (2) Pressure vessels designed to operate in excess of 29.7 psi (204.9 kPa)
 - (3) Vessels permanently attached to mobile vehicles
 - (4) Vessels with a design capacity less than or equal to 420,000 gallons (1,589.874 cubic meters) used for petroleum or condensate stored, processed, or treated prior to custody transfer
 - (5) Vessels located at bulk gasoline plants

- (6) Storage vessels located at gasoline service stations
- (7) Vessels used to store beverage alcohol
- (8) Vessels subject to 40 CFR 63, Subpart GGGG.

This source contains the following volatile organic liquid storage tanks:

- (1) One (1) 8,000 gallon diesel fuel tank dispensing 6,500 gallons per month.
- (2) One (1) 10,000 gallon diesel fuel tank dispensing 30,000 gallons per month.
- (3) One (1) 563 gallon mobile diesel fuel tank.
- (4) Four (4) 300 gallon oil tanks
- (5) One (1) 250 gallon used oil tank
- (6) One (1) 6,000 gallon condensate storage tank
- (7) Four (4) 50 gallon condensate storage tanks.
- (8) A gasoline fuel transfer/dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day and filling storage tanks having a capacity equal to or less than ten thousand five hundred (10,500) gallons, identified as GAS1, constructed after January 10, 2008. Such storage tanks may be in a fixed location or on mobile equipment. The operation consists of one (1) 274 gallon gasoline storage tank with a throughput of 1,500 gallons per year. [40 CFR 63, Subpart CCCCC]

None of the volatile organic liquid storage vessels located at this source have a capacity greater than or equal to 19,812.90 gallons (75 cubic meters). Therefore, the provisions of 40 CFR 60, Subpart Kb are not included in the permit.

- (f) **40 CFR 60, Subpart XX (Standards of Performance for Bulk Gasoline Terminals) (326 IAC 12):** The affected facility to which 40 CFR 60, Subpart XX applies is the total of all the loading racks at a bulk gasoline terminal which deliver liquid product into gasoline tank trucks for which construction, reconstruction, or modification commenced after December 17, 1980. A bulk gasoline terminal is defined in the rule as any gasoline facility which receives gasoline by pipeline, ship or barge, and has a gasoline throughput of 20,000 gallons (75,700 liters) per day. The gasoline dispensing facility located at this source does not meet the definition of a bulk gasoline terminal. Therefore, the provisions of 40 CFR 60, Subpart XX are not included in the permit.

- (g) **40 CFR 60, Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills) (326 IAC 12):** This source remains subject to the Standards of Performance for Municipal Solid Waste Landfills (40 CFR 60, Subpart WWW), which is incorporated by reference as 326 IAC 12, and included as Attachment B of the permit. The affected facility to which 40 CFR 60, Subpart WWW applies includes each municipal solid waste landfill that commenced construction, reconstruction, or modification on or after May 30, 1991. This municipal solid waste landfill was constructed in 1979, and modified in 1995 and 1998. Therefore, the provisions of 40 CFR 60, Subpart WWW are included in the permit for the following facilities:

- (1) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams). [40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M] [40 CFR 63, Subpart AAAA]

- (2) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA] [326 IAC 6.5]

Nonapplicable portions of the NSPS will not be included in the permit. The facilities listed above are subject to the following portions of 40 CFR 60, Subpart WWW:

- (1) 40 CFR 60.750;
- (2) 40 CFR 60.751;
- (3) 40 CFR 60.752(b)(2)(i, ii, iii(A), iii(C), iv, and v), (c)(1), and (d);
- (4) 40 CFR 60.753;
- (5) 40 CFR 60.754(a)(1, 2, and 3), (b), (c), (d), and (e);
- (6) 40 CFR 60.755;
- (7) 40 CFR 60.756(a), (c), (d), (e), and (f);
- (8) 40 CFR 60.757(a)(1)(i), (a)(2), (a)(3), (b)(3), (c)(1), (d), (e), (f), and (g);
- (9) 40 CFR 60.758(a), (b)(1), (b)(4), (c)(2), (c)(4), (d), and (e); and
- (10) 40 CFR 60.759.

Approved Alternative Compliance Options [40 CFR 60, Subpart WWW]

- (1) To comply with 40 CFR 60.753(b), the Permittee shall operate the collection system with negative pressure at each wellhead unless:
 - (a) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells in an effort to avoid a fire;
 - (b) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells located in an area with a geomembrane or synthetic cover;
 - (c) a positive pressure of 5 inches of water or less occurs in an individual extraction well or a series of extraction wells that have been in place for less than 180 days; and
 - (d) the extraction well is a low-producing well and is decommissioned.
- (2) To comply with 40 CFR 60.753(c), the Permittee shall operate each interior wellhead in the collection system 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 value at a particular well after providing a higher operating value demonstration showing supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. IDEM, OAQ has approved the following higher operating values for oxygen concentration to demonstrate compliance with 40 CFR 60.753(c):
 - (1) Operate well A056 at an oxygen concentration of less than 12%
 - (2) Operate well 104B at an oxygen concentration of less than 16%
 - (3) Operate well A015 at an oxygen concentration of less than 20%
 - (4) Operate well A020 at an oxygen concentration of less than 10%

- (3) To comply with 40 CFR 60.753(c), the Permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C. The owner or operator may establish a higher operating value at a particular well after providing a higher operating value demonstration showing supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. IDEM, OAQ has not approved a higher operating value for temperature for any of the current collection system extraction wells.
- (4) To comply with 40 CFR 60.753(d), the Permittee shall comply with the alternative traversing pattern approved by IDEM, OAQ, Compliance and Enforcement Branch on February 24, 2009.
- (5) To comply with 40 CFR 60.755(a)(3) and (a)(5), the Permittee shall measure gauge pressure, temperature, nitrogen or oxygen concentration in the gas collection header at each individual well, monthly. Gauge pressure, temperature, nitrogen or oxygen measurements are not required for decommissioned wells or perimeter extraction wells not installed in areas where waste has been deposited.
- (6) To comply with 40 CFR 60.755(a)(3) and when a negative pressure in the gas collection header at an individual well cannot be achieved without excess air infiltration and within 45 days of the first measurement, the Permittee shall expand the gas collection system to correct the pressure exceedances within 120 days of the initial measurement of positive pressure. The Permittee shall notify IDEM, OAQ, Compliance and Enforcement Branch of the progress of corrective actions taken to achieve negative pressure when negative pressure cannot be achieved within thirty (30) days.
- (7) To comply with 40 CFR 60.755(e), the Permittee shall comply with the provisions of 40 CFR 60, Subpart WWW at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of the start-up, shutdown or malfunction does not exceed five (5) days and the venting of uncontrolled or untreated landfill gas does not exceed one (1) hour.
- (8) To comply with 40 CFR 60.756(c)(2)(ii) and 40 CFR 60.758(c)(2), the Permittee shall secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. The Permittee is required to perform a visual inspection of the seal or closure mechanism 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. However, the Municipal Solid Waste Landfill New Source Performance Standards (NSPS) and Emission Guidelines (EG) -- Questions and Answers document from the U.S. EPA, Office of Air Quality Planning and Standards, November 1998, indicates 40 CFR 60.756(c)(2), flow monitoring and 40 CFR 60.758(c)(2), flow recording, do not apply to a flare designed such that there is no physical means to bypass gas flow before reaching the flare. The open flare installed at this source does not have a bypass line and there is no physical means to bypass landfill gas flow before reaching the flare. Therefore, the Permittee is not required to perform visual inspections or maintain records of the visual inspections of the bypass line.
- (9) To comply with 40 CFR 60.756(f), all portions or areas of the landfill that are closed or at final grade and that have no monitored exceedances of the surface methane concentration operational standard of 500 ppm of methane or more above background 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.

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

- (h) There are no other New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit.

NESHAP:

- (i) **40 CFR 61, Subpart M (National Emission Standards for Asbestos) (326 IAC 14-2):** This subpart applies to active waste disposal sites that receive asbestos-containing waste material from asbestos mills, and from activities containing commercial asbestos in manufacturing, fabrication, demolition, renovation, and spraying operations. The municipal solid waste landfill remains subject to the National Emission Standards for Asbestos (40 CFR 61, Subpart M), which is incorporated by reference as 326 IAC 14, and included as Attachment C of this permit. The affected facility is listed below:

- (1) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams).
[40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M]
[40 CFR 63, Subpart AAAA]

Nonapplicable portions of the NESHAP will not be included in the permit. The municipal solid waste landfill is subject to the following portions of 40 CFR 61, Subpart M:

- (1) 40 CFR 61.140;
(2) 40 CFR 61.141;
(3) 40 CFR 61.154;
(4) 40 CFR 61.156, Table 1; and
(5) 40 CFR 61.157(a), and (b)(5).

The provisions off 40 CFR 61, Subpart A – General Provisions, which are incorporated by reference in 326 IAC 14-1, apply to the facilities described in this section except when otherwise specified in 40 CFR 61, Subpart M.

- (j) **40 CFR 63, Subpart R (National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (326 IAC 20-10):** The affected facilities to which 40 CFR 63, Subpart R applies is each bulk gasoline terminal, except bulk gasoline terminals where the owner or operator has documented and recorded an emissions screening factor of less than 1.0. Where a bulk gasoline terminal is defined in the rule as a gasoline facility which receives gasoline by pipeline, ship, or barge, and has a gasoline throughput greater than 20,000 gallons (75,700 cubic meters) per day. This source does not meet the definition of a bulk gasoline terminal. Therefore, the requirements of 40 CFR 63, Subpart R are not included in the permit.
- (k) **40 CFR 63, Subpart T (National Emission Standards for Halogenated Solvent Cleaning) (326 IAC 20-6):** The provisions of this subpart apply to each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, or chloroform, or any combination of these HAP solvents, in a total concentration greater than 5% by weight, as a cleaning or drying agent.

The cleaning operations located at this source do not use any of the solvents regulated by this rule. Therefore, the requirements of 40 CFR 63, Subpart T are not included in the permit.

- (I) **40 CFR 63, Subpart YY (National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards) (326 IAC 20-44):** This subpart applies to the following source categories and affected sources: acetal resins production, acrylic and modacrylic fibers production, carbon black production, cyanide chemicals manufacturing, ethylene production, hydrogen fluoride production, and spandex production. This source is not engaged in any of the source categories regulated by 40 CFR 63, Subpart YY. Therefore, the requirements of 40 CFR 63, Subpart YY are not included in the permit.
- (II) **40 CFR 63, Subpart AAAA (National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills) (326 IAC 20-67):** The provisions of this subpart establish national emission standards for hazardous air pollutants from existing and new municipal solid waste landfills. 40 CFR 63, Subpart AAAA applies to municipal solid waste landfills that have accepted waste since November 8, 1987 or have additional capacity for future waste deposition and fit into one of these categories:
- (1) The landfill is a major source of HAP.
 - (2) The landfill is collocated with a major source of HAP.
 - (3) The landfill is an area source of HAP, has a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, and has estimated non-methane organic carbon (NMOC) emissions of 50 megagrams or more.

The municipal solid waste landfill is an area source of HAP, has a maximum design greater than 2.5 million megagrams and 2.5 million cubic meters, and has estimated non-methane organic carbon (NMOC) emissions of 50 megagrams or more. Therefore, This source remains subject to the National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (40 CFR 63, Subpart AAAA), which is incorporated by reference as 326 IAC 20-67, and included as Attachment D of this permit. The affected facilities are listed below:

- (1) One (1) municipal solid waste landfill, identified as Emission Unit # 1, constructed in 1979, modified in 1995 and 1998, with a maximum design capacity of 16,611,265 cubic meters (approximately 16,388,369 megagrams).
[40 CFR 60, Subpart WWW] [40 CFR 61, Subpart M]
[40 CFR 63, Subpart AAAA]
- (2) One (1) permanent candlestick (open) flare, identified as Emission Unit # 2, approved for construction in 2008, with a maximum capacity of 3,650 standard cubic feet per minute (scfm) of landfill gas. (Landfill gas beneficial use project consisting of a Landfill Gas Fuel Handling Skid located near the candlestick flare. The landfill gas is compressed, dewatered and filtered prior to being sent off-site via a pipeline to Mead Johnson, for use in their steam boilers. IDEM issued a letter on January 15, 2009 agreeing that this process met the control system requirements for beneficial use outlined in 40 CFR 60.752(b)(2)(iii)(C)).
[40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA] [326 IAC 6.5]

Nonapplicable portions of the NESHAP will not be included in the permit. The municipal solid waste landfill and flare are subject to the following portions of 40 CFR 63, Subpart AAAA:

- (1) 40 CFR 63.1930;
- (2) 40 CFR 63.1935(a)(3);
- (3) 40 CFR 63.1940(a) and (c);
- (4) 40 CFR 63.1945(b) and (f);
- (5) 40 CFR 63.1950;
- (6) 40 CFR 63.1955(a)(1), (b), and (c);
- (7) 40 CFR 63.1960;
- (8) 40 CFR 63.1965;
- (9) 40 CFR 63.1975;
- (10) 40 CFR 63.1980(a) and (b);
- (11) 40 CFR 63.1985;
- (12) 40 CFR 63.1990; and
- (13) Table 1.

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

- (m) **40 CFR 63, Subpart EEEE (National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) (326 IAC 20-83):** This subpart establishes national emission limitations, operating limits, and work practice standards for organic hazardous air pollutants (HAP) emitted from organic liquids distribution (OLD) (non-gasoline) operations at major sources of HAP. This source is an area source of HAP; therefore, the provisions of 40 CFR 63, Subpart EEEE are not included in the permit.
- (n) **40 CFR 63, Subpart BBBB (National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities) (326 IAC 20-?):** This subpart establishes national emission standards for hazardous air pollutants emitted from area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities. The Permittee operates a municipal solid waste landfill and does not meet the definition of a gasoline distribution bulk terminal, bulk plant, or a pipeline facility. Therefore, the provisions of 40 CFR 63, Subpart BBBB are not included in the permit.
- (o) **40 CFR 63, Subpart CCCCC (National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities) (326 IAC 20-?):** This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading and unloading of gasoline storage tanks at a gasoline dispensing facility (GDF). The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF, and each storage tank. A GDF is defined in the subpart as any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, pumps, generators, gasoline fueled equipment, and lawn equipment. The gasoline transfer/dispensing operation, identified as GAS1 is subject to the National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (40 CFR 63, Subpart CCCCC), which is included as Attachment E of this permit. The facility subject to 40 CFR 63, Subpart CCCCC is identified below:

- (1) A gasoline fuel transfer/dispensing operation handling less than or equal to one thousand three hundred (1,300) gallons per day and filling storage tanks having a capacity equal to or less than ten thousand five hundred (10,500) gallons, identified as GAS1, constructed after January 10, 2008. Such storage tanks may be in a fixed location or on mobile equipment. The operation consists of one (1) 274 gallon gasoline storage tank with a throughput of 1,500 gallons per year. [40 CFR 63, Subpart CCCCCC]

Nonapplicable portions of the NESHAP will not be included in the permit. The gasoline fuel transfer/dispensing operation is subject to the following portions of 40 CFR 63, Subpart CCCCCC:

- (1) 40 CFR 63.11110;
- (2) 40 CFR 63.11111(a), (b), (e), (f), (h), and (i);
- (3) 40 CFR 63.11112(a), and (b);
- (4) 40 CFR 63.11113(a)(2);
- (5) 40 CFR 63.11115;
- (6) 40 CFR 63.11116;
- (7) 40 CFR 63.11130;
- (8) 40 CFR 63.11131;
- (9) 40 CFR 63.11132;
- (10) Table 3.

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

- (p) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit.

State Rule Applicability - Entire Source

326 IAC 1-7 (Stack Height Provisions)

This rule applies to all sources having exhaust gas stacks through which a potential of twenty-five (25) tons per year or more of particulate matter (PM) or sulfur dioxide (SO₂) are emitted. The landfill gas flare identified as Emission Unit #2 has potential emissions of SO₂ in excess of twenty-five (25) tons per year and is considered a stack. 326 IAC 1-2-74 defines a stack as, "A vertical duct originating within the facility, the area and other physical parameters of which are quantifiable (including the quantity of pollutants emitted) and the use of which results in any immediate, physical pollutant plume whose characteristics continuously are determined by the operation of the facility. Any stack as defined herein with a horizontal discharge, or an elevated flare shall be considered to be a stack for the purpose of these rules." Therefore, the provisions of 326 IAC 1-7 apply to Emission Unit #2 and are included in the permit.

326 IAC 2-6 (Emission Reporting)

This source, not located in Lake, Porter, or LaPorte County, is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit pursuant to 326 IAC 2-7 (Part 70). The potential to emit of VOC and PM₁₀ is less than 250 tons per year; and the potential to emit of CO, NO_x, and SO₂ is less than 2,500 tons per year. Therefore, pursuant to 326 IAC 2-6-3(a)(2), triennial reporting is required. An emission statement shall be submitted in accordance with the compliance schedule in 326 IAC 2-6-3 by July 1, 2018, and every three (3) years thereafter. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 2-7-6(5) (Annual Compliance Certification)

The U.S. EPA Federal Register 79 FR 54978 notice does not exempt Title V Permittees from the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D), but the submittal of the Title V annual compliance certification to IDEM satisfies the requirement to submit the Title V annual compliance certifications to EPA. IDEM does not intend to revise any permits since the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D) still apply, but Permittees can note on their Title V annual compliance certification that submission to IDEM has satisfied reporting to EPA per Federal Register 79 FR 54978. This only applies to Title V Permittees and Title V compliance certifications.

326 IAC 5-1 (Opacity Limitations)

This source, located in Center Township of Vanderburgh County is subject to the opacity limitations specified in 326 IAC 5-1-2(1).

326 IAC 6.5 PM Limitations Except Lake County

This rule applies to sources located in one of the following counties: Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne. Sources specifically listed in 326 IAC 6.5-2 through 326 IAC 6.5-10 are subject to the provisions of 326 IAC 6.5. Sources not specifically listed in 326 IAC 6.5-2 through 6.5-10, with the potential to emit one hundred (100) tons per year or more, or with actual emissions of ten (10) tons per year or more of particulate matter are subject to the provisions of 326 IAC 6.5-1-2. The rule does not apply to combustion sources that burn only natural gas at sources or facilities identified in 326 IAC 6.5-2 through 326 IAC 6.5-10, as long as the units continue to burn natural gas. The rule also exempts surface coating, reinforced plastic composites fabricating manufacturing processes, and graphic arts manufacturing processes that use the following:

- (1) Dip coating
- (2) Roll coating
- (3) Flow coating
- (4) Brush coating
- (5) less than 5 gallons of coating a day

If any of the provisions or 326 IAC 6.5 conflict with or are inconsistent with limitations established in 326 IAC 12, then the most stringent limitation shall apply. This source is located in Vanderburgh County, has potential PM emissions of one hundred (100) tons or more, and actual emissions of ten (10) tons or more, when fugitive emissions are included. Therefore, the provisions of 326 IAC 6.5 are included in the permit. While fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability, fugitive emissions are included in 326 IAC 6.5 determinations.

Pursuant to 326 IAC 6.5-1-2(a), Particulate Matter Limitations Except Lake County, particulate matter (PM) emissions from the following emission units and insignificant activities shall be limited to 0.03 grain per dry standard cubic foot of exhaust air:

- (1) One (1) permanent candlestick (open) flare, identified as Emission Unit #2;
- (2) Paved and unpaved roads and parking lots with public access;
- (3) One (1) LPG heater, identified as HTR-1;
- (4) Composting Organic Pile Emissions; and
- (5) Composting Drop Point Emissions.

326 IAC 6.8 PM Limitations for Lake County

This source is not subject to 326 IAC 6.8 because it is not located in Lake County.

326 IAC 8-5 (Miscellaneous Operations)

The provisions of 326 IAC 8-5 are applicable to facilities or sources engaged in asphalt paving, synthesized pharmaceutical manufacturing, pneumatic rubber tire manufacturing, graphic arts operations, and fuel grade ethanol production at dry mills. This source is not engaged in any of the activities regulated by this rule. Therefore, the provisions of 326 IAC 8-5 are not included in the permit.

326 IAC 8-6 (Organic Solvent Emission Limitations)

The provisions of 326 IAC 8-6 apply to existing sources as of January 1, 1980, located in Lake and Marion County, with potential emissions of 100 tons of VOC per year and not limited by another Article 8 rule. This rule also applies to sources commencing operations after October 7, 1974, and prior to January 1, 1980, located anywhere in the state, with potential emissions of 100 tons of VOC per year and not limited by another Article 8 rule. This source is located in Vanderburgh County and has potential emissions of VOC of less than 100 TPY. Therefore, the provisions of 326 IAC 8-6 are not included in the permit.

326 IAC 12 (New Source Performance Standards)

This rule incorporates by reference the requirements of 40 CFR 60. See the Federal Rule Applicability section for the New Source Performance Standards applicable to this facility.

326 IAC 14 (Emission Standards for Hazardous Air Pollutants)

This rule incorporates by reference the requirements of 40 CFR 61. See the Federal Rule Applicability section for the National Emission Standards for Hazardous Air Pollutants (NESHAP) applicable to this facility.

326 IAC 20 (Hazardous Air Pollutants)

This rule incorporates by reference the requirements of 40 CFR 63. See the Federal Rule Applicability section for the National Emission Standards for Hazardous Air Pollutants (NESHAP) applicable to this facility.

State Rule Applicability – Individual Facilities

Municipal Solid Waste Landfill

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

The provisions of 326 IAC 2-4.1 apply to owners or operators who construct or reconstruct a major source of hazardous air pollutants, after July 27, 1997, except as specifically exempted by the rule. On and after June 29, 1998, 326 IAC 2-4.1 is intended to implement the requirements of Section 112(g)(2)(B) of the Clean Air Act (CAA). The provisions of 326 IAC 2-4.1 are not applicable to electric utility steam generating units, a major source of HAP specifically regulated or exempted from regulation by a National Emission Standard for Hazardous Air Pollutants (HAP), stationary sources within a source category deleted from Section 112(c)(9) of the CAA, and research and development activities. The municipal solid waste landfill is a minor source of HAP with a potential to emit before controls of 6.22 TPY for a single HAP (toluene) and 21.06 TPY for a combination of HAP. In addition, the municipal solid waste landfill is subject to a NESHAP, 40 CFR 63, Subpart AAAA. Therefore, the requirements of 326 IAC 2-4.1 are not included in the permit.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The provisions of 326 IAC 7-1.1 apply to all emission units with a potential to emit twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. The municipal solid waste landfill does not have the potential to emit twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. Therefore, the provisions of 326 IAC 7-1.1 are not included in the permit.

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

The provisions of 326 IAC 8-1-6 are applicable to new facilities as of January 1, 1980, that have potential emissions of twenty-five (25) tons per year or more of VOC, are located anywhere in the state, and are not otherwise regulated by another Article 8 rule, 326 IAC 20-48 (Emission Standards for Hazardous Air Pollutants for Boat Manufacturing), or 326 IAC 20-56 (Reinforced Plastic Composites Production). 326 IAC 8-1-6 requires source subject to the rule to reduce VOC emissions using the Best Available Control Technology (BACT). The municipal solid waste landfill is defined as an existing landfill subject to the provisions of 326 IAC 8-8.1 (Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake, and Porter Counties). Therefore, the provisions of 326 IAC 8-1-6 are not included in the permit.

326 IAC 8-8.1 (Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake and Porter Counties)

This rule applies to any existing municipal solid waste (MSW) landfill located in any county except Clark, Floyd, Lake and Porter. 326 IAC 8-8.1 is intended to require existing landfills to implement the requirements of 40 CFR 60, Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills). 40 CFR 60, Subpart WWW defines a municipal solid waste (MSW) landfill as a disposal facility in a contiguous geographical space where household waste is placed in or on land. A MSW landfill may also accept other types of waste including RCRA Subtitle D waste such as: commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. An existing landfill is defined in the rule as a MSW landfill that has accepted waste since November 8, 1987, or that has capacity available for future use and for which construction commenced prior to May 30, 1991. To be an existing landfill, a MSW can be open or closed, but must have received waste on or before November 8, 1987. Existing landfills can be open landfills constructed prior to May 30, 1991 with capacity for future use. 326 IAC 8-8.1 does not address landfills constructed prior to May 30, 1991 that are reconstructed or modified on or after May 30, 1991. Therefore, reconstruction or modification on or after May 30, 1991 does not affect the applicability of 326 IAC 8-8.1.

BFI Waste Systems of North America LLC - Laubscher Meadows Landfill was constructed in 1979 and was modified in 1995 and 1998. Therefore, the landfill is an existing landfill and the provisions of 326 IAC 8-8.1 are included in the permit.

Landfill Gas Flare (Emission Unit #2)

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

The provisions of 326 IAC 2-4.1 apply to owners or operators who construct or reconstruct a major source of hazardous air pollutants, after July 27, 1997, except as specifically exempted by the rule. The landfill gas flare does not have the potential to emit of a single HAP of ten (10) tons per year or more or the potential to emit of a combination of HAP of twenty-five (25) tons per year or more. Therefore, the requirements of 326 IAC 2-4.1 are not included in the permit.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The provisions of 326 IAC 7-1.1 apply to all emission units with a potential to emit twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. The landfill gas-fired flare does have the potential to emit twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. However, the landfill gas-fired flare cannot combust fuel oil, coal, or a combination of fuel oil or coal. Therefore, the provisions of 326 IAC 7-1.1 are not included in the permit.

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

The provisions of 326 IAC 8-1-6 are applicable to new facilities as of January 1, 1980, that have potential emissions of twenty-five (25) tons per year or more of VOC, are located anywhere in the state, and are not otherwise regulated by another Article 8 rule, 326 IAC 20-48 (Emission Standards for Hazardous Air Pollutants for Boat Manufacturing), or 326 IAC 20-56 (Reinforced

Plastic Composites Production). 326 IAC 8-1-6 requires source subject to the rule to reduce VOC emissions using the Best Available Control Technology (BACT). The municipal solid waste landfill does not have potential emissions of twenty-five (25) tons per year or more. In addition, the landfill is subject to another Article 8 rule, 326 IAC 8.8-1 (Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake, and Porter Counties). Therefore, the provisions of 326 IAC 8-1-6 are not included in the permit.

Paved and Unpaved Roads with Public Access

326 IAC 6-4 (Fugitive Dust Emissions)

This rule applies to all sources of fugitive dust. Therefore, the requirements of 326 IAC 6-4 are included in the permit. 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.

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

The provisions of 326 IAC 6-5 apply to any source of fugitive particulate matter (PM) emissions located in nonattainment areas for particulate matter, as designated by the Air Pollution Control Board, which has potential fugitive PM emissions of twenty-five (25) tons per year or more, including the areas listed under 326 IAC 6-5(a)(1) and (a)(2). This rule also applies to new sources of fugitive PM emissions, located anywhere in the state, and requiring a permit per 326 IAC 2, which has not received all the necessary preconstruction approvals before December 13, 1985. The municipal solid waste landfill is physically located in an attainment area for PM, Center Township of Vanderburgh County, Indiana. The initial permit for the landfill was issued on April 18, 1996 and the landfill has potential PM emissions of 25 TPY or more. Therefore, the provisions of 326 IAC 6-5 are included in the permit and a fugitive dust control plan was submitted to IDEM, OAQ on November 10, 1997, and is attached to the permit as Attachment A.

Gasoline Dispensing Facilities

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

The provisions of 326 IAC 2-4.1 apply to owners or operators who construct or reconstruct a major source of hazardous air pollutants, after July 27, 1997, except as specifically exempted by the rule. The gasoline dispensing facility does not have the potential to emit of a single HAP of ten (10) tons per year or more or the potential to emit of a combination of HAP of twenty-five (25) tons per year or more. Therefore, the requirements of 326 IAC 2-4.1 are not included in the permit.

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

The provisions of 326 IAC 8-1-6 are applicable to new facilities as of January 1, 1980, that have potential emissions of twenty-five (25) tons per year or more of VOC, are located anywhere in the state, and are not otherwise regulated by another Article 8 rule, 326 IAC 20-48 (Emission Standards for Hazardous Air Pollutants for Boat Manufacturing), or 326 IAC 20-56 (Reinforced Plastic Composites Production). 326 IAC 8-1-6 requires source subject to the rule to reduce VOC emissions using the Best Available Control Technology (BACT). The gasoline dispensing facility does not have potential emissions of twenty-five (25) tons per year or more. Therefore, the provisions of 326 IAC 8-1-6 are not included in the permit.

326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)

The provisions of 326 IAC 8-4-3 apply to all petroleum liquid storage vessels with capacities greater than 39,000 gallons containing a volatile organic compound (VOC) whose true vapor pressure is greater than 1.52 psi. The gasoline storage vessel located at this source has a capacity of less than 39,000 gallons. Therefore, the requirements of 326 IAC 8-4-3 are not included in the permit.

326 IAC 8-4-6 (Gasoline Dispensing Facilities)

The provisions of 326 IAC 8-4-6 apply to any gasoline dispensing facility located anywhere in the state with a monthly gasoline throughput of ten thousand (10,000) gallons per month or greater. The gasoline dispensing facility located at this source has a monthly throughput of less than 10,000 gallons per month. Therefore, the provisions of 326 IAC 8-4-6 are not included in the permit.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

The provisions of 326 IAC 8-9 apply to stationary storage vessels used to store volatile organic liquids (VOL) constructed on and after October 1, 1995, and located in Clark, Floyd, Lake or Porter Counties. This source is located in Vanderburgh County. Therefore, the provisions of 326 IAC 8-9 are not included in the permit.

Degreasing Facilities

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

The provisions of 326 IAC 2-4.1 apply to owners or operators who construct or reconstruct a major source of hazardous air pollutants, after July 27, 1997, except as specifically exempted by the rule. The degreasing facility located at this source does not have the potential to emit of a single HAP of ten (10) tons per year or more or the potential to emit of a combination of HAP of twenty-five (25) tons per year or more. Therefore, the requirements of 326 IAC 2-4.1 are not included in the permit.

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

The provisions of 326 IAC 8-1-6 are applicable to new facilities as of January 1, 1980, that have potential emissions of twenty-five (25) tons per year or more of VOC, are located anywhere in the state, and are not otherwise regulated by another Article 8 rule, 326 IAC 20-48 (Emission Standards for Hazardous Air Pollutants for Boat Manufacturing), or 326 IAC 20-56 (Reinforced Plastic Composites Production). 326 IAC 8-1-6 requires source subject to the rule to reduce VOC emissions using the Best Available Control Technology (BACT). The degreasing facility does not have potential emissions of twenty-five (25) tons per year or more. Therefore, the provisions of 326 IAC 8-1-6 are not included in the permit.

326 IAC 8-3-2 (Cold Cleaner Degreaser Control Equipment and Operating Requirements)

The provisions of 326 IAC 8-3-2 apply to each owner or operator of a degreaser using solvents that contain one (1) or more volatile organic compounds (VOC).

The degreasing operations located at this source use cold cleaner degreasers containing VOC. Therefore, the provisions of 326 IAC 8-3-2 are included in the permit. Pursuant to 326 IAC 8-3-2 (Cold cleaner degreaser control equipment and operating requirements), for cold cleaning operations constructed after January 1, 1980, the Permittee shall comply with the following:

- (a) The owner or operator of a cold cleaner degreaser shall ensure the following control equipment and operating requirements are met:
 - (1) Equip the degreaser with a cover;
 - (2) Equip the degreaser with a device for draining cleaned parts;
 - (3) Close the degreaser cover whenever parts are not being handled in the degreaser;

- (4) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
 - (5) Provide a permanent, conspicuous label that lists the operation requirements in subdivisions (3), (4), (6), and (7);
 - (6) Store waste solvent only in closed containers.
 - (7) Prohibit the disposal or transfer of waste solvent in such a manner that could allow greater than twenty percent (20%) of the waste solvent (by weight) to evaporate into the atmosphere.
- (b) The owner or operator of a cold cleaner degreaser subject to this subsection shall ensure the following additional control equipment and operating requirements are met:
- (1) Equip the degreaser with one (1) of the following control devices if the solvent is heated to a temperature of greater than forty-eight and nine-tenths (48.9) degrees Celsius (one hundred twenty (120) degrees Fahrenheit):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent used is insoluble in, and heavier than, water.
 - (C) A refrigerated chiller.
 - (D) Carbon adsorption.
 - (E) An alternative system of demonstrated equivalent or better control as those outlined in clauses (A) through (D) that is approved by the department. An alternative system shall be submitted to the U.S. EPA as a SIP revision.
 - (2) Ensure the degreaser cover is designed so that it can be easily operated with one (1) hand if the solvent is agitated or heated.
 - (3) If used, solvent spray:
 - (A) must be a solid, fluid stream; and
 - (B) shall be applied at a pressure that does not cause excessive splashing.

326 IAC 8-3-8 (Material Requirements for Cold Cleaner Degreasers)

The provisions of 326 IAC 8-3-8 apply to all cold cleaner degreasers subject to 326 IAC 8-3-2 and located anywhere in the state.

This source contains a cold cleaner degreaser subject to 326 8-3-2. Therefore, the provisions of 326 IAC 8-3-8 are included in the permit. Pursuant to 326 IAC 8-3-8, on and after January 1, 2015, material requirements for cold cleaner degreasers are as follows:

- (a) The Permittee shall not operate a cold cleaner degreaser with a solvent that has a VOC composite partial vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

- (b) The Permittee shall maintain the following records for each purchase:
- (1) The name and address of the solvent supplier
 - (2) The date of purchase (or invoice/bill date of contract servicer indicating service date;
 - (3) The type of solvent purchased;
 - (4) The total volume of solvent purchased;
 - (5) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

The provisions of 326 IAC 8-9 apply to stationary storage vessels used to store volatile organic liquids (VOL) constructed on and after October 1, 1995, and located in Clark, Floyd, Lake or Porter Counties. This source is located in Vanderburgh County. Therefore, the provisions of 326 IAC 8-9 are not included in the permit.

326 IAC 8-17 (Industrial Solvent Cleaning Operations)

The provisions of 326 IAC 8-17 apply to sources located in Lake or Porter County, that have actual VOC emissions, before controls, equal to three (3) tons per twelve (12) month rolling period from all solvent cleaning operations. The facility must employ solvent materials in solvent cleaning operations during the production, maintenance, or servicing of any of the following: parts, products, tools, machinery, and general work areas. This source is located in Vanderburgh County. Therefore, the provisions of 326 IAC 8-17 are not included in the permit.

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.

The source is subject to compliance monitoring and compliance determination requirements under 40 CFR 60, Subpart WWW, 40 CFR 61, Subpart M, 40 CFR 63, Subpart AAAA, and 40 CFR 63, Subpart CCCCC. There are no additional compliance monitoring or compliance determination requirements proposed in the permit.

Recommendation

The staff recommends to the Commissioner that the Part 70 Operating Permit Renewal be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on July 6, 2015.

Conclusion

The operation of this municipal solid waste landfill shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. T163-36018-00114.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to David Matousek at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-8253 or toll free at 1-800-451-6027 extension 2-8253.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Permit Guide on the Internet at: <http://www.in.gov/idem/5881.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

**Appendix A to the Technical Support Document
PTE Summary of Hazardous Air Pollutants**

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill

Address: 2121 Wimberg Road, Evansville, Indiana 47720

Part 70 Operating Permit Number: T163-36018-00114

Reviewer: David Matousek

Date: November 23, 2015

Controlled Potential to Emit								
CAS Number	Hazardous Air Pollutant	Landfill (TPY)	Landfill Fugitive (TPY)	Flare #1 (TPY)	Degreaser (TPY)	Gas Transfer (TPY)	Propane Combustion (TPY)	Total HAP
79345	1,1,2,2-Tetrachloroethane	0.005	0.080					0.085
106467	1,4-Dichlorobenzene (p)	0.001	0.013					0.014
540841	2,2,4-Trimethylpentane					7.70E-05		7.70E-05
107131	Acrylonitrile	0.009	0.144					0.153
71432	Benzene	0.004	0.064			4.40E-05		0.068
75150	Carbon disulfide	0.001	0.019					0.020
56235	Carbon tetrachloride	1.58E-05	2.64E-04					2.80E-04
463581	Carbonyl sulfide	0.001	0.013					0.013
108907	Chlorobenzene	0.001	0.012					0.013
67663	Chloroform	9.22E-05	1.54E-03					1.63E-03
100414	Ethyl benzene	0.013	0.210		5.34E-03	1.10E-05		0.228
75003	Ethyl chloride (Chloroethane)	0.00	0.035					0.037
107062	Ethylene dichloride (1,2-Dichloroethane)	0.001	0.017					0.018
75343	Ethylidene dichloride (1,1-Dichloroethane)	0.006	0.100					0.106
110543	Hexane	0.015	0.243			1.54E-04		0.258
7647010	Hydrochloric acid			3.753				3.753
71556	Methyl chloroform (1,1,1-Trichloroethane)	0.002	0.027					0.029
108101	Methyl isobutyl ketone (Hexone)	0.005	0.080					0.085
75092	Methylene chloride (Dichloromethane)	0.031	0.521					0.552
78875	Propylene dichloride (1,2-Dichloropropane)	5.23E-04	8.72E-03					0.009
127184	Tetrachloroethylene (Perchloroethylene)	0.016	0.265					0.281
108883	Toluene	0.093	1.553		5.34E-03	1.21E-04		1.652
79016	Trichloroethylene	9.54E-03	0.159					0.168
75014	Vinyl chloride	0.012	0.197					0.209
75354	Vinylidene chloride (1,1-Dichloroethylene)	0.000	8.32E-03					0.009
1330207	Xylenes (isomers and mixture)	0.033	0.551		5.34E-03	4.40E-05		0.589
	Mercury Compounds	7.54E-05	2.51E-05					1.01E-04
	Summary	0.26	4.32	3.75	0.016	4.51E-04	0.00	8.35
	Total HAP	8.35	TPY					
	Worst Case HAP - Hydrochloric Acid	3.75	TPY					

(continued on next page)

Appendix A to the Technical Support Document
PTE Summary of Hazardous Air Pollutants
(continued from previous page)

Uncontrolled Potential to Emit								
CAS Number	Hazardous Air Pollutant	Landfill (TPY)	Landfill Fugitive (TPY)	Flare #1 (TPY)	Degreaser (TPY)	Gas Transfer (TPY)	Propane Combustion (TPY)	Total HAP
79345	1,1,2,2-Tetrachloroethane	0.240	0.080					0.320
106467	1,4-Dichlorobenzene (p)	0.040	0.013					0.053
540841	2,2,4-Trimethylpentane					7.70E-05		7.70E-05
107131	Acrylonitrile	0.432	0.144					0.576
71432	Benzene	0.192	0.064			4.40E-05		0.256
75150	Carbon disulfide	0.057	0.019					0.076
56235	Carbon tetrachloride	7.92E-04	2.64E-04					1.06E-03
463581	Carbonyl sulfide	0.038	0.013					0.051
108907	Chlorobenzene	0.036	0.012					0.048
67663	Chloroform	4.61E-03	1.54E-03					6.15E-03
100414	Ethyl benzene	0.630	0.210		5.34E-03	1.10E-05		0.845
75003	Ethyl chloride (Chloroethane)	0.10	0.035					0.138
107062	Ethylene dichloride (1,2-Dichloroethane)	0.052	0.017					0.070
75343	Ethylidene dichloride (1,1-Dichloroethane)	0.299	0.100					0.399
110543	Hexane	0.729	0.243			1.54E-04		0.972
7647010	Hydrochloric acid			3.753				3.753
71556	Methyl chloroform (1,1,1-Trichloroethane)	0.082	0.027					0.110
108101	Methyl isobutyl ketone (Hexone)	0.241	0.080					0.321
75092	Methylene chloride (Dichloromethane)	1.563	0.521					2.084
78875	Propylene dichloride (1,2-Dichloropropane)	2.62E-02	8.72E-03					0.035
127184	Tetrachloroethylene (Perchloroethylene)	0.796	0.265					1.061
108883	Toluene	4.660	1.553		5.34E-03	1.21E-04		6.218
79016	Trichloroethylene	4.77E-01	0.159					0.636
75014	Vinyl chloride	0.590	0.197					0.787
75354	Vinylidene chloride (1,1-Dichloroethylene)	0.025	8.32E-03					0.033
1330207	Xylenes (isomers and mixture)	1.653	0.551		5.34E-03	4.40E-05		2.210
	Mercury Compounds	7.54E-05	2.51E-05					1.01E-04
Summary		12.97	4.32	3.75	0.016	4.51E-04	0.00	21.06
Total HAP		21.06	TPY					
Worst Case HAP - Toluene		6.22	TPY					

**Appendix A to the Technical Support Document (TSD)
Landfill VOC Emissions**

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Operating Permit Number: T163-36018-00114
Reviewer: David Matousek
Date: November 23, 2015

PTE of Landfill NMOC and VOC

NMOC Emissions:

IDEM, OAQ completed a computer simulation of the potential emissions from the landfill using U.S. EPA LandGEM. The model indicated peak NMOC emissions from the landfill are as follows:

Peak NMOC Emissions	90.08 TPY
Year of Occurrence	2059

VOC Emissions:

VOC emissions can be estimated from the NMOC emission rate using information provided in AP-42, Chapter 2.4, November 1998. IDEM, OAQ estimates VOC emissions as shown below:

NMOC in Landfill Gas	600.00 ppmv as hexane (permittee estimate)
NMOC Emission Rate	90.08 TPY (LandGEM Output)
% VOC in NMOC	39% (AP-42, Ch. 2.4, Table 2.4-2, Note c, November 1998)
VOC Generated in Landfill	35.13 TPY

Controlled Potential to Emit VOC

VOC Emissions:

AP-42, Chapter 2.4, Paragraph 2.4.4.2 - Controlled Emissions, November 1998 indicates approximately 75% of the landfill gas generated in the landfill is captured, and 25% is fugitive.

Landfill Collection Efficiency	75%
VOC Generated in Landfill	35.13 TPY
Potential to Emit VOC (Collected by Collection System and Sent to Control Devices)	26.35 TPY
Fugitive VOC from Landfill, Uncollected VOC	8.78 TPY
Destruction Efficiency (NSPS Requirement)	98%
Controlled VOC Emissions = VOC to Control Device x (1 - Destruction Efficiency) =	0.53 TPY

**Appendix A to the Technical Support Document (TSD)
Landfill CO and HAP Emissions**

**Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfi
Address: 2121 Wimberg Road, Evansville, Indiana 47720**

Part 70 Operating Permit Number: T163-36018-00114

Reviewer: David Matousek

Date: November 23, 2015

Temperature	536.67 °R
Landfill Gas Pressure	1.00 atm
Maximum LandGEM LFG Generated	2,558.00 SCFM
Capture Efficiency	75% (Permittee Estimate)
Maximum LandGEM LFG Captured	1,918.50 SCFM

Landfill Potential to Emit Carbon Monoxide						
Pollutant	Molecular Weight	Concentration (ppmv)	Pollutant Flow (SCFM)	Landfill Emission (TPY)	Control Efficiency	Controlled Emissions (TPY)
CO at 1918.5 SCFM	28.01	141.00	0.2705	5.08	98%	0.10

PTE of Hazardous Air Pollutants - AP-42, Ch. 2.4, Table 2.4-1 and 2, November 1998						
Pollutant	Concentration (ppmv)	Molecular Weight	Pollutant Flow (SCFM)	Landfill PTE (TPY)	Control Efficiency	Controlled PTE (TPY)
1,1,1-Trichloroethane	0.48	133.41	0.00092	0.08241	98%	0.00165
1,1,2,2-Tetrachloroethane	1.11	167.85	0.00213	0.23977	98%	0.00480
1,1-Dichloroethane	2.35	98.97	0.00451	0.29931	98%	0.00599
1,1-Dichloroethylene	0.20	96.94	0.00038	0.02495	98%	0.00050
1,2-Dichloroethane	0.41	98.96	0.00079	0.05222	98%	0.00104
1,2-Dichloropropane	0.18	112.99	0.00035	0.02617	98%	0.00052
1,4-Dichlorobenzene(p)	0.21	147.00	0.00040	0.03973	98%	0.00079
Acrylonitrile	6.33	53.06	0.01214	0.43224	98%	0.00864
Benzene (1.9 or 11)	1.91	78.11	0.00366	0.19200	98%	0.00384
Carbon Disulfide	0.58	76.13	0.00111	0.05683	98%	0.00114
Carbon Tetrachloride	4.00E-03	153.84	7.67E-06	0.00079	98%	1.58E-05
Carbonyl Sulfide	0.49	60.07	0.00094	0.03788	98%	0.00076
Chlorobenzene	0.25	112.56	0.00048	0.03621	98%	0.00072
Chloroethane	1.25	64.52	0.00240	0.10379	98%	0.00208
Chloroform	0.03	119.39	0.00006	0.00461	98%	0.00009
Dichloromethane	14.30	84.94	0.02743	1.56317	98%	0.03126
Ethylbenzene	4.61	106.16	0.00884	0.62982	98%	0.01260
Hexane	6.57	86.18	0.01260	0.72867	98%	0.01457
Mercury	2.92E-04	200.61	5.60E-07	7.54E-05	0%	7.54E-05
Methyl Isobutyl Ketone	1.87	100.16	0.00359	0.24104	98%	0.00482
Perchloroethylene	3.73	165.83	0.00716	0.79603	98%	0.01592
Toluene	39.30	92.13	0.07540	4.65962	98%	0.09319
Trichloroethylene	2.82	131.40	0.00541	0.47687	98%	0.00954
Vinyl Chloride	7.34	62.50	0.01408	0.59038	98%	0.01181
Xylenes	12.10	106.16	0.02321	1.65312	98%	0.03306
Total HAP				12.97	Worst HAP	0.26
Single HAP				4.66	Toluene	0.09

Methodology:

- Pollutant Flow (SCFM) = Captured LFG flow (SCFM) x concentration (ppmv) / 1,000,000
- Landfill Emission (TPY) = 360 x Pollutant Flow (SCFM) x M.W. (lb/lb-mole) x Pressure (atm) / Temperature (°R) [AP-42, Ch. 2.4, Eq. 4 Converted]
- Controlled Emissions (TPY) = Landfill Emission (TPY) x (1 - Control Efficiency)
- Maximum Captured LFG (SCFM) = Maximum LandGEM LFG (SCFM) x Capture Efficiency

Notes:

- There are variations in landfill gas constituents between AP-42, Ch. 2.4 (1998 Version), AP-42, Ch. 2.4 (2008 Version) and LandGEM (Version

**Appendix A to the Technical Support Document (TSD)
Landfill Fugitive HAP Emissions**

**Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Operating Permit Number: T163-36018-00114
Reviewer: David Matousek
Date: November 23, 2015**

Temperature	536.67 °R
Landfill Gas Pressure	1.00 atm
Landfill Collection Efficiency	75% (provided by Permittee)
Peak Landfill Gas Generation	2,558 SCFM
Fugitive Landfill Gas	639.50 SCFM

Fugitive HAP Emissions				
AP-42, Ch. 2.4, Table 2.4-1 and 2, November 1998				
Pollutant	Concentration (ppmv)	Molecular Weight	Pollutant Flow (SCFM)	Landfill PTE (TPY)
1,1,1-Trichloroethane	0.48	133.41	0.00031	0.02747
1,1,2,2-Tetrachloroethane	1.11	167.85	0.00071	0.07992
1,1-Dichloroethane	2.35	98.97	0.00150	0.09977
1,1-Dichloroethylene	0.20	96.94	0.00013	0.00832
1,2-Dichloroethane	0.41	98.96	0.00026	0.01741
1,2-Dichloropropane	0.18	112.99	0.00012	0.00872
1,4-Dichlorobenzene(p)	0.21	147.00	0.00013	0.01324
Acrylonitrile	6.33	53.06	0.00405	0.14408
Benzene (1.9 or 11)	1.91	78.11	0.00122	0.06400
Carbon Disulfide	0.58	76.13	0.00037	0.01894
Carbon Tetrachloride	4.00E-03	153.84	0.00000	0.00026
Carbonyl Sulfide	0.49	60.07	0.00031	0.01263
Chlorobenzene	0.25	112.56	0.00016	0.01207
Chloroethane	1.25	64.52	0.00080	0.03460
Chloroform	0.03	119.39	0.00002	0.00154
Dichloromethane	14.30	84.94	0.00914	0.52106
Ethylbenzene	4.61	106.16	0.00295	0.20994
Hexane	6.57	86.18	0.00420	0.24289
Mercury	2.92E-04	200.61	0.00000	0.00003
Methyl Isobutyl Ketone	1.87	100.16	0.00120	0.08035
Perchloroethylene	3.73	165.83	0.00239	0.26534
Toluene	39.30	92.13	0.02513	1.55321
Trichloroethylene	2.82	131.40	0.00180	0.15896
Vinyl Chloride	7.34	62.50	0.00469	0.19679
Xylenes	12.10	106.16	0.00774	0.55104
Combined HAP (TPY) =				4.32
Highest Single HAP - Toluene (TPY) =				1.55

Methodology:

- 1) Pollutant Flow (SCFM) = Captured LFG flow (SCFM) x concentration (ppmv) / 1,000,000
- 2) Landfill Emission (TPY) = 360 x Pollutant Flow (SCFM) x M.W. (lb/lb-mole) x Pressure (atm) / Temperature (°R) [AP-42, Ch. 2.4, Eq. 4 Converted]
- 3) Controlled Emissions (TPY) = Landfill Emission (TPY) x (1 - Control Efficiency)
- 4) Maximum Captured LFG (SCFM) = Maximum LandGEM LFG (SCFM) x Capture Efficiency

Notes:

- 1) There are variations in landfill gas constituents between AP-42, Ch. 2.4 (1998 Version), AP-42, Ch. 2.4 (2008 Version) and LandGEM (Version 3.02).

**Appendix A to the Technical Support Document (TSD)
Potential to Emit - Flare #2 - 3,650 SCFM**

**Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720**

Part 70 Operating Permit Number: T163-36018-00114

Reviewer: David Matousek

Date: November 23, 2015

Calculation Basis

Flare Heat Input Capacity	120.45 MMBtu/hr	Molecular Weight (S)	32.07 lb/lb.mole
Heating Value of Landfill Gas	550.00 Btu/CF	Molecular Weight (SO ₂)	64.06 lb/lb.mole
Inlet Gas Temperature	536.67 °R	Molecular Weight (CL)	35.453 lb/lb.mole
Inlet Gas Pressure	1.00 atm	Molecular Weight (HCL)	36.458 lb/lb.mole
Design Landfill Gas Flow	3,650 SCFM	Molecular Weight (Hexane)	86.18 lb/lb.mole
Volume % Water in Landfill Gas (Saturated Gas)	3.33%		

Methane Flow Rate at PTE

Landfill Gas Flow Rate, Wet Basis	Landfill Gas Flow Rate, Dry Basis	Volume % Methane	Methane Flow Rate (Dry Basis)			
3,650.00 SCFM	3,528.46 DSCFM	50.00%	1,764.23	SCFM	927.28	MMCF Methane / year, dry

Uncontrolled Potential to Emit Calculation for Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput		Emission Factor		PTE (TPY)	Emission Factor Sources
PM			927.28	MMCF/yr, CH ₄ dry	17.0	lb/MMCF, CH ₄ dry	7.88	AP-42, Ch. 2.4, Table 2.4-5, 11/98
PM ₁₀			927.28	MMCF/yr, CH ₄ dry	17.0	lb/MMCF, CH ₄ dry	7.88	Assumed the same as PM
Direct PM _{2.5}			927.28	MMCF/yr, CH ₄ dry	17.0	lb/MMCF, CH ₄ dry	7.88	Assumed the same as PM
Sulfur	170	0.6205					13.35	Site Testing
SO ₂							26.67	= TPY S x (MW SO ₂ / MW S)
VOC	234.00	0.8541					0.99	NMOC 600 ppmv, 39% VOC as hexane, 98% Reduction
CO			120.45	MMBtu/hr	0.370	lb/MMBtu	195.2	Manufacturer Specification
NO _x			120.45	MMBtu/hr	0.068	lb/MMBtu	35.87	Manufacturer Specification
CL ⁻	42	0.1533					3.65	AP-42, Ch. 2.4, 11/98, default
HCL							3.75	= TPY CL x (MW HCL / MW CL)

Methodology:

- 1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
- 2) AP-42 does not include emission factors for PM₁₀ or PM_{2.5}. They were assumed the same as PM.
- 3) DSCFM = SCFM x (1 - % Water)
- 4) Pollutant Flow (SCFM) = [Total Landfill Gas Flow (SCFM)] x [ppmv pollutant / 1,000,000]
- 5) PTE (TPY) = Flow (SCFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [4.38 hr-ton/lb-yr]
- 6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [4.38 hr-ton/lb-yr]

**Appendix A to the Technical Support Document (TSD)
PTE - Degreasing Operations**

**Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Operating Permit Number: T163-36018-00114
Reviewer: David Matousek
Date: November 23, 2015**

Potential to Emit

Degreasing Solvent Properties

VOC Content	100%	(IDEM Estimate)
Total HAP Content	3%	(Table 6 to Subpart VVVV of Part 63)
Xylene	1%	(Table 6 to Subpart VVVV of Part 63)
Toluene	1%	(Table 6 to Subpart VVVV of Part 63)
Ethyl Benzene	1%	(Table 6 to Subpart VVVV of Part 63)
Density	7.36	lb/gallon - EPA default VOC density
Annual Usage	145.00	gallons/year - Limited Usage

Estimated Emissions

Potential to Emit (TPY) = Annual Usage (gallons/yr) x Density (lb/gallon) x 1 ton /2,000 lb x Mass%
Controlled Emissions (TPY) = PTE (TPY) x (1 - Control Efficiency)

Pollutant	PTE (TPY)	Control Efficiency	Controlled Emissions (TPY)
VOC	0.534	0%	0.534
Xylene	0.005	0%	0.005
Toluene	0.005	0%	0.005
Ethyl Benzene	0.005	0%	0.005
Total HAP	0.016	0%	0.016

**Appendix A to the Addendum to the Technical Support Document (TSD)
Gasoline Storage and Vehicle Filling**

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows

Address: 2121 Wimberg Road, Evansville, Indiana 47720

Part 70 Operating Permit Number: T163-36018-00114

Reviewer: David Matousek

Date: November 23, 2015

VOC Emissions - Gasoline Dispensing to Vehicle						
Emission Source	Daily Throughput (gallons)	Annual Throughput (gallons)	Emission Factor		PTE (TPY)	Notes
Tank Filling	4.11	1,500	11	lb/kgallon	0.0083	AP-42, Ch. 5.2, Table 5.2-7, 6/2008
Spillage Loss			0.7	lb/kgallon	0.0005	
Total Emissions =					0.0088	

HAP Emissions - Gasoline Dispensing to Vehicle				
Pollutant	Vapor Weight (% of VOC)	Total VOC Emissions (TPY)	PTE (TPY)	Notes
Hexane	1.4%	8.78E-03	1.23E-04	Gasoline Distribution Industry (Stage 1) - Background Information for Proposed Standards, U.S. EPA, EPA-453/R-94-002a, January 1994, Table 3-2
Benzene	0.4%		3.51E-05	
Toluene	1.1%		9.65E-05	
2,2,4-Trimethylpentane	0.7%		6.14E-05	
Xylene	0.4%		3.51E-05	
Ethyl Benzene	0.1%		8.78E-06	
Total HAP	4.1%		3.60E-04	

Gasoline Storage Tank Emissions					
<u>Working Losses</u>					
Gasoline Storage Tank Throughput	1,500	gallons/year	or	201	cubic feet/year
Vapor Density	0.0593	lb/ cubic foot	(TANKS output for generic tank - RVP 9.0, Indianapolis, Indiana)		
Volume of Vapor Displaced	201	cubic feet/year			
Annual Turnovers	365				
Turnover Factor	0.2489	= (180 + annual turnovers) / (6 x annual turnovers)			
Working VOC Losses	2.96	lb/year	or	1.48E-03	TPY (vapor density x vapor volume x turnover factor)

<u>Tank VOC Standing Losses</u>						
Emission Source	Daily Throughput (gallons)	Annual Throughput (gallons)	Emission Factor		PTE (TPY)	Notes
Standing Losses	4.11	1,500	1.0	lb/kgallon	7.50E-04	AP-42, Ch. 5.2, Table 5.2-7, 6/2008

HAP Emissions - Gasoline Storage				
Pollutant	Vapor Weight (% of VOC)	Working & Standing VOC (TPY)	PTE (TPY)	Notes
Hexane	1.4%	2.23E-03	3.12E-05	Gasoline Distribution Industry (Stage 1) - Background Information for Proposed Standards, U.S. EPA, EPA-453/R-94-002a, January 1994, Table 3-2 (0.18 TPY working + 0.09 TPY breathing)
Benzene	0.4%		8.92E-06	
Toluene	1.1%		2.45E-05	
2,2,4-Trimethylpentane	0.7%		1.56E-05	
Xylene	0.4%		8.92E-06	
Ethyl Benzene	0.1%		2.23E-06	
Total HAP	4.1%		9.14E-05	

Summary of Gasoline Operations			
Pollutant	PTE (TPY)		Notes
VOC	1.10E-02	TPY	= Dispensing to vehicle + Standing and Working Loss
Total HAP	4.51E-04	TPY	= Dispensing to vehicle + Storage and Working Loss
Toluene	1.21E-04	TPY	= Dispensing to vehicle + Storage and Working Loss

**Appendix A to the Technical Support Document (TSD)
Potential to Emit - Propane Combustion**

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill

Address: 2121 Wimberg Road, Evansville, Indiana 47720

Part 70 Operating Permit Number: T163-36018-00114

Reviewer: David Matousek

Date: November 23, 2015

Heat Input Capacity

LPG Heater (HTR-1)	0.135 MMBtu/hr	94,000 Btu/gallon	Propane Heating Value
		12.58 Kgallon/year	Potential Throughput

Total Heat Input Capacity	0.135 MMBtu/hr
----------------------------------	-----------------------

Pollutant	Throughput	Emission Factor	PTE (TPY)	Source
PM	12.58 kgallons/yr	0.2 lb/kgallon	1.26E-03	AP-42, Ch. 1.5, 7/08
PM10	12.58 kgallons/yr	0.7 lb/kgallon	4.40E-03	AP-42, Ch. 1.5, 7/08
Direct PM2.5	12.58 kgallons/yr	0.7 lb/kgallon	4.40E-03	AP-42, Ch. 1.5, 7/08
SO2 (15 grains/100 CF)	12.58 kgallons/yr	1.5 lb/kgallon	9.44E-03	AP-42, Ch. 1.5, 7/08
VOC	12.58 kgallons/yr	1 lb/kgallon	6.29E-03	AP-42, Ch. 1.5, 7/08
CO	12.58 kgallons/yr	7.5 lb/kgallon	0.05	AP-42, Ch. 1.5, 7/08
NOx	12.58 kgallons/yr	13 lb/kgallon	0.08	AP-42, Ch. 1.5, 7/08

Methodology:

- 1) Throughput (kgallon/yr) = Input (MMBtu/hr) x 8,760 hr/yr x 1 gallon/94,000 Btu x 1E06 Btu/MMBtu x 1 kgallon/1,000 gallons
- 2) PTE (TPY) = Emission Factor (lb/kgallon) x input (kgallon/yr) x 1 ton/2,000 lb

Appendix A to the Technical Support Document (TSD) Fugitive Emissions from Unpaved Roads

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Operating Permit Number: T163-36018-00114
Reviewer: David Matousek
Date: November 23, 2015

Average Vehicle Weight

Vehicle Type	Mean Vehicle Weight (tons)	Trips per Year	Miles per Trip	Vehicle Miles Traveled (VMT) (miles/year)	Traffic Component	Component Weight (tons)
Transfer Trailer	27.50	1,182	1.58	1,867.56	2.00%	0.55
Front End Loader	24.05	8,865	1.58	14,006.70	15.00%	3.61
Rear End Loader	19.25	8,865	1.58	14,006.70	15.00%	2.89
Roll-Off Container	17.00	21,276	1.58	33,616.08	36.00%	6.12
Flatbed Truck	3.23	591	1.58	933.78	1.00%	0.03
Light Self-Haul Trucks	3.23	15,957	1.58	25,212.06	27.00%	0.87
Private Truck	2.85	591	1.58	933.78	1.00%	0.03
Dump Trucks	15.50	1,773	1.58	2,801.34	3.00%	0.47
				93,378.00	100.00%	14.56

Unmitigated Emissions

Unmitigated Emission Factor = $k * [(s/12)^a] * [(W/3)^b]$: Equation 1a from AP-42, Chapter 13.2.2, 11/2006

Unmitigated Emissions = E (lb/VMT) * VMT (miles)/year * 1 ton/2,000 lb

Unmitigated Emissions		PM	PM10	PM2.5	
Where k =	particle size multiplier (lb/VMT)	4.9	1.5	0.15	(previous determination)
s =	silt content (%)	6.4	6.4	6.4	
a =	unitless constant	0.7	0.9	0.9	
W =	component weight (ton)	14.56	14.56	14.56	
b =	unitless constant	0.45	0.45	0.45	
E =	unmitigated emission factor (lb/VMT)	6.42	1.73	0.17	
VMT =	vehicle miles traveled (miles/yr)	93,378.00	93,378.00	93,378.00	
Unmitigated Emissions =		299.74	80.77	7.94	

Mitigated Emissions

Mitigation Factor = $[(365 - P) / 365]$, Equation 2 from AP-42, Chapter 13.2.2, 11/2006

P (days) = 115

Mitigation Factor (unitless) = 0.68

Mitigated Emissions (TPY) = Unmitigated Emissions * Mitigation Factor

mitigated PM = 203.83 TPY

mitigated PM10 = 54.92 TPY

mitigated PM2.5 = 5.40 TPY

Controlled Emissions

Controlled Emissions = Mitigated Emissions (TPY) * (1 - Dust Control Efficiency (%))

Fugitive Dust Plan Control Efficiency (%)

controlled PM =	90%	20.38 TPY
controlled PM10 =	90%	5.49 TPY
controlled PM2.5 =	40%	3.24 TPY

Appendix A to the Technical Support Document (TSD) Fugitive Emissions from Paved Roads

Company Name: BFI Waste Systems of NA LLC - Laubscher Meadows Landfill
Address: 2121 Wimberg Road, Evansville, Indiana 47720
Part 70 Operating Permit Number: T163-36018-00114
Reviewer: David Matousek
Date: November 23, 2015

Average Vehicle Weight

Vehicle Type	Mean Vehicle Weight (tons)	Trips per Year	Miles per Trip	Vehicle Miles Traveled (VMT) (miles/year)	Traffic Component	Component Weight (tons)
Transfer Trailer	27.50	1,182	0.65	768.30	2.00%	0.55
Front End Loader	24.05	8,865	0.65	5,762.25	15.00%	3.61
Rear End Loader	19.25	8,865	0.65	5,762.25	15.00%	2.89
Roll-Off Container	17.00	21,276	0.65	13,829.40	36.00%	6.12
Flatbed Truck	3.225	591	0.65	384.15	1.00%	0.03
Light Self-Haul Trucks	3.225	15,957	0.65	10,372.05	27.00%	0.87
Private Truck	2.85	591	0.65	384.15	1.00%	0.03
Dump Trucks	15.50	1,773	0.65	1,152.45	3.00%	0.47
totals				38,415.00	100.00%	14.56

Unmitigated Emissions

Unmitigated Emission Factor = $k * [(sL)^{0.91}] * [(W)^{1.02}]$: Equation 1 from AP-42, Chapter 13.2.1, 01/2011

Unmitigated Emissions = E (lb/VMT) * VMT (miles)/year * 1 ton/2,000 lb

Unmitigated Emissions		PM	PM10	PM2.5
Where k =	particle size multiplier (lb/VMT)	0.011	0.0022	0.00054
s =	silt content (grains/square meter)	7.4	7.4	7.4
W =	component weight (ton)	14.56	14.56	14.56
E =	unmitigated emission factor (lb/VMT)	1.0444	0.2089	0.0513
VMT =	vehicle miles traveled (miles/yr)	38,415.00	38,415.00	38,415.00
Unmitigated Emissions =		20.06	4.01	0.98

Mitigated Emissions

Mitigation Factor = $[1 - (P/4N)]$, Equation 3 from AP-42, Chapter 13.2.1, 01/2011

P (days) = 115

Mitigation Factor (unitless) = 0.92

Mitigated Emissions (TPY) = Unmitigated Emissions * Mitigation Factor

mitigated PM = 18.48 TPY

mitigated PM10 = 3.70 TPY

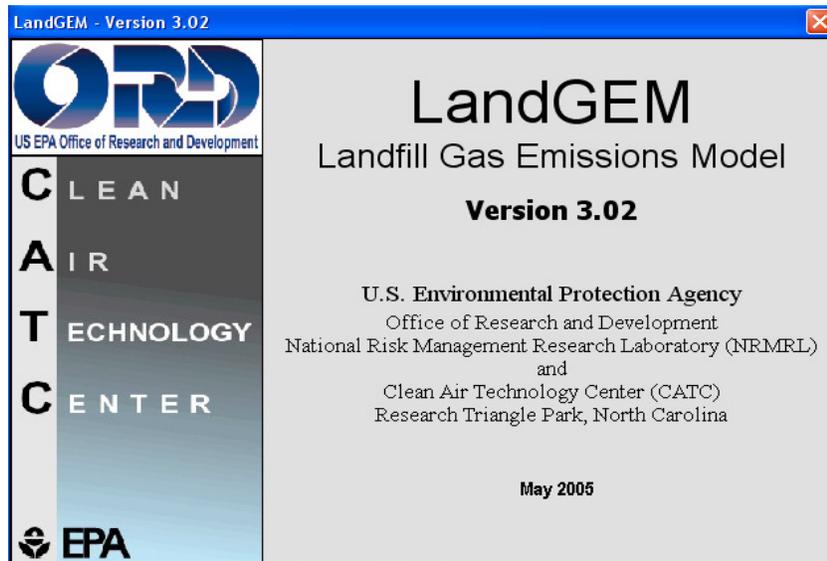
mitigated PM2.5 = 0.91 TPY

Controlled Emissions

Controlled Emissions = Mitigated Emissions (TPY) * (1 - Dust Control Efficiency (%))

Fugitive Dust Plan Control Efficiency (%)

controlled PM =	90%	1.85 TPY
controlled PM10 =	90%	0.37 TPY
controlled PM2.5 =	40%	0.55 TPY



Summary Report

Landfill Name or Identifier: BFI Waste Systems - Laubscher Landfill

Date: Monday, August 10, 2015

Description/Comments:

NMOC concentration and % Methane provided by applicant.

About LandGEM:

First-Order Decomposition Rate Equation:

$$Q_{CH_4} = \sum_{i=1}^n \sum_{j=0.1}^1 kL_o \left(\frac{M_i}{10} \right) e^{-kt_{ij}}$$

Where,

Q_{CH_4} = annual methane generation in the year of the calculation ($m^3/year$)

i = 1-year time increment

n = (year of the calculation) - (initial year of waste acceptance)

j = 0.1-year time increment

k = methane generation rate ($year^{-1}$)

L_o = potential methane generation capacity (m^3/Mg)

M_i = mass of waste accepted in the i^{th} year (Mg)

t_{ij} = age of the j^{th} section of waste mass M_i accepted in the i^{th} year (*decimal years*, e.g., 3.2 years)

LandGEM is based on a first-order decomposition rate equation for quantifying emissions from the decomposition of landfilled waste in municipal solid waste (MSW) landfills. The software provides a relatively simple approach to estimating landfill gas emissions. Model defaults are based on empirical data from U.S. landfills. Field test data can also be used in place of model defaults when available. Further guidance on EPA test methods, Clean Air Act (CAA) regulations, and other guidance regarding landfill gas emissions and control technology requirements can be found at <http://www.epa.gov/ttnatw01/landfill/landflpg.html>.

LandGEM is considered a screening tool — the better the input data, the better the estimates. Often, there are limitations with the available data regarding waste quantity and composition, variation in design and operating practices over time, and changes occurring over time that impact the emissions potential. Changes to landfill operation, such as operating under wet conditions through leachate recirculation or other liquid additions, will result in generating more gas at a faster rate. Defaults for estimating emissions for this type of operation are being developed to include in LandGEM along with defaults for conventional landfills (no leachate or liquid additions) for developing emission inventories and determining CAA applicability. Refer to the Web site identified above for future updates.

Input Review

LANDFILL CHARACTERISTICS

Landfill Open Year	1979	
Landfill Closure Year (with 80-year limit)	2058	
Actual Closure Year (without limit)	2058	
Have Model Calculate Closure Year?	No	
Waste Design Capacity	16,388,369	<i>megagrams</i>

MODEL PARAMETERS

Methane Generation Rate, k	0.040	<i>year⁻¹</i>
Potential Methane Generation Capacity, L ₀	100	<i>m³/Mg</i>
NMOC Concentration	600	<i>ppmv as hexane</i>
Methane Content	50	<i>% by volume</i>

GASES / POLLUTANTS SELECTED

Gas / Pollutant #1:	Total landfill gas
Gas / Pollutant #2:	Methane
Gas / Pollutant #3:	Carbon dioxide
Gas / Pollutant #4:	NMOC

WASTE ACCEPTANCE RATES

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	(short tons/year)	(Mg)	(short tons)
1979	281,600	309,760	0	0
1980	281,600	309,760	281,600	309,760
1981	281,500	309,650	563,200	619,520
1982	281,300	309,430	844,700	929,170
1983	282,000	310,200	1,126,000	1,238,600
1984	281,000	309,100	1,408,000	1,548,800
1985	282,000	310,200	1,689,000	1,857,900
1986	282,000	310,200	1,971,000	2,168,100
1987	281,000	309,100	2,253,000	2,478,300
1988	282,000	310,200	2,534,000	2,787,400
1989	281,000	309,100	2,816,000	3,097,600
1990	282,000	310,200	3,097,000	3,406,700
1991	182,372	200,609	3,379,000	3,716,900
1992	181,319	199,451	3,561,372	3,917,509
1993	212,679	233,947	3,742,691	4,116,960
1994	223,688	246,057	3,955,370	4,350,907
1995	202,065	222,272	4,179,058	4,596,964
1996	176,537	194,191	4,381,123	4,819,235
1997	184,222	202,644	4,557,660	5,013,426
1998	190,304	209,334	4,741,882	5,216,070
1999	216,633	238,296	4,932,186	5,425,405
2000	224,823	247,305	5,148,819	5,663,701
2001	219,130	241,043	5,373,642	5,911,006
2002	208,299	229,129	5,592,772	6,152,049
2003	219,519	241,471	5,801,071	6,381,178
2004	211,862	233,048	6,020,590	6,622,649
2005	223,060	245,366	6,232,452	6,855,697
2006	211,718	232,890	6,455,512	7,101,063
2007	196,664	216,330	6,667,230	7,333,953
2008	177,090	194,799	6,863,894	7,550,283
2009	158,222	174,044	7,040,984	7,745,082
2010	142,949	157,244	7,199,206	7,919,127
2011	146,099	160,709	7,342,155	8,076,371
2012	135,592	149,151	7,488,254	8,237,079
2013	132,034	145,237	7,623,846	8,386,231
2014	138,193	152,012	7,755,880	8,531,468
2015	197,542	217,296	7,894,073	8,683,480
2016	197,542	217,296	8,091,615	8,900,777
2017	197,542	217,296	8,289,157	9,118,073
2018	197,542	217,296	8,486,699	9,335,369

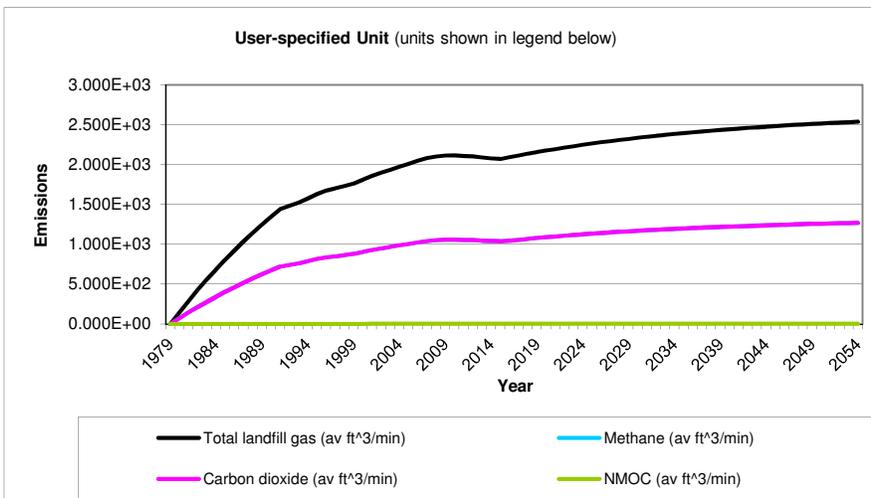
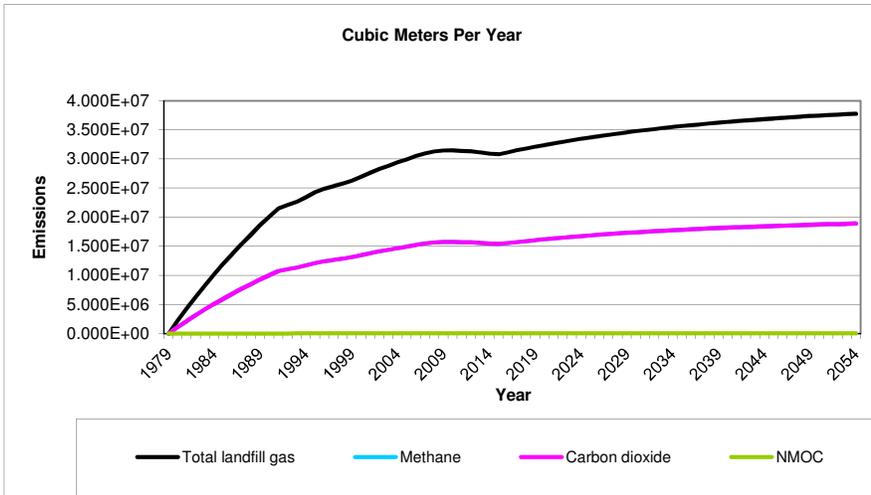
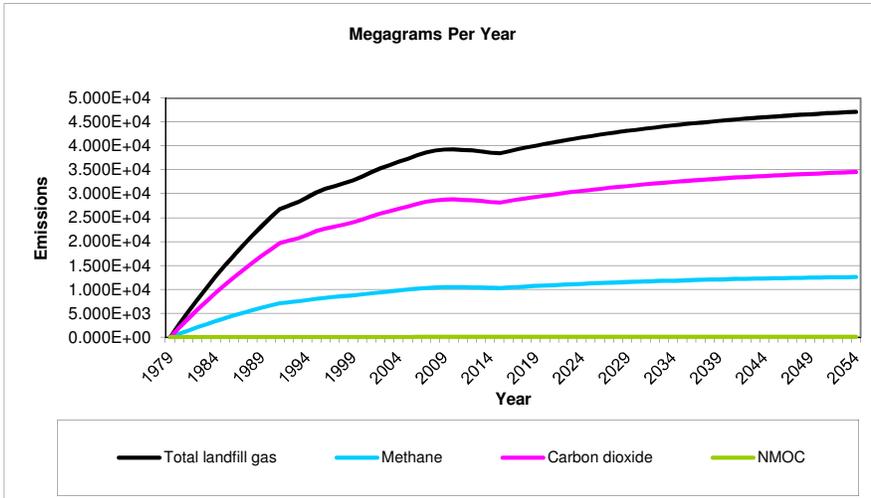
WASTE ACCEPTANCE RATES (Continued)

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	(short tons/year)	(Mg)	(short tons)
2019	197,542	217,296	8,684,241	9,552,665
2020	197,542	217,296	8,881,783	9,769,961
2021	197,542	217,296	9,079,325	9,987,258
2022	197,542	217,296	9,276,867	10,204,554
2023	197,542	217,296	9,474,409	10,421,850
2024	197,542	217,296	9,671,951	10,639,146
2025	197,542	217,296	9,869,493	10,856,442
2026	197,542	217,296	10,067,035	11,073,739
2027	197,542	217,296	10,264,577	11,291,035
2028	197,542	217,296	10,462,119	11,508,331
2029	197,542	217,296	10,659,661	11,725,627
2030	197,542	217,296	10,857,203	11,942,923
2031	197,542	217,296	11,054,745	12,160,220
2032	197,542	217,296	11,252,287	12,377,516
2033	197,542	217,296	11,449,829	12,594,812
2034	197,542	217,296	11,647,371	12,812,108
2035	197,542	217,296	11,844,913	13,029,404
2036	197,542	217,296	12,042,455	13,246,701
2037	197,542	217,296	12,239,997	13,463,997
2038	197,542	217,296	12,437,539	13,681,293
2039	197,542	217,296	12,635,081	13,898,589
2040	197,542	217,296	12,832,623	14,115,885
2041	197,542	217,296	13,030,165	14,333,182
2042	197,542	217,296	13,227,707	14,550,478
2043	197,542	217,296	13,425,249	14,767,774
2044	197,542	217,296	13,622,791	14,985,070
2045	197,542	217,296	13,820,333	15,202,366
2046	197,542	217,296	14,017,875	15,419,663
2047	197,542	217,296	14,215,417	15,636,959
2048	197,542	217,296	14,412,959	15,854,255
2049	197,542	217,296	14,610,501	16,071,551
2050	197,542	217,296	14,808,043	16,288,847
2051	197,542	217,296	15,005,585	16,506,144
2052	197,542	217,296	15,203,127	16,723,440
2053	197,542	217,296	15,400,669	16,940,736
2054	197,542	217,296	15,598,211	17,158,032
2055	197,542	217,296	15,795,753	17,375,328
2056	197,542	217,296	15,993,295	17,592,625
2057	197,542	217,296	16,190,837	17,809,921
2058	197,542	217,296	16,388,379	18,027,217

Pollutant Parameters

Gas / Pollutant Default Parameters:				User-specified Pollutant Parameters:	
	Compound	Concentration (ppmv)	Molecular Weight	Concentration (ppmv)	Molecular Weight
Gases	Total landfill gas		0.00		
	Methane		16.04		
	Carbon dioxide		44.01		
	NMOC	4,000	86.18		
Pollutants	1,1,1-Trichloroethane (methyl chloroform) - HAP	0.48	133.41		
	1,1,1,2-Tetrachloroethane - HAP/VOC	1.1	167.85		
	1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	2.4	98.97		
	1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	0.20	96.94		
	1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	0.41	98.96		
	1,2-Dichloropropane (propylene dichloride) - HAP/VOC	0.18	112.99		
	2-Propanol (isopropyl alcohol) - VOC	50	60.11		
	Acetone	7.0	58.08		
	Acrylonitrile - HAP/VOC	6.3	53.06		
	Benzene - No or Unknown Co-disposal - HAP/VOC	1.9	78.11		
	Benzene - Co-disposal - HAP/VOC	11	78.11		
	Bromodichloromethane - VOC	3.1	163.83		
	Butane - VOC	5.0	58.12		
	Carbon disulfide - HAP/VOC	0.58	76.13		
	Carbon monoxide	140	28.01		
	Carbon tetrachloride - HAP/VOC	4.0E-03	153.84		
	Carbonyl sulfide - HAP/VOC	0.49	60.07		
	Chlorobenzene - HAP/VOC	0.25	112.56		
	Chlorodifluoromethane	1.3	86.47		
	Chloroethane (ethyl chloride) - HAP/VOC	1.3	64.52		
	Chloroform - HAP/VOC	0.03	119.39		
	Chloromethane - VOC	1.2	50.49		
	Dichlorobenzene - (HAP for para isomer/VOC)	0.21	147		
	Dichlorodifluoromethane	16	120.91		
	Dichlorofluoromethane - VOC	2.6	102.92		
	Dichloromethane (methylene chloride) - HAP	14	84.94		
	Dimethyl sulfide (methyl sulfide) - VOC	7.8	62.13		
	Ethane	890	30.07		
	Ethanol - VOC	27	46.08		

Graphs



Results

Year	Total landfill gas			Methane		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
1979	0	0	0	0	0	0
1980	2.763E+03	2.213E+06	1.487E+02	7.381E+02	1.106E+06	7.434E+01
1981	5.418E+03	4.339E+06	2.915E+02	1.447E+03	2.169E+06	1.458E+02
1982	7.968E+03	6.381E+06	4.287E+02	2.128E+03	3.190E+06	2.144E+02
1983	1.042E+04	8.341E+06	5.604E+02	2.782E+03	4.170E+06	2.802E+02
1984	1.278E+04	1.023E+07	6.873E+02	3.412E+03	5.115E+06	3.437E+02
1985	1.503E+04	1.204E+07	8.087E+02	4.015E+03	6.018E+06	4.044E+02
1986	1.721E+04	1.378E+07	9.259E+02	4.597E+03	6.890E+06	4.630E+02
1987	1.930E+04	1.546E+07	1.038E+03	5.156E+03	7.728E+06	5.192E+02
1988	2.130E+04	1.706E+07	1.146E+03	5.690E+03	8.529E+06	5.731E+02
1989	2.323E+04	1.861E+07	1.250E+03	6.206E+03	9.303E+06	6.250E+02
1990	2.508E+04	2.008E+07	1.349E+03	6.699E+03	1.004E+07	6.747E+02
1991	2.686E+04	2.151E+07	1.445E+03	7.176E+03	1.076E+07	7.227E+02
1992	2.760E+04	2.210E+07	1.485E+03	7.373E+03	1.105E+07	7.425E+02
1993	2.830E+04	2.266E+07	1.523E+03	7.559E+03	1.133E+07	7.613E+02
1994	2.928E+04	2.344E+07	1.575E+03	7.820E+03	1.172E+07	7.875E+02
1995	3.032E+04	2.428E+07	1.631E+03	8.100E+03	1.214E+07	8.157E+02
1996	3.112E+04	2.492E+07	1.674E+03	8.312E+03	1.246E+07	8.371E+02
1997	3.163E+04	2.533E+07	1.702E+03	8.448E+03	1.266E+07	8.509E+02
1998	3.220E+04	2.578E+07	1.732E+03	8.600E+03	1.289E+07	8.661E+02
1999	3.280E+04	2.627E+07	1.765E+03	8.762E+03	1.313E+07	8.824E+02
2000	3.364E+04	2.694E+07	1.810E+03	8.986E+03	1.347E+07	9.050E+02
2001	3.453E+04	2.765E+07	1.858E+03	9.223E+03	1.382E+07	9.289E+02
2002	3.532E+04	2.829E+07	1.901E+03	9.436E+03	1.414E+07	9.503E+02
2003	3.598E+04	2.881E+07	1.936E+03	9.612E+03	1.441E+07	9.680E+02
2004	3.673E+04	2.941E+07	1.976E+03	9.810E+03	1.470E+07	9.880E+02
2005	3.737E+04	2.992E+07	2.010E+03	9.981E+03	1.496E+07	1.005E+03
2006	3.809E+04	3.050E+07	2.049E+03	1.017E+04	1.525E+07	1.025E+03
2007	3.867E+04	3.097E+07	2.081E+03	1.033E+04	1.548E+07	1.040E+03
2008	3.909E+04	3.130E+07	2.103E+03	1.044E+04	1.565E+07	1.051E+03
2009	3.929E+04	3.146E+07	2.114E+03	1.050E+04	1.573E+07	1.057E+03
2010	3.930E+04	3.147E+07	2.115E+03	1.050E+04	1.574E+07	1.057E+03
2011	3.917E+04	3.136E+07	2.107E+03	1.046E+04	1.568E+07	1.054E+03
2012	3.906E+04	3.128E+07	2.102E+03	1.043E+04	1.564E+07	1.051E+03
2013	3.886E+04	3.112E+07	2.091E+03	1.038E+04	1.556E+07	1.045E+03
2014	3.863E+04	3.094E+07	2.079E+03	1.032E+04	1.547E+07	1.039E+03
2015	3.848E+04	3.081E+07	2.070E+03	1.028E+04	1.540E+07	1.035E+03
2016	3.891E+04	3.115E+07	2.093E+03	1.039E+04	1.558E+07	1.047E+03
2017	3.932E+04	3.148E+07	2.115E+03	1.050E+04	1.574E+07	1.058E+03
2018	3.972E+04	3.180E+07	2.137E+03	1.061E+04	1.590E+07	1.068E+03
2019	4.010E+04	3.211E+07	2.157E+03	1.071E+04	1.605E+07	1.079E+03
2020	4.046E+04	3.240E+07	2.177E+03	1.081E+04	1.620E+07	1.088E+03
2021	4.081E+04	3.268E+07	2.196E+03	1.090E+04	1.634E+07	1.098E+03
2022	4.115E+04	3.295E+07	2.214E+03	1.099E+04	1.648E+07	1.107E+03
2023	4.148E+04	3.321E+07	2.232E+03	1.108E+04	1.661E+07	1.116E+03
2024	4.179E+04	3.346E+07	2.248E+03	1.116E+04	1.673E+07	1.124E+03
2025	4.209E+04	3.370E+07	2.265E+03	1.124E+04	1.685E+07	1.132E+03
2026	4.238E+04	3.393E+07	2.280E+03	1.132E+04	1.697E+07	1.140E+03
2027	4.265E+04	3.416E+07	2.295E+03	1.139E+04	1.708E+07	1.147E+03
2028	4.292E+04	3.437E+07	2.309E+03	1.146E+04	1.718E+07	1.155E+03

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
2029	4.318E+04	3.457E+07	2.323E+03	1.153E+04	1.729E+07	1.161E+03
2030	4.342E+04	3.477E+07	2.336E+03	1.160E+04	1.739E+07	1.168E+03
2031	4.366E+04	3.496E+07	2.349E+03	1.166E+04	1.748E+07	1.174E+03
2032	4.388E+04	3.514E+07	2.361E+03	1.172E+04	1.757E+07	1.181E+03
2033	4.410E+04	3.531E+07	2.373E+03	1.178E+04	1.766E+07	1.186E+03
2034	4.431E+04	3.548E+07	2.384E+03	1.184E+04	1.774E+07	1.192E+03
2035	4.451E+04	3.564E+07	2.395E+03	1.189E+04	1.782E+07	1.197E+03
2036	4.471E+04	3.580E+07	2.405E+03	1.194E+04	1.790E+07	1.203E+03
2037	4.489E+04	3.595E+07	2.415E+03	1.199E+04	1.797E+07	1.208E+03
2038	4.507E+04	3.609E+07	2.425E+03	1.204E+04	1.804E+07	1.212E+03
2039	4.524E+04	3.623E+07	2.434E+03	1.208E+04	1.811E+07	1.217E+03
2040	4.541E+04	3.636E+07	2.443E+03	1.213E+04	1.818E+07	1.221E+03
2041	4.556E+04	3.648E+07	2.451E+03	1.217E+04	1.824E+07	1.226E+03
2042	4.572E+04	3.661E+07	2.459E+03	1.221E+04	1.830E+07	1.230E+03
2043	4.586E+04	3.672E+07	2.467E+03	1.225E+04	1.836E+07	1.234E+03
2044	4.600E+04	3.684E+07	2.475E+03	1.229E+04	1.842E+07	1.237E+03
2045	4.614E+04	3.694E+07	2.482E+03	1.232E+04	1.847E+07	1.241E+03
2046	4.627E+04	3.705E+07	2.489E+03	1.236E+04	1.852E+07	1.245E+03
2047	4.639E+04	3.715E+07	2.496E+03	1.239E+04	1.857E+07	1.248E+03
2048	4.651E+04	3.724E+07	2.502E+03	1.242E+04	1.862E+07	1.251E+03
2049	4.662E+04	3.733E+07	2.509E+03	1.245E+04	1.867E+07	1.254E+03
2050	4.673E+04	3.742E+07	2.514E+03	1.248E+04	1.871E+07	1.257E+03
2051	4.684E+04	3.751E+07	2.520E+03	1.251E+04	1.875E+07	1.260E+03
2052	4.694E+04	3.759E+07	2.526E+03	1.254E+04	1.879E+07	1.263E+03
2053	4.704E+04	3.767E+07	2.531E+03	1.256E+04	1.883E+07	1.265E+03
2054	4.713E+04	3.774E+07	2.536E+03	1.259E+04	1.887E+07	1.268E+03
2055	4.722E+04	3.782E+07	2.541E+03	1.261E+04	1.891E+07	1.270E+03
2056	4.731E+04	3.788E+07	2.545E+03	1.264E+04	1.894E+07	1.273E+03
2057	4.739E+04	3.795E+07	2.550E+03	1.266E+04	1.898E+07	1.275E+03
2058	4.747E+04	3.802E+07	2.554E+03	1.268E+04	1.901E+07	1.277E+03
2059	4.755E+04	3.808E+07	2.558E+03	1.270E+04	1.904E+07	1.279E+03
2060	4.569E+04	3.658E+07	2.458E+03	1.220E+04	1.829E+07	1.229E+03
2061	4.390E+04	3.515E+07	2.362E+03	1.173E+04	1.757E+07	1.181E+03
2062	4.217E+04	3.377E+07	2.269E+03	1.127E+04	1.689E+07	1.135E+03
2063	4.052E+04	3.245E+07	2.180E+03	1.082E+04	1.622E+07	1.090E+03
2064	3.893E+04	3.118E+07	2.095E+03	1.040E+04	1.559E+07	1.047E+03
2065	3.741E+04	2.995E+07	2.013E+03	9.991E+03	1.498E+07	1.006E+03
2066	3.594E+04	2.878E+07	1.934E+03	9.600E+03	1.439E+07	9.668E+02
2067	3.453E+04	2.765E+07	1.858E+03	9.223E+03	1.382E+07	9.289E+02
2068	3.318E+04	2.657E+07	1.785E+03	8.862E+03	1.328E+07	8.925E+02
2069	3.187E+04	2.552E+07	1.715E+03	8.514E+03	1.276E+07	8.575E+02
2070	3.063E+04	2.452E+07	1.648E+03	8.180E+03	1.226E+07	8.239E+02
2071	2.942E+04	2.356E+07	1.583E+03	7.860E+03	1.178E+07	7.915E+02
2072	2.827E+04	2.264E+07	1.521E+03	7.551E+03	1.132E+07	7.605E+02
2073	2.716E+04	2.175E+07	1.461E+03	7.255E+03	1.088E+07	7.307E+02
2074	2.610E+04	2.090E+07	1.404E+03	6.971E+03	1.045E+07	7.020E+02
2075	2.507E+04	2.008E+07	1.349E+03	6.697E+03	1.004E+07	6.745E+02
2076	2.409E+04	1.929E+07	1.296E+03	6.435E+03	9.645E+06	6.481E+02
2077	2.315E+04	1.853E+07	1.245E+03	6.183E+03	9.267E+06	6.227E+02
2078	2.224E+04	1.781E+07	1.196E+03	5.940E+03	8.904E+06	5.982E+02
2079	2.137E+04	1.711E+07	1.150E+03	5.707E+03	8.555E+06	5.748E+02

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
2080	2.053E+04	1.644E+07	1.104E+03	5.483E+03	8.219E+06	5.522E+02
2081	1.972E+04	1.579E+07	1.061E+03	5.268E+03	7.897E+06	5.306E+02
2082	1.895E+04	1.517E+07	1.020E+03	5.062E+03	7.587E+06	5.098E+02
2083	1.821E+04	1.458E+07	9.796E+02	4.863E+03	7.290E+06	4.898E+02
2084	1.749E+04	1.401E+07	9.412E+02	4.673E+03	7.004E+06	4.706E+02
2085	1.681E+04	1.346E+07	9.043E+02	4.489E+03	6.729E+06	4.521E+02
2086	1.615E+04	1.293E+07	8.688E+02	4.313E+03	6.465E+06	4.344E+02
2087	1.552E+04	1.242E+07	8.348E+02	4.144E+03	6.212E+06	4.174E+02
2088	1.491E+04	1.194E+07	8.020E+02	3.982E+03	5.968E+06	4.010E+02
2089	1.432E+04	1.147E+07	7.706E+02	3.826E+03	5.734E+06	3.853E+02
2090	1.376E+04	1.102E+07	7.404E+02	3.676E+03	5.509E+06	3.702E+02
2091	1.322E+04	1.059E+07	7.113E+02	3.532E+03	5.293E+06	3.557E+02
2092	1.270E+04	1.017E+07	6.834E+02	3.393E+03	5.086E+06	3.417E+02
2093	1.220E+04	9.773E+06	6.566E+02	3.260E+03	4.886E+06	3.283E+02
2094	1.173E+04	9.390E+06	6.309E+02	3.132E+03	4.695E+06	3.154E+02
2095	1.127E+04	9.022E+06	6.062E+02	3.009E+03	4.511E+06	3.031E+02
2096	1.082E+04	8.668E+06	5.824E+02	2.891E+03	4.334E+06	2.912E+02
2097	1.040E+04	8.328E+06	5.596E+02	2.778E+03	4.164E+06	2.798E+02
2098	9.992E+03	8.001E+06	5.376E+02	2.669E+03	4.001E+06	2.688E+02
2099	9.601E+03	7.688E+06	5.165E+02	2.564E+03	3.844E+06	2.583E+02
2100	9.224E+03	7.386E+06	4.963E+02	2.464E+03	3.693E+06	2.481E+02
2101	8.862E+03	7.097E+06	4.768E+02	2.367E+03	3.548E+06	2.384E+02
2102	8.515E+03	6.818E+06	4.581E+02	2.274E+03	3.409E+06	2.291E+02
2103	8.181E+03	6.551E+06	4.402E+02	2.185E+03	3.275E+06	2.201E+02
2104	7.860E+03	6.294E+06	4.229E+02	2.100E+03	3.147E+06	2.115E+02
2105	7.552E+03	6.047E+06	4.063E+02	2.017E+03	3.024E+06	2.032E+02
2106	7.256E+03	5.810E+06	3.904E+02	1.938E+03	2.905E+06	1.952E+02
2107	6.971E+03	5.582E+06	3.751E+02	1.862E+03	2.791E+06	1.875E+02
2108	6.698E+03	5.364E+06	3.604E+02	1.789E+03	2.682E+06	1.802E+02
2109	6.435E+03	5.153E+06	3.462E+02	1.719E+03	2.577E+06	1.731E+02
2110	6.183E+03	4.951E+06	3.327E+02	1.652E+03	2.476E+06	1.663E+02
2111	5.941E+03	4.757E+06	3.196E+02	1.587E+03	2.379E+06	1.598E+02
2112	5.708E+03	4.570E+06	3.071E+02	1.525E+03	2.285E+06	1.535E+02
2113	5.484E+03	4.391E+06	2.950E+02	1.465E+03	2.196E+06	1.475E+02
2114	5.269E+03	4.219E+06	2.835E+02	1.407E+03	2.110E+06	1.417E+02
2115	5.062E+03	4.054E+06	2.724E+02	1.352E+03	2.027E+06	1.362E+02
2116	4.864E+03	3.895E+06	2.617E+02	1.299E+03	1.947E+06	1.308E+02
2117	4.673E+03	3.742E+06	2.514E+02	1.248E+03	1.871E+06	1.257E+02
2118	4.490E+03	3.595E+06	2.416E+02	1.199E+03	1.798E+06	1.208E+02
2119	4.314E+03	3.454E+06	2.321E+02	1.152E+03	1.727E+06	1.160E+02

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
1979	0	0	0	0	0	0
1980	2.025E+03	1.106E+06	7.434E+01	4.759E+00	1.328E+03	8.920E-02
1981	3.971E+03	2.169E+06	1.458E+02	9.331E+00	2.603E+03	1.749E-01
1982	5.840E+03	3.190E+06	2.144E+02	1.372E+01	3.828E+03	2.572E-01
1983	7.634E+03	4.170E+06	2.802E+02	1.794E+01	5.004E+03	3.363E-01
1984	9.363E+03	5.115E+06	3.437E+02	2.200E+01	6.138E+03	4.124E-01
1985	1.102E+04	6.018E+06	4.044E+02	2.589E+01	7.222E+03	4.852E-01
1986	1.261E+04	6.890E+06	4.630E+02	2.964E+01	8.268E+03	5.555E-01
1987	1.415E+04	7.728E+06	5.192E+02	3.324E+01	9.274E+03	6.231E-01
1988	1.561E+04	8.529E+06	5.731E+02	3.669E+01	1.023E+04	6.877E-01
1989	1.703E+04	9.303E+06	6.250E+02	4.001E+01	1.116E+04	7.500E-01
1990	1.838E+04	1.004E+07	6.747E+02	4.319E+01	1.205E+04	8.097E-01
1991	1.969E+04	1.076E+07	7.227E+02	4.627E+01	1.291E+04	8.672E-01
1992	2.023E+04	1.105E+07	7.425E+02	4.753E+01	1.326E+04	8.910E-01
1993	2.074E+04	1.133E+07	7.613E+02	4.873E+01	1.360E+04	9.135E-01
1994	2.146E+04	1.172E+07	7.875E+02	5.042E+01	1.407E+04	9.451E-01
1995	2.222E+04	1.214E+07	8.157E+02	5.222E+01	1.457E+04	9.789E-01
1996	2.280E+04	1.246E+07	8.371E+02	5.359E+01	1.495E+04	1.004E+00
1997	2.318E+04	1.266E+07	8.509E+02	5.447E+01	1.520E+04	1.021E+00
1998	2.360E+04	1.289E+07	8.661E+02	5.545E+01	1.547E+04	1.039E+00
1999	2.404E+04	1.313E+07	8.824E+02	5.649E+01	1.576E+04	1.059E+00
2000	2.466E+04	1.347E+07	9.050E+02	5.794E+01	1.616E+04	1.086E+00
2001	2.531E+04	1.382E+07	9.289E+02	5.946E+01	1.659E+04	1.115E+00
2002	2.589E+04	1.414E+07	9.503E+02	6.083E+01	1.697E+04	1.140E+00
2003	2.637E+04	1.441E+07	9.680E+02	6.197E+01	1.729E+04	1.162E+00
2004	2.692E+04	1.470E+07	9.880E+02	6.325E+01	1.765E+04	1.186E+00
2005	2.738E+04	1.496E+07	1.005E+03	6.435E+01	1.795E+04	1.206E+00
2006	2.792E+04	1.525E+07	1.025E+03	6.560E+01	1.830E+04	1.230E+00
2007	2.834E+04	1.548E+07	1.040E+03	6.660E+01	1.858E+04	1.248E+00
2008	2.865E+04	1.565E+07	1.051E+03	6.731E+01	1.878E+04	1.262E+00
2009	2.880E+04	1.573E+07	1.057E+03	6.767E+01	1.888E+04	1.268E+00
2010	2.881E+04	1.574E+07	1.057E+03	6.769E+01	1.888E+04	1.269E+00
2011	2.870E+04	1.568E+07	1.054E+03	6.745E+01	1.882E+04	1.264E+00
2012	2.863E+04	1.564E+07	1.051E+03	6.727E+01	1.877E+04	1.261E+00
2013	2.848E+04	1.556E+07	1.045E+03	6.693E+01	1.867E+04	1.255E+00
2014	2.831E+04	1.547E+07	1.039E+03	6.653E+01	1.856E+04	1.247E+00
2015	2.820E+04	1.540E+07	1.035E+03	6.626E+01	1.849E+04	1.242E+00
2016	2.851E+04	1.558E+07	1.047E+03	6.700E+01	1.869E+04	1.256E+00
2017	2.882E+04	1.574E+07	1.058E+03	6.771E+01	1.889E+04	1.269E+00
2018	2.911E+04	1.590E+07	1.068E+03	6.840E+01	1.908E+04	1.282E+00
2019	2.939E+04	1.605E+07	1.079E+03	6.905E+01	1.926E+04	1.294E+00
2020	2.965E+04	1.620E+07	1.088E+03	6.968E+01	1.944E+04	1.306E+00
2021	2.991E+04	1.634E+07	1.098E+03	7.029E+01	1.961E+04	1.318E+00
2022	3.016E+04	1.648E+07	1.107E+03	7.087E+01	1.977E+04	1.328E+00
2023	3.040E+04	1.661E+07	1.116E+03	7.143E+01	1.993E+04	1.339E+00
2024	3.063E+04	1.673E+07	1.124E+03	7.197E+01	2.008E+04	1.349E+00
2025	3.085E+04	1.685E+07	1.132E+03	7.249E+01	2.022E+04	1.359E+00
2026	3.106E+04	1.697E+07	1.140E+03	7.298E+01	2.036E+04	1.368E+00
2027	3.126E+04	1.708E+07	1.147E+03	7.346E+01	2.049E+04	1.377E+00
2028	3.146E+04	1.718E+07	1.155E+03	7.392E+01	2.062E+04	1.386E+00

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
2029	3.164E+04	1.729E+07	1.161E+03	7.436E+01	2.074E+04	1.394E+00
2030	3.182E+04	1.739E+07	1.168E+03	7.478E+01	2.086E+04	1.402E+00
2031	3.200E+04	1.748E+07	1.174E+03	7.519E+01	2.098E+04	1.409E+00
2032	3.216E+04	1.757E+07	1.181E+03	7.558E+01	2.108E+04	1.417E+00
2033	3.232E+04	1.766E+07	1.186E+03	7.595E+01	2.119E+04	1.424E+00
2034	3.248E+04	1.774E+07	1.192E+03	7.631E+01	2.129E+04	1.430E+00
2035	3.262E+04	1.782E+07	1.197E+03	7.666E+01	2.139E+04	1.437E+00
2036	3.276E+04	1.790E+07	1.203E+03	7.699E+01	2.148E+04	1.443E+00
2037	3.290E+04	1.797E+07	1.208E+03	7.731E+01	2.157E+04	1.449E+00
2038	3.303E+04	1.804E+07	1.212E+03	7.762E+01	2.165E+04	1.455E+00
2039	3.316E+04	1.811E+07	1.217E+03	7.791E+01	2.174E+04	1.460E+00
2040	3.328E+04	1.818E+07	1.221E+03	7.819E+01	2.181E+04	1.466E+00
2041	3.339E+04	1.824E+07	1.226E+03	7.847E+01	2.189E+04	1.471E+00
2042	3.350E+04	1.830E+07	1.230E+03	7.873E+01	2.196E+04	1.476E+00
2043	3.361E+04	1.836E+07	1.234E+03	7.898E+01	2.203E+04	1.480E+00
2044	3.371E+04	1.842E+07	1.237E+03	7.922E+01	2.210E+04	1.485E+00
2045	3.381E+04	1.847E+07	1.241E+03	7.945E+01	2.217E+04	1.489E+00
2046	3.391E+04	1.852E+07	1.245E+03	7.968E+01	2.223E+04	1.494E+00
2047	3.400E+04	1.857E+07	1.248E+03	7.989E+01	2.229E+04	1.498E+00
2048	3.409E+04	1.862E+07	1.251E+03	8.010E+01	2.235E+04	1.501E+00
2049	3.417E+04	1.867E+07	1.254E+03	8.029E+01	2.240E+04	1.505E+00
2050	3.425E+04	1.871E+07	1.257E+03	8.048E+01	2.245E+04	1.509E+00
2051	3.433E+04	1.875E+07	1.260E+03	8.067E+01	2.250E+04	1.512E+00
2052	3.440E+04	1.879E+07	1.263E+03	8.084E+01	2.255E+04	1.515E+00
2053	3.448E+04	1.883E+07	1.265E+03	8.101E+01	2.260E+04	1.519E+00
2054	3.454E+04	1.887E+07	1.268E+03	8.117E+01	2.265E+04	1.522E+00
2055	3.461E+04	1.891E+07	1.270E+03	8.133E+01	2.269E+04	1.524E+00
2056	3.467E+04	1.894E+07	1.273E+03	8.148E+01	2.273E+04	1.527E+00
2057	3.474E+04	1.898E+07	1.275E+03	8.162E+01	2.277E+04	1.530E+00
2058	3.479E+04	1.901E+07	1.277E+03	8.176E+01	2.281E+04	1.533E+00
2059	3.485E+04	1.904E+07	1.279E+03	8.189E+01	2.285E+04	1.535E+00
2060	3.348E+04	1.829E+07	1.229E+03	7.868E+01	2.195E+04	1.475E+00
2061	3.217E+04	1.757E+07	1.181E+03	7.560E+01	2.109E+04	1.417E+00
2062	3.091E+04	1.689E+07	1.135E+03	7.263E+01	2.026E+04	1.361E+00
2063	2.970E+04	1.622E+07	1.090E+03	6.978E+01	1.947E+04	1.308E+00
2064	2.853E+04	1.559E+07	1.047E+03	6.705E+01	1.871E+04	1.257E+00
2065	2.741E+04	1.498E+07	1.006E+03	6.442E+01	1.797E+04	1.208E+00
2066	2.634E+04	1.439E+07	9.668E+02	6.189E+01	1.727E+04	1.160E+00
2067	2.531E+04	1.382E+07	9.289E+02	5.947E+01	1.659E+04	1.115E+00
2068	2.431E+04	1.328E+07	8.925E+02	5.713E+01	1.594E+04	1.071E+00
2069	2.336E+04	1.276E+07	8.575E+02	5.489E+01	1.531E+04	1.029E+00
2070	2.244E+04	1.226E+07	8.239E+02	5.274E+01	1.471E+04	9.886E-01
2071	2.156E+04	1.178E+07	7.915E+02	5.067E+01	1.414E+04	9.499E-01
2072	2.072E+04	1.132E+07	7.605E+02	4.869E+01	1.358E+04	9.126E-01
2073	1.991E+04	1.088E+07	7.307E+02	4.678E+01	1.305E+04	8.768E-01
2074	1.913E+04	1.045E+07	7.020E+02	4.494E+01	1.254E+04	8.425E-01
2075	1.838E+04	1.004E+07	6.745E+02	4.318E+01	1.205E+04	8.094E-01
2076	1.766E+04	9.645E+06	6.481E+02	4.149E+01	1.157E+04	7.777E-01
2077	1.696E+04	9.267E+06	6.227E+02	3.986E+01	1.112E+04	7.472E-01
2078	1.630E+04	8.904E+06	5.982E+02	3.830E+01	1.068E+04	7.179E-01
2079	1.566E+04	8.555E+06	5.748E+02	3.680E+01	1.027E+04	6.897E-01

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	(m ³ /year)	(av ft ³ /min)	(Mg/year)	(m ³ /year)	(av ft ³ /min)
2080	1.505E+04	8.219E+06	5.522E+02	3.535E+01	9.863E+03	6.627E-01
2081	1.446E+04	7.897E+06	5.306E+02	3.397E+01	9.476E+03	6.367E-01
2082	1.389E+04	7.587E+06	5.098E+02	3.264E+01	9.105E+03	6.117E-01
2083	1.334E+04	7.290E+06	4.898E+02	3.136E+01	8.748E+03	5.878E-01
2084	1.282E+04	7.004E+06	4.706E+02	3.013E+01	8.405E+03	5.647E-01
2085	1.232E+04	6.729E+06	4.521E+02	2.895E+01	8.075E+03	5.426E-01
2086	1.183E+04	6.465E+06	4.344E+02	2.781E+01	7.759E+03	5.213E-01
2087	1.137E+04	6.212E+06	4.174E+02	2.672E+01	7.454E+03	5.009E-01
2088	1.093E+04	5.968E+06	4.010E+02	2.567E+01	7.162E+03	4.812E-01
2089	1.050E+04	5.734E+06	3.853E+02	2.467E+01	6.881E+03	4.623E-01
2090	1.009E+04	5.509E+06	3.702E+02	2.370E+01	6.611E+03	4.442E-01
2091	9.690E+03	5.293E+06	3.557E+02	2.277E+01	6.352E+03	4.268E-01
2092	9.310E+03	5.086E+06	3.417E+02	2.188E+01	6.103E+03	4.101E-01
2093	8.945E+03	4.886E+06	3.283E+02	2.102E+01	5.864E+03	3.940E-01
2094	8.594E+03	4.695E+06	3.154E+02	2.019E+01	5.634E+03	3.785E-01
2095	8.257E+03	4.511E+06	3.031E+02	1.940E+01	5.413E+03	3.637E-01
2096	7.933E+03	4.334E+06	2.912E+02	1.864E+01	5.201E+03	3.494E-01
2097	7.622E+03	4.164E+06	2.798E+02	1.791E+01	4.997E+03	3.357E-01
2098	7.323E+03	4.001E+06	2.688E+02	1.721E+01	4.801E+03	3.226E-01
2099	7.036E+03	3.844E+06	2.583E+02	1.653E+01	4.613E+03	3.099E-01
2100	6.760E+03	3.693E+06	2.481E+02	1.589E+01	4.432E+03	2.978E-01
2101	6.495E+03	3.548E+06	2.384E+02	1.526E+01	4.258E+03	2.861E-01
2102	6.240E+03	3.409E+06	2.291E+02	1.466E+01	4.091E+03	2.749E-01
2103	5.996E+03	3.275E+06	2.201E+02	1.409E+01	3.931E+03	2.641E-01
2104	5.761E+03	3.147E+06	2.115E+02	1.354E+01	3.776E+03	2.537E-01
2105	5.535E+03	3.024E+06	2.032E+02	1.301E+01	3.628E+03	2.438E-01
2106	5.318E+03	2.905E+06	1.952E+02	1.250E+01	3.486E+03	2.342E-01
2107	5.109E+03	2.791E+06	1.875E+02	1.201E+01	3.349E+03	2.250E-01
2108	4.909E+03	2.682E+06	1.802E+02	1.154E+01	3.218E+03	2.162E-01
2109	4.716E+03	2.577E+06	1.731E+02	1.108E+01	3.092E+03	2.077E-01
2110	4.532E+03	2.476E+06	1.663E+02	1.065E+01	2.971E+03	1.996E-01
2111	4.354E+03	2.379E+06	1.598E+02	1.023E+01	2.854E+03	1.918E-01
2112	4.183E+03	2.285E+06	1.535E+02	9.830E+00	2.742E+03	1.843E-01
2113	4.019E+03	2.196E+06	1.475E+02	9.444E+00	2.635E+03	1.770E-01
2114	3.862E+03	2.110E+06	1.417E+02	9.074E+00	2.531E+03	1.701E-01
2115	3.710E+03	2.027E+06	1.362E+02	8.718E+00	2.432E+03	1.634E-01
2116	3.565E+03	1.947E+06	1.308E+02	8.376E+00	2.337E+03	1.570E-01
2117	3.425E+03	1.871E+06	1.257E+02	8.048E+00	2.245E+03	1.509E-01
2118	3.291E+03	1.798E+06	1.208E+02	7.732E+00	2.157E+03	1.449E-01
2119	3.162E+03	1.727E+06	1.160E+02	7.429E+00	2.073E+03	1.393E-01



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

December 23, 2015

Mr. Branham Lafferty
BFI Waste Systems of North America, LLC
10054 4-H Road
Sumner, Illinois 62466

Re: Public Notice
BFI Waste Systems of North America, LLC
Permit Level: Title V - Renewal
Permit Number: 163-36018-00114

Dear Mr. Lafferty:

Enclosed is a copy of your draft Title V - Renewal, Technical Support Document, emission calculations, and the Public Notice which will be printed in your local newspaper.

The Office of Air Quality (OAQ) has prepared two versions of the Public Notice Document. The abbreviated version will be published in the newspaper, and the more detailed version will be made available on the IDEM's website and provided to interested parties. Both versions are included for your reference. The OAQ has requested that the Evansville Courier in Evansville, Indiana publish the abbreviated version of the public notice no later than December 27, 2015. You will not be responsible for collecting any comments, nor are you responsible for having the notice published in the newspaper.

OAQ has submitted the draft permit package to the Evansville Vanderburgh Public Library, 960 Koehler Drive in Evansville, Indiana. As a reminder, you are obligated by 326 IAC 2-1.1-6(c) to place a copy of the complete permit application at this library no later than ten (10) days after submittal of the application or additional information to our department. We highly recommend that even if you have already placed these materials at the library, that you confirm with the library that these materials are available for review and request that the library keep the materials available for review during the entire permitting process.

Please review the enclosed documents carefully. This is your opportunity to comment on the draft permit and notify the OAQ of any corrections that are needed before the final decision. Questions or comments about the enclosed documents should be directed to David Matousek, Indiana Department of Environmental Management, Office of Air Quality, 100 N. Senate Avenue, Indianapolis, Indiana, 46204 or call (800) 451-6027, and ask for extension 2-8253 or dial (317) 232-8253.

Sincerely,

Vicki Biddle

Vicki Biddle
Permits Branch
Office of Air Quality

Enclosures
PN Applicant Cover letter 8/27/2015



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

ATTENTION: PUBLIC NOTICES, LEGAL ADVERTISING

December 23, 2015

Evansville Courier
PO Box 268
Evansville, Indiana 47702-0268

Enclosed, please find one Indiana Department of Environmental Management Notice of Public Comment for BFI – Waste Systems of North America LLC – Laubscher Meadows Landfill, Vanderburgh County, Indiana.

Since our agency must comply with requirements which call for a Notice of Public Comment, we request that you print this notice one time, no later than December 27, 2015.

Please send a notarized form, clippings showing the date of publication, and the billing to the Indiana Department of Environmental Management, Accounting, Room N1345, 100 North Senate Avenue, Indianapolis, Indiana, 46204.

To ensure proper payment, please reference account # 100174737.

We are required by the Auditor's Office to request that you place the Federal ID Number on all claims. If you have any conflicts, questions, or problems with the publishing of this notice or if you do not receive complete public notice information for this notice, please call Vicki Biddle at 800-451-6027 and ask for extension 3-6867 or dial 317-233-6867.

Sincerely,

Vicki Biddle

Vicki Biddle
Permit Branch
Office of Air Quality

Permit Level: Title V - Renewal
Permit Number: 163-36018-00114

Enclosure

PN Newspaper.dot 8/27/2015



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Michael R. Pence
Governor

Carol S. Comer
Commissioner

December 23, 2015

To: Evansville Vanderburgh Public Library – North Park Branch

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

Subject: **Important Information to Display Regarding a Public Notice for an Air Permit**

Applicant Name: BFI Waste Systems of North America LLC – Laubscher Meadows Landfill
Permit Number: 163-36018-00114

Enclosed is a copy of important information to make available to the public. This proposed project is regarding a source that may have the potential to significantly impact air quality. Librarians are encouraged to educate the public to make them aware of the availability of this information. The following information is enclosed for public reference at your library:

- Notice of a 30-day Period for Public Comment
- Request to publish the Notice of 30-day Period for Public Comment
- Draft Permit and Technical Support Document

You will not be responsible for collecting any comments from the citizens. Please refer all questions and request for the copies of any pertinent information to the person named below.

Members of your community could be very concerned in how these projects might affect them and their families. **Please make this information readily available until you receive a copy of the final package.**

If you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185. Questions pertaining to the permit itself should be directed to the contact listed on the notice.

Enclosures
PN Library.dot 8/27/2015



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

Notice of Public Comment

December 23, 2015

**BFI Waste Systems of North America LLC – Laubscher Meadows Landfill
163-36018-00114**

Dear Concerned Citizen(s):

You have been identified as someone who could potentially be affected by this proposed air permit. The Indiana Department of Environmental Management, in our ongoing efforts to better communicate with concerned citizens, invites your comment on the draft permit.

Enclosed is a Notice of Public Comment, which has been placed in the Legal Advertising section of your local newspaper. The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana's Air Permitting Program.

Please Note: *If you feel you have received this Notice in error, or would like to be removed from the Air Permits mailing list, please contact Patricia Pear with the Air Permits Administration Section at 1-800-451-6027, ext. 3-6875 or via e-mail at PPEAR@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure
PN AAA Cover.dot 8/27/2015



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Michael R. Pence
Governor

Carol S. Comer
Commissioner

AFFECTED STATE NOTIFICATION OF PUBLIC COMMENT PERIOD DRAFT INDIANA AIR PERMIT

December 23, 2015

A 30-day public comment period has been initiated for:

Permit Number: 163-36018-00114
Applicant Name: BFI Waste Systems of North America LLC- Laubscher
Meadows Landfill
Location: Evansville, Vanderburgh County, Indiana

The public notice, draft permit and technical support documents can be accessed via the **IDEM Air Permits Online** site at:

<http://www.in.gov/ai/appfiles/idem-caats/>

Questions or comments on this draft permit should be directed to the person identified in the public notice by telephone or in writing to:

Indiana Department of Environmental Management
Office of Air Quality, Permits Branch
100 North Senate Avenue
Indianapolis, IN 46204

Questions or comments regarding this email notification or access to this information from the EPA Internet site can be directed to Chris Hammack at chammack@idem.IN.gov or (317) 233-2414.

Affected States Notification.dot 8/27/2015

Mail Code 61-53

IDEM Staff	VBIDDLE 12/23/2015 BFI Waste Systems of North America, LLC. 163- 36018-00114 DRAFT			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Branham Lafferty BFI Waste Systems of North America, LLC. 10054 4-H Road Sumner IL 62466 (Source CAATS)										
2		Travis Simpson Area President BFI Waste Systems of North America, LLC. 832 Langsdale Avenue Indianapolis IN 46202 (RO CAATS)										
3		Evansville Vanderburgh Library - North Park Branch 960 Koehler Drive Evansville IN 47710 (Library)										
4		Evansville City Council and Mayors Office 1NW MLK Blvd, Rm 302 Evansville IN 47708 (Local Official)										
5		Vanderburgh County Commissioners 1 NW MLK Blvd, Rm 305 Evansville IN 47708 (Local Official)										
6		Mr. Don Mottley Save Our Rivers 6222 Yankeetown Hwy Boonville IN 47601 (Affected Party)										
7		Vanderburgh County Health Dept. 420 Milberry Street Evansville IN 47713-1888 (Health Department)										
8		Laura Niemann Environmental Information Logistics, LLC 130 E Main Street Caledonia MI 49316 (Consultant)										
9		Mr. Mark Wilson Evansville Courier & Press P.O. Box 268 Evansville IN 47702-0268 (Affected Party)										
10		David Boggs 216 Western Hills Dr Mt Vernon IN 47620 (Affected Party)										
11		John Blair 800 Adams Ave Evansville IN 47713 (Affected Party)										
12												
13												
14												
15												

Total number of pieces Listed by Sender 11	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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