



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date: February 10, 2022

Effective Date: March 1, 2022

Expiration Date: February 28, 2027

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable applicable requirements unless otherwise designated as "State-Only" or "non-applicable" requirements.

TITLE V Permit No: 21-05053

Federal Tax Id - Plant Code: 47-4511036-6

Owner Information

Name: EPP RENEWABLE ENERGY LLC

Mailing Address: 1605 N CEDAR CREST BLVD STE 509
ALLENTOWN, PA 18104-2355

Plant Information

Plant: EPP RENEWABLE ENERGY LLC/CUMBERLAND CNTY LDFL

Location: 21 Cumberland County 21911 Hopewell Township

SIC Code: 4953 Trans. & Utilities - Refuse Systems

Responsible Official

Name: THOMAS JUDGE

Title: SR. VP OPERATIONS

Phone: (610) 557 - 1873

Email:

Permit Contact Person

Name: ED WENTLING

Title: MANAGER, ASSET MGMT/ENG

Phone: (610) 557 - 1878

Email: ewentling@eppservice.com

[Signature] _____

WILLIAM R. WEAVER, SOUTH CENTRAL REGION AIR PROGRAM MANAGER



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Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	ENGINES (#1, #3, #4)	50.700 MCF/HR	2233 BHP EACH ENGINE
		152.100 MCF/HR	TOTAL TREATED LFG
101A	LFG-FIRED ENGINE (#2)	18.000 MMBTU/HR	
		50.700 MCF/HR	TREATED LANDFILL GAS
102	LANDFILL GAS TREATMENT SYSTEM	202.800 MCF/HR	UNTREATED LFG
C102	PERMANENT ENCLOSED GROUND FLARE	60.000 MCF/HR	TREATED LANDFILL GAS
FML01	LANDFILL GAS (UNTREATED)		
FML02	TREATED LANDFILL GAS		
S101	STACK: INTERNAL COMBUSTION ENGINES		
S101A	SOURCE 101A STACK		
S102	STACK: LF GAS TREATMENT FLARE		
Z02	FUGITIVES: LFG TREATMENT SYSTEM		

PERMIT MAPS

**SECTION B. General Title V Requirements****#001 [25 Pa. Code § 121.1]****Definitions**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and 25 Pa. Code § 121.1.

#002 [25 Pa. Code § 121.7]**Prohibition of Air Pollution**

No person may permit air pollution as that term is defined in the act.

#003 [25 Pa. Code § 127.512(c)(4)]**Property Rights**

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

#004 [25 Pa. Code § 127.446(a) and (c)]**Permit Expiration**

This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit. The terms and conditions of the expired permit shall automatically continue pending issuance of a new Title V permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

#005 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446(e), 127.503 & 127.704(b)]**Permit Renewal**

(a) An application for the renewal of the Title V permit shall be submitted to the Department at least six (6) months, and not more than 18 months, before the expiration date of this permit. The renewal application is timely if a complete application is submitted to the Department's Regional Air Manager within the timeframe specified in this permit condition.

(b) The application for permit renewal shall include the current permit number, the appropriate permit renewal fee, a description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.

(c) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413. The application for renewal of the Title V permit shall also include submission of compliance review forms which have been used by the permittee to update information submitted in accordance with either 25 Pa. Code § 127.412(b) or § 127.412(j).

(d) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information during the permit renewal process. The permittee shall also promptly provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

#006 [25 Pa. Code §§ 127.450(a)(4) & 127.464(a)]**Transfer of Ownership or Operational Control**

(a) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership or operational control of the source shall be treated as an administrative amendment if:

- (1) The Department determines that no other change in the permit is necessary;
- (2) A written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee; and,
- (3) A compliance review form has been submitted to the Department and the permit transfer has been approved by

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the Department.

(b) In accordance with 25 Pa. Code § 127.464(a), this permit may not be transferred to another person except in cases of transfer-of-ownership which are documented and approved to the satisfaction of the Department.

#007 [25 Pa. Code § 127.513, 35 P.S. § 4008 and § 114 of the CAA]**Inspection and Entry**

(a) Upon presentation of credentials and other documents as may be required by law for inspection and entry purposes, the permittee shall allow the Department of Environmental Protection or authorized representatives of the Department to perform the following:

- (1) Enter at reasonable times upon the permittee's premises where a Title V source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;
- (2) Have access to and copy or remove, at reasonable times, records that are kept under the conditions of this permit;
- (3) Inspect at reasonable times, facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;
- (4) Sample or monitor, at reasonable times, substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

#008 [25 Pa. Code §§ 127.25, 127.444, & 127.512(c)(1)]**Compliance Requirements**

(a) The permittee shall comply with the conditions of this permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one (1) or more of the following:

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source, which is subject to 25 Pa. Code Article III, unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued to the source are operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this Title V permit.

#009 [25 Pa. Code § 127.512(c)(2)]**Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a 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.

**SECTION B. General Title V Requirements****#010 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]****Duty to Provide Information**

(a) The permittee shall furnish to the Department, within a reasonable time, information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

(b) Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator of EPA along with a claim of confidentiality.

#011 [25 Pa. Code §§ 127.463, 127.512(c)(3) & 127.542]**Reopening and Revising the Title V Permit for Cause**

(a) This Title V permit may be modified, revoked, reopened and reissued or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay a permit condition.

(b) This permit may be reopened, revised and reissued prior to expiration of the permit under one or more of the following circumstances:

(1) Additional applicable requirements under the Clean Air Act or the Air Pollution Control Act become applicable to a Title V facility with a remaining permit term of three (3) or more years prior to the expiration date of this permit. The Department will revise the permit as expeditiously as practicable but not later than 18 months after promulgation of the applicable standards or regulations. No such revision is required if the effective date of the requirement is later than the expiration date of this permit, unless the original permit or its terms and conditions has been extended.

(2) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator of EPA, excess emissions offset plans for an affected source shall be incorporated into the permit.

(3) The Department or the EPA determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

(4) The Department or the Administrator of EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(c) Proceedings to revise this permit shall follow the same procedures which apply to initial permit issuance and shall affect only those parts of this permit for which cause to revise exists. The revision shall be made as expeditiously as practicable.

(d) Regardless of whether a revision is made in accordance with (b)(1) above, the permittee shall meet the applicable standards or regulations promulgated under the Clean Air Act within the time frame required by standards or regulations.

#012 [25 Pa. Code § 127.543]**Reopening a Title V Permit for Cause by EPA**

As required by the Clean Air Act and regulations adopted thereunder, this permit may be modified, reopened and reissued, revoked or terminated for cause by EPA in accordance with procedures specified in 25 Pa. Code § 127.543.

#013 [25 Pa. Code § 127.522(a)]**Operating Permit Application Review by the EPA**

The applicant may be required by the Department to provide a copy of the permit application, including the compliance plan, directly to the Administrator of the EPA. Copies of title V permit applications to EPA, pursuant to 25 PA Code §127.522(a), shall be submitted, if required, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

**SECTION B. General Title V Requirements****#014 [25 Pa. Code § 127.541]****Significant Operating Permit Modifications**

When permit modifications during the term of this permit do not qualify as minor permit modifications or administrative amendments, the permittee shall submit an application for significant Title V permit modifications in accordance with 25 Pa. Code § 127.541. Notifications to EPA, pursuant to 25 PA Code §127.522(a), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#015 [25 Pa. Code §§ 121.1 & 127.462]**Minor Operating Permit Modifications**

The permittee may make minor operating permit modifications (as defined in 25 Pa. Code §121.1), on an expedited basis, in accordance with 25 Pa. Code §127.462 (relating to minor operating permit modifications). Notifications to EPA, pursuant to 25 PA Code §127.462(c), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#016 [25 Pa. Code § 127.450]**Administrative Operating Permit Amendments**

(a) The permittee may request administrative operating permit amendments, as defined in 25 Pa. Code §127.450(a). Copies of request for administrative permit amendment to EPA, pursuant to 25 PA Code §127.450(c)(1), if required, shall be submitted to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

(b) Upon final action by the Department granting a request for an administrative operating permit amendment covered under §127.450(a)(5), the permit shield provisions in 25 Pa. Code § 127.516 (relating to permit shield) shall apply to administrative permit amendments incorporated in this Title V Permit in accordance with §127.450(c), unless precluded by the Clean Air Act or the regulations thereunder.

#017 [25 Pa. Code § 127.512(b)]**Severability Clause**

The provisions of this permit are severable, and if any provision of this permit is determined by the Environmental Hearing Board or a court of competent jurisdiction, or US EPA to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

#018 [25 Pa. Code §§ 127.704, 127.705 & 127.707]**Fee Payment**

(a) The permittee shall pay fees to the Department in accordance with the applicable fee schedules in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees). The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

(b) Emission Fees. The permittee shall, on or before September 1st of each year, pay applicable annual Title V emission fees for emissions occurring in the previous calendar year as specified in 25 Pa. Code § 127.705. The permittee is not required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant emitted from the facility.

(c) As used in this permit condition, the term "regulated pollutant" is defined as a VOC, each pollutant regulated under Sections 111 and 112 of the Clean Air Act and each pollutant for which a National Ambient Air Quality Standard has been promulgated, except that carbon monoxide is excluded.

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(d) Late Payment. Late payment of emission fees will subject the permittee to the penalties prescribed in 25 Pa. Code § 127.707 and may result in the suspension or termination of the Title V permit. The permittee shall pay a penalty of fifty percent (50%) of the fee amount, plus interest on the fee amount computed in accordance with 26 U.S.C.A. § 6621(a)(2) from the date the emission fee should have been paid in accordance with the time frame specified in 25 Pa. Code § 127.705(c).

(e) The permittee shall pay an annual operating permit maintenance fee according to the following fee schedule established in 25 Pa. Code § 127.704(d) on or before December 31 of each year for the next calendar year.

(1) Eight thousand dollars (\$8,000) for calendar years 2021—2025.

(2) Ten thousand dollars (\$10,000) for calendar years 2026—2030.

(3) Twelve thousand five hundred dollars (\$12,500) for the calendar years beginning with 2031.

#019 [25 Pa. Code §§ 127.14(b) & 127.449]**Authorization for De Minimis Emission Increases**

(a) This permit authorizes de minimis emission increases from a new or existing source in accordance with 25 Pa. Code §§ 127.14 and 127.449 without the need for a plan approval or prior issuance of a permit modification. The permittee shall provide the Department with seven (7) days prior written notice before commencing any de minimis emissions increase that would result from either: (1) a physical change of minor significance under § 127.14(c)(1); or (2) the construction, installation, modification or reactivation of an air contamination source. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

The Department may disapprove or condition de minimis emission increases at any time.

(b) Except as provided below in (c) and (d) of this permit condition, the permittee is authorized during the term of this permit to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

(c) In accordance with § 127.14, the permittee may install the following minor sources without the need for a plan approval:

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

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(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility, liquefied petroleum gas or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code § 123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (b)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(4) Changes which are modifications under any provision of Title I of the Clean Air Act and emission increases which would exceed the allowable emissions level (expressed as a rate of emissions or in terms of total emissions) under the Title V permit.

(e) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa. Code § 127.516 (relating to permit shield) shall extend to the changes made under 25 Pa. Code § 127.449 (relating to de minimis emission increases).

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases allowed under this permit, 25 Pa. Code § 127.449, or sources and physical changes meeting the requirements of 25 Pa. Code § 127.14, the permittee is prohibited from making physical changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

#020 [25 Pa. Code §§ 127.11a & 127.215]**Reactivation of Sources**

(a) The permittee may reactivate a source at the facility that has been out of operation or production for at least one year, but less than or equal to five (5) years, if the source is reactivated in accordance with the requirements of 25 Pa. Code §§ 127.11a and 127.215. The reactivated source will not be considered a new source.

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

#021 [25 Pa. Code §§ 121.9 & 127.216]**Circumvention**

(a) The owner of this Title V facility, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the

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phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this permit, the Air Pollution Control Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#022 [25 Pa. Code §§ 127.402(d) & 127.513(1)]**Submissions**

(a) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager
PA Department of Environmental Protection
(At the address given on the permit transmittal letter, or otherwise notified)

(b) Any report or notification for the EPA Administrator or EPA Region III should be addressed to:

Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch
Air Section
1650 Arch Street, 3ED21
Philadelphia, PA 19103

The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

(c) An application, form, report or compliance certification submitted pursuant to this permit condition shall contain certification by a responsible official as to truth, accuracy, and completeness as required under 25 Pa. Code § 127.402(d). Unless otherwise required by the Clean Air Act or regulations adopted thereunder, this certification and any other certification required pursuant to this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

#023 [25 Pa. Code §§ 127.441(c) & 127.463(e); Chapter 139; & 114(a)(3), 504(b) of the CAA]**Sampling, Testing and Monitoring Procedures**

(a) The permittee shall perform the emissions monitoring and analysis procedures or test methods for applicable requirements of this Title V permit. In addition to the sampling, testing and monitoring procedures specified in this permit, the Permittee shall comply with any additional applicable requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) The sampling, testing and monitoring required under the applicable requirements of this permit, shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139 unless alternative methodology is required by the Clean Air Act (including §§ 114(a)(3) and 504(b)) and regulations adopted thereunder.

#024 [25 Pa. Code §§ 127.511 & Chapter 135]**Recordkeeping Requirements**

(a) The permittee shall maintain and make available, upon request by the Department, records of required monitoring information that include the following:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.

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(5) The results of the analyses.

(6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of the required monitoring data and supporting information for at least five (5) years from the date of the monitoring sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

#025 [25 Pa. Code §§ 127.411(d), 127.442, 127.463(e) & 127.511(c)]**Reporting Requirements**

(a) The permittee shall comply with the reporting requirements for the applicable requirements specified in this Title V permit. In addition to the reporting requirements specified herein, the permittee shall comply with any additional applicable reporting requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) Pursuant to 25 Pa. Code § 127.511(c), the permittee shall submit reports of required monitoring at least every six (6) months unless otherwise specified in this permit. Instances of deviations (as defined in 25 Pa. Code § 121.1) from permit requirements shall be clearly identified in the reports. The reporting of deviations shall include the probable cause of the deviations and corrective actions or preventative measures taken, except that sources with continuous emission monitoring systems shall report according to the protocol established and approved by the Department for the source. The required reports shall be certified by a responsible official.

(c) Every report submitted to the Department under this permit condition shall comply with the submission procedures specified in Section B, Condition #022(c) of this permit.

(d) Any records, reports or information obtained by the Department or referred to in a public hearing shall be made available to the public by the Department except for such records, reports or information for which the permittee has shown cause that the documents should be considered confidential and protected from disclosure to the public under Section 4013.2 of the Air Pollution Control Act and consistent with Sections 112(d) and 114(c) of the Clean Air Act and 25 Pa. Code § 127.411(d). The permittee may not request a claim of confidentiality for any emissions data generated for the Title V facility.

#026 [25 Pa. Code § 127.513]**Compliance Certification**

(a) One year after the date of issuance of the Title V permit, and each year thereafter, unless specified elsewhere in the permit, the permittee shall submit to the Department and EPA Region III a certificate of compliance with the terms and conditions in this permit, for the previous year, including the emission limitations, standards or work practices. This certification shall include:

- (1) The identification of each term or condition of the permit that is the basis of the certification.
- (2) The compliance status.
- (3) The methods used for determining the compliance status of the source, currently and over the reporting period.
- (4) Whether compliance was continuous or intermittent.

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department in accordance with the submission requirements specified in Section B, Condition #022 of this permit. The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

**SECTION B. General Title V Requirements****#027 [25 Pa. Code § 127.3]****Operational Flexibility**

The permittee is authorized to make changes within the Title V facility in accordance with the following provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements of Section 502(b)(10) of the Clean Air Act and Section 6.1(i) of the Air Pollution Control Act:

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)
- (6) Section 127.462 (relating to minor operating permit amendments)
- (7) Subchapter H (relating to general plan approvals and operating permits)

#028 [25 Pa. Code §§ 127.441(d), 127.512(i) and 40 CFR Part 68]**Risk Management**

(a) If required by Section 112(r) of the Clean Air Act, the permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR § 68.130 is present in a process in more than the listed threshold quantity at the Title V facility. The permittee shall submit the RMP to the federal Environmental Protection Agency according to the following schedule and requirements:

- (1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:
 - (i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
 - (ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR § 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this permit condition, the term "process" shall be as defined in 40 CFR § 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

(d) If the Title V facility is subject to 40 CFR Part 68, as part of the certification required under this permit, the permittee shall:

- (1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR § 68.10(a); or,
- (2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.

**SECTION B. General Title V Requirements**

(e) If the Title V facility is subject to 40 CFR Part 68, the permittee shall maintain records supporting the implementation of an accidental release program for five (5) years in accordance with 40 CFR § 68.200.

(f) When the Title V facility is subject to the accidental release program requirements of Section 112(r) of the Clean Air Act and 40 CFR Part 68, appropriate enforcement action will be taken by the Department if:

(1) The permittee fails to register and submit the RMP or a revised plan pursuant to 40 CFR Part 68.

(2) The permittee fails to submit a compliance schedule or include a statement in the compliance certification required under Section B, Condition #026 of this permit that the Title V facility is in compliance with the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68, and 25 Pa. Code § 127.512(i).

#029 [25 Pa. Code § 127.512(e)]**Approved Economic Incentives and Emission Trading Programs**

No permit revision shall be required under approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this Title V permit.

#030 [25 Pa. Code §§ 127.516, 127.450(d), 127.449(f) & 127.462(g)]**Permit Shield**

(a) The permittee's compliance with the conditions of this permit shall be deemed in compliance with applicable requirements (as defined in 25 Pa. Code § 121.1) as of the date of permit issuance if either of the following applies:

(1) The applicable requirements are included and are specifically identified in this permit.

(2) The Department specifically identifies in the permit other requirements that are not applicable to the permitted facility or source.

(b) Nothing in 25 Pa. Code § 127.516 or the Title V permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act, including the authority of the Administrator of the EPA provided thereunder.

(2) The liability of the permittee for a violation of an applicable requirement prior to the time of permit issuance.

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act.

(4) The ability of the EPA to obtain information from the permittee under Section 114 of the Clean Air Act.

(c) Unless precluded by the Clean Air Act or regulations thereunder, final action by the Department incorporating a significant permit modification in this Title V Permit shall be covered by the permit shield at the time that the permit containing the significant modification is issued.

#031 [25 Pa. Code §135.3]**Reporting**

(a) The permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

#032 [25 Pa. Code §135.4]**Report Format**

Emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall not permit the emission into the outdoor atmosphere of a fugitive air contaminant from a source other than the following:

- (a) Construction or demolition of buildings or structures.
- (b) Grading, paving, and maintenance of roads and streets.
- (c) Use of roads and streets. Emissions from material in or on trucks, railroad cars, and other vehicular equipment are not considered as emissions from use of roads and streets.
- (d) Clearing of land.
- (e) Stockpiling of materials.
- (f) Open burning of clearing and grubbing wastes (trees, shrubs and other native vegetation which are cleared from land during or prior to the process of construction; does not include demolition wastes and dirt-laden roots).
- (g) Sources and classes of sources other than those identified in parts (a)-(f), above, for which the permittee has obtained a determination from the Department, in accordance with 25 Pa. Code §123.1(b), that fugitive emissions from the source, after appropriate control, meet the following requirements:
 - (1) The emissions are of minor significance with respect to causing air pollution; and
 - (2) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

002 [25 Pa. Code §123.2]**Fugitive particulate matter**

The permittee shall not allow the emission of fugitive particulate matter into the outdoor atmosphere from a source specified in Section C, Condition #001(a)-(g), if the emissions are visible at the point the emissions pass outside the permittee's property.

003 [25 Pa. Code §123.31]**Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the permittee's property.

004 [25 Pa. Code §123.41]**Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (a) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any one hour.
- (b) Equal to or greater than 60% at any time.

[NOTE: THE SOURCE ID 101 AND 101A LFG-FIRED ENGINES ARE ALSO SUBJECT TO THE MORE STRINGENT VISIBLE EMISSIONS LIMIT OF SECTION E (GROUP G04), CONDITION #002]

005 [25 Pa. Code §123.42]**Exceptions**

The emission limitations of Section C, Condition #004, shall not apply when:

- (a) The presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (b) The emission results from the operation of equipment used solely to train and test persons in observing the opacity of

**SECTION C. Site Level Requirements**

visible emissions.

(c) The emission results from sources specified in Section C, Condition #001(a)-(g).

006 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

(a) The permittee shall limit the emissions of VOC such that the combined emissions from the facility and all sources at the landfill shall be less than 50 tons during any consecutive 12-month period.

(b) The above emissions limit is based upon a 12-month rolling total and apply to each consecutive 12-month period. Compliance verification requires emissions to be calculated for each month and each consecutive 12-month period. Calculation records shall be maintained on-site for the most recent five-year period and made available to Department representatives upon request.

007 [25 Pa. Code §129.14]**Open burning operations**

(a) The permittee shall not allow the open burning of material on the permittee's property in a manner such that:

- (1) The emissions are visible, at any time, at the point such emissions pass outside the permittee's property.
- (2) Malodorous air contaminants from the open burning are detectable outside the permittee's property.
- (3) The emissions interfere with the reasonable enjoyment of life or property.
- (4) The emissions cause damage to vegetation or property.
- (5) The emissions are or may be deleterious to human or animal health.

(b) The requirements of (a), above, do not apply when the open burning operations result from:

- (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
- (2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
- (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
- (4) A fire set solely for recreational or ceremonial purposes.
- (5) A fire set solely for cooking food.

(c) This permit condition does not constitute authorization to burn solid waste pursuant to §610(3) of the Solid Waste Management Act (SWMA), contained at 35 P.S. §6018.610(3), or any other provision of the SWMA.

II. TESTING REQUIREMENTS.**# 008 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

The Department reserves the right to require exhaust stack testing of the sources referenced in this operating permit to measure emissions for purposes including verification of plan approval condition compliance and estimation of annual air emissions.

009 [25 Pa. Code §139.1]**Sampling facilities.**

**SECTION C. Site Level Requirements**

Upon the request of the Department, the permittee shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance by the Department of tests on such source. In the request, the Department will set forth the time period in which the facilities shall be provided as well as the specifications for such facilities.

010 [25 Pa. Code §139.11]**General requirements.**

- (a) As specified in 25 Pa. Code §139.11(1), performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.
- (b) As specified in 25 Pa. Code §139.11(2), the Department will consider test results for approval where sufficient information is provided to verify the source conditions existing at the time of the test and where adequate data is available to show the manner in which the test was conducted. Information submitted to the Department shall include, at a minimum, all of the following:
- (1) A thorough source description, including a description of any air cleaning devices and the flue.
 - (2) Process conditions, for example, fuel type, fuel firing rate, stack temperature, and other conditions which may affect emissions from the process.
 - (3) The location of the sampling ports.
 - (4) Effluent characteristics, including velocity, temperature, moisture content, gas density (percentage CO, CO₂, O₂, and N₂), static and barometric pressures.
 - (5) Sample collection techniques employed, including procedures used, equipment descriptions, and data to verify that isokinetic sampling for particulate matter collection occurred and that acceptable test conditions were met.
 - (6) Laboratory procedures and results.
 - (7) Calculated results.

III. MONITORING REQUIREMENTS.**# 011 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions (referenced in Section C, Conditions #004, #005, and #012) may be measured using either of the following:

- (a) A device approved by the Department and maintained to provide accurate opacity measurements (e.g., Continuous Opacity Monitor).
- (b) Observers trained and certified in EPA Reference Method 9 to measure plume opacity with the naked eye; or with the aid of any device(s) approved by the Department.

012 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

The permittee shall conduct a weekly inspection around the plant periphery during daylight hours when the plant is in production to detect visible emissions, fugitive particulate matter emissions, and malodorous air contaminants. Weekly inspections are necessary to determine:

- (a) The presence of visible emissions as stated in Section C, Condition #004. Visible emissions may be measured according to the methods specified in Section C, Condition #011. Alternately, plant personnel who observe visible emissions may report the incidence of visible emissions to the Department within two (2) hours of the incident and make arrangements for a certified observer to measure the visible emissions.
- (b) The presence of fugitive particulate matter emissions beyond the plant property boundaries, as stated in Section C,

**SECTION C. Site Level Requirements**

Condition #002.

(c) The presence of malodorous air contaminants beyond the plant property boundaries, as stated in Section C, Condition #003.

IV. RECORDKEEPING REQUIREMENTS.**# 013 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall maintain records of the weekly inspections referenced in Section C, Condition #012. The records shall include, at a minimum, the following information:

- (1) The name of the company representative monitoring each inspection.
- (2) The date and time of each inspection.
- (3) The wind direction during each inspection.

(4) A description of the visible emissions, fugitive particulate matter emissions (beyond the plant property boundaries), and malodorous air contaminants (beyond the plant property boundaries) observed, if any, and actions taken to mitigate them. If no visible emissions or fugitive particulate matter emissions or malodors are observed, then document that none were observed.

(b) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

014 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall calculate monthly air emissions from the facility using AP-42 emission factors, manufacturer-supplied emission factors, mass material balance, performance (stack) test data, or other method(s) acceptable to the Department. The permittee shall maintain records of the monthly air emissions from the facility as well as the associated calculations. This information shall be included in the annual air emissions report referenced in Section B, Conditions #031 and #032.

(b) The permittee shall maintain records of the monthly usage of each fuel consumed at the entire facility. This information shall be included in the annual air emissions report referenced in Section B, Conditions #031 and #032.

(c) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

015 [25 Pa. Code §135.5]**Recordkeeping**

The permittee shall maintain for 5 years and make available upon request by the Department, records including computerized records that may be necessary to comply with 25 Pa. Code §§135.3 and 135.21 (relating to reporting, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions). If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

V. REPORTING REQUIREMENTS.**# 016 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

The permittee shall report malfunctions to the Department upon discovery. A malfunction is any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner that may result in an increase in air emissions. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. Malfunctions shall be reported as follows:

(a) Any malfunction which poses an imminent danger to the public health, safety, welfare, and environment, shall be

**SECTION C. Site Level Requirements**

immediately reported to the Department upon discovery by telephone. The telephone report of such malfunctions shall occur no later than two (2) hours after discovery of the incident. The permittee shall submit a written report of instances of such malfunctions to the Department within three (3) days of the telephone report.

(1) The notice shall describe the following:

- (i) name and location of the facility;
- (ii) nature and cause of the malfunction;
- (iii) time when the malfunction was first observed;
- (iv) expected duration of excess emissions; and
- (v) estimated rate of emissions.

(2) The permittee shall notify the Department immediately when corrective measures have been accomplished.

(b) Unless otherwise required by this plan approval, any other malfunction that is not subject to the reporting requirements of part (a), above, shall be reported to the Department, in writing, within five (5) days of malfunction discovery.

(c) Malfunctions shall be reported to the Department at the following address:

PA DEP
Southcentral Regional Office
Air Quality Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Telephone reports shall be made to the Department's Air Quality Program at 814.946.7290 during normal business hours or to the Department's Emergency Hotline at any time. The Emergency Hotline phone number is changed/updated periodically. The current Emergency Hotline phone number can be found at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>.

017 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

Pursuant to Section C, Category VIII. COMPLIANCE CERTIFICATION, below, the permittee shall forward the annual compliance certification report to U.S. EPA electronically, in lieu of a hard copy version, to the following email address: 'R3_APD_Permits@epa.gov'.

VI. WORK PRACTICE REQUIREMENTS.

018 [25 Pa. Code §123.1]

Prohibition of certain fugitive emissions

The permittee shall take all reasonable actions to prevent particulate matter from becoming airborne from any source specified in Section C, Condition #001(a)-(g). These actions shall include, but not be limited to, the following:

- (a) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (b) Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (c) Paving and maintenance of roadways.
- (d) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

019 [25 Pa. Code §127.512]

Operating permit terms and conditions.

[Additional authority for this permit condition is also derived from 25 Pa. Code §127.444]

**SECTION C. Site Level Requirements**

The permittee shall operate and maintain all sources and any air cleaning devices identified in this operating permit in accordance with the manufacturer's recommendations/specifications, as well as in a manner consistent with good operating and air pollution control practices that minimize air emissions.

020 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

Operation of any air emissions source is contingent upon proper operation of its associated emissions control system, unless otherwise approved by the Department.

VII. ADDITIONAL REQUIREMENTS.**# 021 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

In the event that any of the federal regulations incorporated in this permit are revised, the permittee shall comply with the revised version of the relevant regulation, and shall not be required to comply with any provisions in this operating permit designated as having that regulation as their authority, to the extent that such operating permit provisions would be inconsistent with the applicable provisions of the revised regulation.

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 01/01/2022 a certificate of compliance with all permit terms and conditions set forth in this Title V permit as required under condition #026 of section B of this permit, and annually thereafter.

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

***** Permit Shield In Effect *****

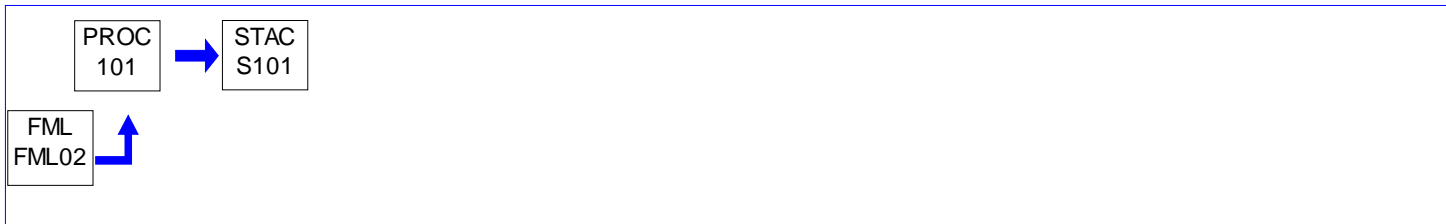
**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: ENGINES (#1, #3, #4)

Source Capacity/Throughput:	50.700 MCF/HR	2233 BHP EACH ENGINE
	152.100 MCF/HR	TOTAL TREATED LFG

Conditions for this source occur in the following groups: G01
G02
G03
G04
G05
G06

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.1]****Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the permittee shall not allow the emission of air pollutants into the outdoor atmosphere from each Source ID 101 engine in excess of the following limits:

- (a) Filterable Particulate Matter = 0.45 g/hp-hr (6.57 lb/hr, total)
- (b) NO_x (expressed as NO₂) = 1.00 g/hp-hr (14.73 lb/hr, total)
- (c) SO_x (expressed as SO₂) = 0.95 g/hp-hr (14.03 lb/hr, total)
- (d) CO = 3.10 g/hp-hr (45.69 lb/hr, total)
- (e) VOC = 0.18 g/hp-hr (excluding formaldehyde) [2.64 lb/hr, total (including formaldehyde)]
- (f) Non-Methane Organic Compounds (NMOC) = 20 ppmvd (as hexane; corrected to 3% oxygen) or 98% NMOC destruction efficiency (by weight)

[Compliance with the requirements specified in this streamlined operating permit condition assures compliance with the CO, NO_x and VOC emission limits specified in 40 CFR §60.4233(e); the PM emission limit specified in 25 Pa. Code §123.13(c)(1)(i); the SO_x emission limit specified in 25 Pa. Code §123.21(b); and the presumptive RACT II NO_x & VOC emission limits specified in 25 Pa. Code §129.97(g)(3)(i)(A)&(B), respectively]

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).



SECTION D. Source Level Requirements

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 101A

Source Name: LFG-FIRED ENGINE (#2)

Source Capacity/Throughput:

18.000 MMBTU/HR

50.700 MCF/HR

TREATED LANDFILL GAS

Conditions for this source occur in the following groups: G01

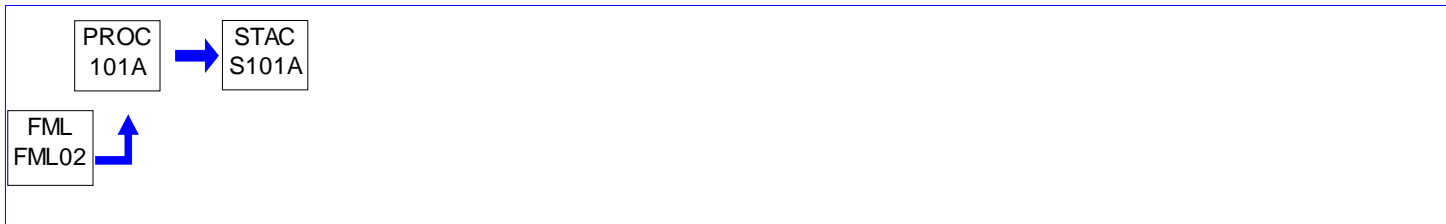
G02

G03

G04

G05

G06

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.1]****Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the permittee shall not allow the emission of air pollutants into the outdoor atmosphere from the Source ID 101A engine in excess of the following limits:

(a) CO = 3.10 g/bhp-hr

(b) NO_x (expressed as NO₂) = 1.0 g/bhp-hr(c) PM₁₀ = 2.19 lb/hr (filterable and condensable)

(d) PM = 2.19 lb/hr (filterable and condensable); and 0.04 gr/dscf (filterable fraction only)

(e) SO_x = 4.68 lb/hr; and 500 parts per million, by volume (dry basis), expressed as sulfur dioxide (SO₂)

(f) VOC = 2.68 lb/hr (including formaldehyde); and 0.18 g/bhp-hr (excluding formaldehyde)

(g) Non-Methane Organic Compound (NMOC) = 20 ppmvd (as hexane; corrected to 3% oxygen) or 98% NMOC destruction efficiency (by weight)

(h) Formaldehyde = 0.360 g/bhp-hr

(i) Total HAPs = 2.68 lb/hr

[Compliance with the requirements specified in this streamlined operating permit condition assures compliance with the CO, NO_x and VOC emission limits specified in 40 CFR §60.4233(e); the PM emission limit specified in 25 Pa. Code §123.13(c)(1)(i); the SO_x emission limit specified in 25 Pa. Code §123.21(b); and the presumptive RACT II NO_x & VOC emission limits specified in 25 Pa. Code §129.97(g)(3)(i)(A)&(B), respectively]

**SECTION D. Source Level Requirements****II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.**# 002 [25 Pa. Code §127.1]****Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the Source ID 101A engine shall be operated and maintained in accordance with the manufacturer's specifications.

003 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053B]

The permittee shall maintain a stack for the Source ID 101A engine having a minimum height of 14.33 feet above the grade of the floor on which the engine is located.

VII. ADDITIONAL REQUIREMENTS.**# 004 [25 Pa. Code §127.1]****Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the Source ID 101A engine shall be constructed with low NOx-emitting technology implementing lean burn combustion with automatic air-to-fuel (A/F) ratio control.

*** **Permit Shield in Effect.** ***

**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: LANDFILL GAS TREATMENT SYSTEM

Source Capacity/Throughput: 202.800 MCF/HR UNTREATED LFG

Conditions for this source occur in the following groups: G01
G06**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The permittee shall not allow the emission into the outdoor atmosphere of any landfill gas leaks which result in concentrations of 500 ppmv or more, measured as propane (or 1375 ppmv, or more, measured as methane), at a distance of 0.5 inch from Source ID 102. Non-repeatable and momentary readings shall not be considered to be leaks, nor should measurements taken during routine equipment maintenance.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.**# 002 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

(a) The permittee shall, at a minimum, conduct leak checks weekly on the landfill gas handling and treatment equipment that is part of Source ID 102 to demonstrate compliance with Condition #001, above. This includes all plumbing of, and including the connection point to, the landfill gas collection system of the landfill. All leaks shall be repaired as soon as practicable.

(b) The permittee shall maintain records of the weekly leak checks described in part (a), above. The records shall include, at a minimum, the following information:

- (1) The name of the company representative monitoring each leak check.
- (2) The date and time of each leak check.
- (3) A description of any leaks detected. If no leaks are detected, then document that no leaks were detected.

(c) The permittee shall retain records of these leak checks for a minimum of five (5) years. The records shall be made available to the Department upon its request.

**SECTION D. Source Level Requirements****IV. RECORDKEEPING REQUIREMENTS.****# 003 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

(a) The permittee shall record all maintenance on the treatment system and any malfunctions. The date, time, length, nature of the malfunction and corrective actions shall be recorded.

(b) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.**# 004 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

All landfill gas treated by the system shall be directed to either the the associated engines (Source IDs 101 and 101A) or the associated enclosed ground flare (Source ID C102), or Community Refuse Services, Inc./Cumberland County Landfill's permanent enclosed ground flare (Source ID CEU07 of Title V Operating Permit No. 21-05031). This system is only for the treatment of landfill gas from the Community Refuse Services, Inc./Cumberland County Landfill.

005 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

(a) The permittee shall operate and maintain the following measuring devices:

- (1) Equipment that shows the pressure of the gas exiting the compressor.
- (2) Equipment that shows the temperature of the gas exiting the dewatering device.
- (3) Equipment to show the pressure differential across the particulate filter.

(b) The permittee may request alternative monitoring equipment. All requests shall be submitted to the Department for approval.

006 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

Any landfill gas that can not be consumed by the facility (i.e., Source IDs 101, 101A and C102) must be directed to Community Refuse Services, Inc./Cumberland County Landfill's permanent enclosed ground flare (Source ID CEU07 of Title V Operating Permit No. 21-05031).

007 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The treatment process shall treat the landfill gas prior to use in the Source ID 101 and 101A engines in the following manner:

**SECTION D. Source Level Requirements**

(a) Compression - The gas shall be compressed using gas blowers or similar devices (approved by the Department) to a level required by the engines to fire the gas.

(b) De-water - The system must de-water the gas using chillers or other dehydration equipment as approved by the Department.

(c) Filter - At a minimum, the system must filter the gas using a dry filter or similar device (e.g., impactation, interception or diffusion device). The filter should reduce the particulate matter in the gas to a size of 10 microns or less.

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: C102

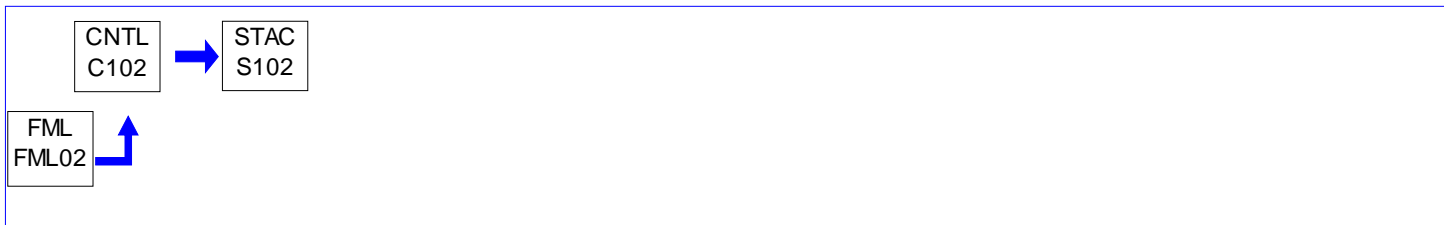
Source Name: PERMANENT ENCLOSED GROUND FLARE

Source Capacity/Throughput:

60.000 MCF/HR

TREATED LANDFILL GAS

Conditions for this source occur in the following groups: G01
G05
G06

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The landfill gas treated by the facility's treatment system must be controlled by either of the following:

(a) One of the associated engines (Source IDs 101 and 101A); or

(b) The associated enclosed ground flare (Source ID C102), which is shrouded such that no visible flame is evident above the flare enclosure; or

(c) Community Refuse Services, Inc./Cumberland County Landfill's permanent enclosed ground flare (Source ID CEU07 of Title V Operating Permit No. 21-05031).

002 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The flare shall be operated with no visible emissions, except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours, as determined in accordance with EPA Method 9 monitoring techniques by an individual trained and certified to perform EPA Method 9 visible emission evaluations.

II. TESTING REQUIREMENTS.**# 003 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

(a) Unless otherwise approved in writing by DEP, the permittee shall do the following:

(1) Within 90 days of Title V renewal issuance, submit a test protocol to the Department for approval for EPA reference method (or alternate method) stack testing in accordance with 25 Pa Code Chapter 139 and applicable EPA reference methods to quantify the following from the enclosed ground flare:

(i) VOC, NO_x, and CO emissions, and

(ii) per- and polyfluoroalkyl substances (PFAS), which shall, at a minimum, include all of the target analytes in Table 45-1 of Other Test Method 45 (OTM-45), Revision 0, dated January 13, 2021.

(2) Once during the permit term, test the enclosed ground flare for NMOC, to either demonstrate a 98% destruction/removal

**SECTION D. Source Level Requirements**

efficiency or a 20 ppmv outlet concentration, dry basis as hexane at 3 percent oxygen. For this testing, submit to DEP a test protocol for review and approval by no later than 365 days prior to the expiration of this permit, and not conduct the test that is the subject of the protocol until the protocol has been approved by DEP.

(3) Not conduct the test that is the subject of the protocol until the protocol has been approved by DEP.

(4) If DEP finds deficiencies in the protocol, provide a response to DEP addressing the deficiencies within 30 days of being notified of the deficiencies.

(5) Within 180 days after approval of the protocol by DEP, or on an alternative schedule as approved by the Department, conduct the test as approved in the protocol.

(b) Pursuant to 25 Pa. Code § 139.3 at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 25 Pa. Code Section 139.53(a)(3) within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office indicating the completion date of the on-site testing.

(d) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test

(e) Pursuant to 25 Pa. Code Section 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

1. A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.
2. Permit number(s) and condition(s) which are the basis for the evaluation.
3. Summary of results with respect to each applicable permit condition.
4. Statement of compliance or non-compliance with each applicable permit condition.

(f) Pursuant to 25 Pa. Code § 139.3 to all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(g) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(h) Pursuant to 25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecomm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, one digital copy of each submittal shall be made to each of the following:

Regional Office:

Digital copy: RA-epscstacktesting@pa.gov

Bureau of Air Quality:

Digital copy: RA-epstacktesting@pa.gov

(i) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed,

**SECTION D. Source Level Requirements**

including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

IV. RECORDKEEPING REQUIREMENTS.**# 004 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The permittee shall record the following:

- (a) Monthly amount of treated landfill gas fired in the flare.
- (b) 12-month rolling total amount of treated landfill gas fired in the flare.
- (c) Monthly hours of operation.
- (d) Monthly emissions of PM, PM10, NO_x, SO_x, CO, VOC, and HAPs.
- (e) 12-month rolling total emissions of PM, PM10, NO_x, SO_x, CO, VOC, and HAPs.

005 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The permittee shall calculate the emissions from the flare using emission rates from approved test results.

006 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The permittee shall record each start-up, shutdown and malfunction of the flare. The records shall include the date, time, duration and type of event.

007 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The permittee shall install and maintain a device that measures and records the flow of treated landfill gas to the flare.

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).



SECTION D. Source Level Requirements

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: G01

Group Description: Federal Plan 40 CFR Part 62, Subpart 000

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)
102	LANDFILL GAS TREATMENT SYSTEM
C102	PERMANENT ENCLOSED GROUND FLARE

I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.**# 001 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR 62.16710]****Subpart 000 - Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014****Scope and delegated authorities.**

§62.16710 Scope and delegated authorities.

This subpart establishes emission control requirements and compliance schedules for the control of designated pollutants from certain designated municipal solid waste (MSW) landfills in accordance with section 111(d) of the Clean Air Act and subpart B of 40 CFR part 60.

(a) If you own or operate a designated facility as described in §62.16711, then you must comply with this subpart.

(b) The following authorities will not be delegated to state, local, or tribal agencies:

(1) Approval of alternative methods to determine the site-specific nonmethane organic compounds (NMOC) concentration or a site-specific methane generation rate constant (k).

(2) Alternative emission standards.

**SECTION E. Source Group Restrictions.**

(3) Major alternatives to test methods. Major alternatives to test methods or to monitoring are modifications made to a federally enforceable test method or to a Federal monitoring requirement. These changes may involve the use of unproven technology or modified procedures or an entirely new method.

(4) Waivers of recordkeeping.

§62.16711 Designated facilities.

(a) The designated facility to which this subpart applies is each municipal solid waste landfill in each state, protectorate, and portion of Indian country that meets the conditions of paragraphs (a)(1) and (2) of this section, except for landfills exempted by paragraphs (b) and (c) of this section.

(1) The municipal solid waste landfill commenced construction, reconstruction, or modification on or before July 17, 2014.

(2) The municipal solid waste landfill has accepted waste at any time since November 8, 1987, or the landfill has additional capacity for future waste deposition.

(b) [NA – NO CURRENTLY EFFECTIVE SIP IMPLEMENTING 40 CFR 60, SUBPART Cf]

(c) [NA – NO NEGATIVE DECLARATION LETTER]

(d) Physical or operational changes made to an existing MSW landfill solely to comply with an emission guideline implemented by a state or Federal plan are not considered a modification or reconstruction and would not subject an existing MSW landfill to the requirements of 40 CFR 60, subpart XXX. Landfills that commence construction, modification, or reconstruction after July 17, 2014, are subject to 40 CFR part 60, subpart XXX.

(e) [NA – LANDFILL IS ALREADY PERMITTED UNDER THE TITLE V PROGRAM]

(f) [NA – LANDFILL IS NOT CLOSED]

(g) [NA – LANDFILL IS NOT CLOSED]

(h) When an MSW landfill subject to this subpart is a legacy controlled landfill, as defined in §62.16730, the owner or operator is not subject to the following reports of this subpart, provided the owner or operator submitted these reports under 40 CFR part 60, subpart WWW; subpart GGG of this part; or a state plan implementing 40 CFR part 60, subpart Cc on or before June 21, 2021. [NOTE: ALL REPORTS BELOW HAVE BEEN SUBMITTED UNDER NSPS SUBPART WWW PRIOR TO 6/21/21.]

(1) Initial design capacity report specified in §62.16724(a).

(2) Initial or subsequent NMOC emission rate report specified in §62.16724(c).

(3) Collection and control system design plan specified in §62.16724(d).

(5) Initial annual report specified in §62.16724(h).

(4) Initial performance test report in §62.16724(i).

§62.16712 Compliance schedule and increments of progress. [NA – LANDFILL IS A LEGACY CONTROLLED LANDFILL WHICH REACHED FULL COMPLIANCE IN THE PAST]

§62.16714 Standards for municipal solid waste landfill emissions.

(a) Landfills. Each owner or operator of an MSW landfill having a design capacity greater than or equal to 2.5 million megagrams by mass and 2.5 million cubic meters by volume must collect and control MSW landfill emissions at each MSW landfill that meets the following conditions:

**SECTION E. Source Group Restrictions.**

(1) Waste acceptance date. The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.

(2) Construction commencement date. The landfill commenced construction, reconstruction, or modification on or before July 17, 2014.

(3) NMOC emission rate. The landfill has an NMOC emission rate greater than or equal to 34 megagrams per year or Tier 4 SEM shows a surface emission concentration of 500 parts per million methane or greater.

(4) [NA – NOT A CLOSED LANDFILL]

(b) [NA – COLLECTION AND CONTROL SYSTEM IN COMPLIANCE WITH 40 CFR §62.16714(b) ALREADY INSTALLED BY THE LANDFILL]

(c) Control system. Control the gas collected from within the landfill through the use of control devices meeting the following requirements, except as provided in 40 CFR 60.24.

(1) [NA – PERMITTEE IS NOT PERMITTED TO USE AN OPEN FLARE]

(2) 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 or less. The reduction efficiency or concentration in parts-per-million by volume must 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 §62.16718(d). The performance test is not required for boilers and process heaters with design heat input capacities equal to or greater than 44 megawatts that burn landfill gas for compliance with this subpart.

[NOTE: AN INITIAL PERFORMANCE TEST OF THE SOURCE ID C102 PERMANENT ENCLOSED GROUND FLARE WAS CONDUCTED ON 6/18/09 AND DEMONSTRATED COMPLIANCE WITH THE 20 PPMV (DRY BASIS AS HEXANE AT 3% OXYGEN) NMOC OUTLET CONCENTRATION LEVEL (< 1.0 ppmvd NMOC outlet as hexane at 3% O₂; 3-run average)]

(i) [NA – FACILITY DOES NOT USE BOILER OR PROCESS HEATER]

(ii) The control device must be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §62.16722.

(iii) Legacy controlled landfills or landfills in the closed landfill subcategory that have already installed control systems and completed initial or subsequent performance tests may comply with this subpart using the initial or most recent performance test conducted to comply with 40 CFR part 60, subpart WWW; subpart GGG of this part; or a state plan implementing subpart Cc of part 60, is sufficient for compliance with this subpart.

(3) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or beneficial use such as fuel for combustion, production of vehicle fuel, production of high-Btu gas for pipeline injection, or use as a raw material in a chemical manufacturing process. Venting of treated landfill gas to the ambient air is not allowed. If the treated landfill gas cannot be routed for subsequent sale or beneficial use, then the treated landfill gas must be controlled according to either paragraph (c)(1) or (2) of this section.

(4) All emissions from any atmospheric vent from the gas treatment system are subject to the requirements of paragraph (b) or (c) of this section. For purposes of this subpart, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of paragraph (b) or (c) of this section.

(d) [NA – LANDFILL IS > 2.5 MILLION MEGAGRAMS/2.5 MILLION CUBIC METERS]

(e) Emissions. The 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 must either install a collection and control system as provided in paragraphs (b) and (c) of this section or calculate an initial NMOC emission rate for the landfill using the procedures specified in §62.16718(a). The NMOC emission rate must be recalculated annually, except as provided in §62.16724(c)(3).

**SECTION E. Source Group Restrictions.**

(1) If the calculated NMOC emission rate is less than 34 megagrams per year, the owner or operator must:

(i) Submit an annual NMOC emission rate report according to §62.16724(c), except as provided in §62.16724(c)(3); and

(ii) Recalculate the NMOC emission rate annually using the procedures specified in §62.16724(a) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, or the landfill is closed.

(A) If the calculated NMOC emission rate, upon initial calculation or annual recalculation required in paragraph (e)(1)(ii) of this section, is equal to or greater than 34 megagrams per year, the owner or operator must either: Comply with paragraphs (b) and (c) of this section; calculate NMOC emissions using the next higher tier in §62.16718; or conduct a surface emission monitoring demonstration using the procedures specified in §62.16718(a)(6).

(B) If the landfill is permanently closed, a closure report must be submitted to the Administrator as provided in §62.16724(f), except for exemption allowed under §62.16711(g)(4).

(2) [NA – COLLECTION AND CONTROL SYSTEM IN COMPLIANCE WITH 40 CFR §62.16714(b) ALREADY INSTALLED BY THE LANDFILL]

(3) [NA – NOT A CLOSED LANDFILL]

(f) Removal criteria. The collection and control system may be capped, removed, or decommissioned if the following criteria are met:

(1) [NA – NOT A CLOSED LANDFILL]

(2) The collection and control system has been in operation a minimum of 15 years or the landfill owner or operator demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flow.

(3) Following the procedures specified in §62.16718(b), the calculated NMOC emission rate at the landfill is less than 34 megagrams per year on three successive test dates. The test dates must be no less than 90 days apart, and no more than 180 days apart.

(4) [NA – NOT A CLOSED LANDFILL]

§62.16716 Operational standards for collection and control systems. [N/A IF COMPLYING WITH MACT 4A, §63.1958]

Each owner or operator must comply with the provisions for the operational standards in this section (as well as the provisions in §§62.16720 and 62.16722), or the operational standards in §63.1958 of this chapter (as well as the provisions in §§63.1960 and 63.1961 of this chapter), or both as alternative means of compliance, for an MSW landfill with a gas collection and control system used to comply with the provisions of §62.16714(b) and (c). Once the owner or operator begins to comply with the provisions of §63.1958 of this chapter, the owner or operator must continue to operate the collection and control device according to those provisions and cannot return to the provisions of this section. Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of §62.16714(b) and (c) must:

(a) [NA – APPLIES TO THE LANDFILL]

(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

(d) [NA – APPLIES TO THE LANDFILL]

(e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with §62.16714(c). In the event the collection or control system is not operating, the gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating.

**SECTION E. Source Group Restrictions.**

(f) Operate the control system at all times when the collected gas is routed to the system.

(g) [NA – APPLIES TO THE LANDFILL]

§62.16718 Test methods and procedures.

Calculate the landfill NMOC emission rate and conduct a surface emission monitoring demonstration according to the provisions in this section.

(a)[NA – APPLIES TO THE LANDFILL]

(b) [NA – APPLIES TO THE LANDFILL]

(c) When calculating emissions for Prevention of Significant Deterioration purposes, the owner or operator of each MSW landfill subject to the provisions of this subpart must estimate the NMOC emission rate for comparison to the Prevention of Significant Deterioration major source and significance levels in §§51.166 or 52.21 of this chapter using Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources (AP-42) or other approved measurement procedures.

(d) – (e) [INITIAL PERFORMANCE TEST IS IN THE PAST]

§62.16720 Compliance provisions.

Follow the compliance provisions in this section (as well as the provisions in §§62.16716 and 62.16722), or the compliance provisions in §63.1960 of this chapter (as well as the provisions in §§63.1958 and 63.1961 of this chapter), or both as alternative means of compliance, for an MSW landfill with a gas collection and control system used to comply with the provisions of §62.16714(b) and (c). Once the owner or operator begins to comply with the provisions of §63.1960 of this chapter, the owner or operator must continue to operate the collection and control device according to those provisions and cannot return to the provisions of this section.

(a) [NA – APPLIES TO THE LANDFILL]

(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

(d) [NA – APPLIES TO THE LANDFILL]

(e) The provisions of this subpart apply at all times, including periods of startup, shutdown, or malfunction. During periods of startup, shutdown, and malfunction, you must comply with the work practice specified in §62.16716(e) in lieu of the compliance provisions in §62.16720.

§62.16722 Monitoring of operations.

Follow the monitoring provisions in this section (as well as the provisions in §§62.16716 and 62.16720), except as provided in §62.16724(d)(2), or the monitoring provisions in §63.1961 of this chapter (as well as the provisions in §§63.1958 and 63.1960 of this chapter), or both as alternative means of compliance, for an MSW landfill with a gas collection and control system used to comply with the provisions of §62.16714(b) and (c). Once the owner or operator begins to comply with the provisions of §63.1961 of this chapter, the owner or operator must continue to operate the collection and control device according to those provisions and cannot return to the provisions of this section.

(a) [NA – APPLIES TO THE LANDFILL]

(b) Each owner or operator seeking to comply with §62.16714(c) using an enclosed combustor must 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

**SECTION E. Source Group Restrictions.**

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 the control device and bypass of the control device (if applicable). The owner or operator must:

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

(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 must 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) [NA – NOT PERMITTED TO USE AN OPEN FLARE]

(d) [NA – FACILITY DOES NOT USE A DEVICE OTHER THAN AN ENCLOSED COMBUSTOR]

(e) [NA – APPLIES TO THE LANDFILL]

(f) [NA - APPLIES TO THE LANDFILL]

(g) Each owner or operator seeking to demonstrate compliance with the control system requirements in §62.16714(c) using a landfill gas treatment system must maintain and operate all monitoring systems associated with the treatment system in accordance with the site-specific treatment system monitoring plan required in §62.16726(b)(5)(ii) and must calibrate, maintain, and operate according to the manufacturer's specifications a device that records flow to the treatment system and bypass of the treatment system (if applicable). The owner or operator must:

(1) Install, calibrate, and maintain a gas flow rate measuring device that records the flow to the treatment system at least every 15 minutes; and

(2) 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 must 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.

(h) The monitoring requirements of paragraphs (b), (c), (d), and (g) of this section apply at all times the designated facility is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(i) Incorporation by reference required material.

(1) The material required by this section was approved for incorporation by reference into this section by the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. You may inspect approved material at the EPA Docket Center, WJC West Building, Room Number 3334, 1301 Constitution Ave. NW, Washington, DC, (202) 566-1744, Docket ID No. EPA-HQ-OAR-2019-0338 and obtain it from the source(s) listed below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fedreg.legal@nara.gov, or go to www.archives.gov/federal-register/cfr/ibr-locations.html.

(2) ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428-2959, (800) 262-1373, www.astm.org.

(i) ASTM D6522-11 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process

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Heaters Using Portable Analyzers, approved December 1, 2011.

(ii) [Reserved]

§62.16724 Reporting guidelines.

Follow the reporting provisions listed in this section, as applicable, except as provided under 40 CFR 60.24 and §§62.16711(g), (h), and 62.16724(d)(2).

(a) [NA – INITIAL DESIGN CAPACITY REPORT WAS SUBMITTED IN THE PAST UNDER NSPS WWW]

(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

(d) [NA – APPLIES TO THE LANDFILL]

(e) [NA – APPLIES TO THE LANDFILL]

(f) Closure report. Each owner or operator of a controlled landfill must submit a closure report to the Administrator within 30 days of ceasing waste acceptance. 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 40 CFR 60.7(a)(4).

(g) Equipment removal report. Each owner or operator of a controlled landfill must 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 must contain the following items:

(i) A copy of the closure report submitted in accordance with paragraph (f) of this section; and

(ii) A copy of the initial performance test report demonstrating that the 15-year minimum control period has expired, unless the report of the results of the performance test has been submitted to the EPA via the EPA's Central Data Exchange (CDX), or information that demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flows. In the equipment removal report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's CDX; and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 34 megagrams or greater of NMOC per year, unless the NMOC emission rate reports have been submitted to the EPA via the EPA's CDX. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports; or

(iv) For the closed landfill subcategory, 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, unless the NMOC emission rate reports have been submitted to the EPA via the EPA's CDX. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in § 62.16714(f) have been met.

(h) Annual report. The owner or operator of a landfill seeking to comply with §62.16714(e)(2) using an active collection system designed in accordance with §62.16714(b) must submit to the Administrator, following the procedures specified in

**SECTION E. Source Group Restrictions.**

paragraph (j)(2) of this section, an annual report of the recorded information in paragraphs (h)(1) through (7) of this section. The initial annual report must be submitted within 180 days of installation and startup of the collection and control system except for legacy controlled landfills that have already submitted an initial report under 40 CFR part 60, subpart WWW; subpart GGG of this part; or a state plan implementing 40 CFR part 60, subpart Cc. Except for legacy controlled landfills, the initial annual report must include the initial performance test report required under 40 CFR 60.8, as applicable, unless the report of the results of the performance test has been submitted to the EPA via the EPA's CDX. Legacy controlled landfills are exempted from submitting performance test reports in EPA's CDX provided that those reports were submitted under 40 CFR part 60, subpart WWW; subpart GGG of this part; or a state plan implementing 40 CFR part 60, subpart Cc. In the initial annual report, the process unit(s) tested, the pollutant(s) tested and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's CDX. The initial performance test report must be submitted, following the procedure specified in paragraph (j)(1) of this section, no later than the date that the initial annual report is submitted. For enclosed combustion devices and flares, reportable exceedances are defined under §62.16726(c)(1). Legacy controlled landfills are required to submit the annual report no later than one year after the most recent annual report submitted. If complying with the operational provisions of §§63.1958, 63.1960, and 63.1961 of this chapter, as allowed at §§62.16716, 62.16720, and 62.16722, the owner or operator must follow the semi-annual reporting requirements in §63.1981(h) of this chapter in lieu of this paragraph. [NOTE: INITIAL ANNUAL REPORT SUBMITTED IN PAST UNDER NSP SUBPART WWW]

(1) Value and length of time for exceedance of applicable parameters monitored under §62.16722(a)(1), (b), (c), (d), and (g).

(2) Description and duration of all periods when the gas stream was diverted from the control device or treatment system through a bypass line or the indication of bypass flow as specified under §62.16722.

(3) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating.

(4) All periods when the collection system was not operating.

(5) [NA – APPLIES TO THE LANDFILL]

(6) [NA – APPLIES TO THE LANDFILL]

(7) [NA – APPLIES TO THE LANDFILL]

(i) [NA – INITIAL PERFORMANCE TEST IS IN THE PAST]

(j) Electronic reporting. The owner or operator must submit reports electronically according to paragraphs (j)(1) and (2) of this section.

(1) Within 60 days after the date of completing each performance test (as defined in 40 CFR 60.8 of this chapter), the owner or operator must submit the results of each performance test according to the following procedures:

(i) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www3.epa.gov/ttn/chief/ert/ert__info.html) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). The CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternative file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT website, once the XML schema is available. If you claim that some of the performance test information being submitted is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at

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the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in 40 CFR 60.4 of this chapter.

(2) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the CEDRI (CEDRI can be accessed through the EPA's CDX). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website (<https://www3.epa.gov/ttn/chief/cedri/index.html>). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator must submit the report to the Administrator at the appropriate address listed in 40 CFR 60.4 of this chapter. Once the form has been available in CEDRI for 90 calendar days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(k) [NA – APPLIES TO THE LANDFILL]

(l) [NA – APPLIES TO THE LANDFILL]

(m) [NA – APPLIES TO THE LANDFILL]

(n) [NA – APPLIES TO THE LANDFILL]

(o) – (p) [NA – NOT SUBJECT TO INCREMENTS OF PROGRESS REQUIREMENTS]

(q) [NA – APPLIES TO THE LANDFILL]

§62.16726 Recordkeeping guidelines.

Follow the recordkeeping provisions in this section.

(a) [NA – APPLIES TO THE LANDFILL]

(b) Except as provided in §62.16724(d)(2), each owner or operator of a controlled landfill must keep up-to-date, readily accessible records for the life of the control system equipment of the data listed in paragraphs (b)(1) through (5) of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring must be maintained for a minimum of 5 years. Records of the control device vendor specifications must be maintained until removal.

(1) [NA – APPLIES TO THE LANDFILL]

(2) [N/A - THE RICEs AND ENCLOSED GROUND FLARE EACH HAVE A DESIGN HEAT INPUT CAPACITY LESS THAN 44 MEGAWATTS]

(3) [NA – FACILITY DOES NOT USE BOILER OR PROCESS HEATER]

(4) [NA – NOT PERMITTED TO USE AN OPEN FLARE]

(5) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §62.16714(c)(3) through use of a landfill gas treatment system:

(i) Bypass records. Records of the flow of landfill gas to, and bypass of, the treatment system.

(ii) Site-specific treatment monitoring plan. A site-specific treatment monitoring plan, to include:

(A) Monitoring records of parameters that are identified in the treatment system monitoring plan and that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. At a minimum, records should include records of filtration, de-watering, and compression parameters that ensure the treatment system is operating properly for each intended end use of the treated landfill gas.

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(B) Monitoring methods, frequencies, and operating ranges for each monitored operating parameter based on manufacturer's recommendations or engineering analysis for each intended end use of the treated landfill gas.

(C) Documentation of the monitoring methods and ranges, along with justification for their use.

(D) Identify who is responsible (by job title) for data collection.

(E) Processes and methods used to collect the necessary data.

(F) Description of the procedures and methods that are used for quality assurance, maintenance, and repair of all continuous monitoring systems.

(c) Except as provided in §62.16724(d)(2), each owner or operator of a controlled landfill subject to the provisions of this subpart must keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §62.16722 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 must be recorded and reported under §62.16724:

(i) [N/A - THE RICES AND ENCLOSED GROUND FLARE EACH HAVE A DESIGN HEAT INPUT CAPACITY LESS THAN 44 MEGAWATTS]

(ii) [NA – FACILITY DOES NOT USE BOILER OR PROCESS HEATER]

(2) Each owner or operator subject to the provisions of this subpart must keep up-to-date, readily accessible continuous records of the indication of flow to the control system and 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 §62.16722.

(3) [NA – FACILITY DOES NOT USE BOILER OR PROCESS HEATER]

(4) [NA – NOT PERMITTED TO USE AN OPEN FLARE]

(5) Each owner or operator of a landfill seeking to comply with §62.16714(e) using an active collection system designed in accordance with §62.16714(b) must keep records of periods when the collection system or control device is not operating.

(d) [NA – APPLIES TO THE LANDFILL]

(e) [NA – APPLIES TO THE LANDFILL]

(f) [NA – LANDFILL IS > 2.5 MILLION MEGAGRAMS/2.5 MILLION CUBIC METERS]

(g) [NA – APPLIES TO THE LANDFILL]

(h) Except as provided in §62.16724(d)(2), each owner or operator subject to the provisions of this subpart must keep for at least 5 years up-to-date, readily accessible records of all collection and control system monitoring data for parameters measured in §62.16722(a)(1), (2), and (3).

(i) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CDX may be maintained in electronic format.

(j) [NA – APPLIES TO THE LANDFILL]

§62.16728 Specifications for active collection systems.

Follow the specifications for active collection systems in this section.

(a) [NA – APPLIES TO THE LANDFILL]



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(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: G02

Group Description: NSPS 40 CFR Part 60, Subpart JJJJ

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)

I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.

**# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4230]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
Am I subject to this subpart?**

§ 60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) [NA – NOT AN ENGINE MANUFACTURER]

(2) [NA – NOT AN ENGINE MANUFACTURER]

(3) [NA – NOT AN ENGINE MANUFACTURER]

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

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(ii) [NA – ENGINES ARE GREATER THAN 1350 HP]

(iii) [NA – ENGINES ARE GREATER THAN 500 HP]

(iv) [NA – ENGINES ARE NOT EMERGENCY]

(5) [NA – RICE ARE NOT MODIFIED OR RECONSTRUCTED]

(6) The provisions of § 60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) [NA – ENGINES ARE NOT BEING TESTED AT AN ENGINE TEST CELL/STAND]

(c) [NA – FACILITY IS PERMITTED UNDER THE TITLE V PROGRAM]

(d) [NA – ENGINES ARE LANDFILL GAS FIRED]

(e) Stationary SI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR parts 1048 and 1054, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(f) [NA – ENGINES ARE NOT TEMPORARY]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011; 86 FR 34360, June 29, 2021]

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59175, Oct. 8, 2008; 76 FR 37973, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34360, June 29, 2021]

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

[NA – NOT AN ENGINE MANUFACTURER]

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) [NA – ENGINES ARE GREATER THAN 25 HP]

(b) [NA – ENGINES ARE LANDFILL GAS FIRED]

(c) [NA – ENGINES ARE LANDFILL GAS FIRED]

(d) [NA – ENGINES ARE GREATER THAN 500 HP]

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

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[NOTE 1: THE STATIONARY SI ICES ARE NOT CERTIFIED TO THE CERTIFICATION EMISSION STANDARDS IN 40 CFR Part 1048] [NOTE 2: THESE NO_x, CO AND VOC EMISSION LIMITS ARE SUPERSEDED BY THE RESPECTIVE NO_x, CO AND VOC EMISSION LIMITS OF SECTION D (SOURCE ID 101), CONDITION #001, AND SECTION D (SECTION 101A), CONDITION #001, OF THIS OPERATING PERMIT]

(f) [NA - ENGINES ARE NOT MODIFIED OR RECONSTRUCTED]

(g) [NA – ENGINES ARE LANDFILL GAS FIRED]

(h) [N/A - THE STATIONARY SI ICES ARE SUBJECT TO THE EMISSION STANDARDS OF TABLE 1 TO 40 CFR PART 60, SUBPART JJJJ; NOT SUBJECT TO THE STANDARDS OF 40 CFR §1048.101]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in § 60.4233 over the entire life of the engine.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

[NA – ENGINES ARE LANDFILL GAS FIRED]

[73 FR 3591, Jan. 18, 2008, as amended at 85 FR 78463, Dec. 4, 2020]

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

(a) [NA – ENGINES ARE GREATER THAN 500 HP]

(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in § 60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in § 60.4233 may not be installed after January 1, 2010.

(c) [NA – ENGINES ARE NOT EMERGENCY USE]

(d) [NA – ENGINES ARE GREATER THAN 25 HP]

(e) [NA – ENGINES ARE ARE NOT MODIFIED OR RECONSTRUCTED]

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

[NA – ENGINES ARE NOT EMERGENCY USE]

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines =19 KW (25 HP) or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[86 FR 34361, June 29, 2021]

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines 19

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KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[86 FR 34361, June 29, 2021]

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines 19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[86 FR 34361, June 29, 2021]

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59176, Oct. 8, 2008; 76 FR 37974, June 28, 2011; 86 FR 34361, June 29, 2021]

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[86 FR 34362, June 29, 2021]

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) [N/A - THE STATIONARY SI ICES ARE NOT SUBJECT TO THE EMISSION STANDARDS SPECIFIED IN 40 CFR §60.4233(a) THROUGH (c); THE STATIONARY SI ICES ARE SUBJECT TO THE EMISSION STANDARDS SPECIFIED IN 40 CFR §60.4233(e)]

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) [NA – ENGINES ARE NON-CERTIFIED]

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) [NA – ENGINES ARE GREATER THAN 500 HP]

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) [N/A - THE STATIONARY SI ICES ARE DEFINED AS NEW UNITS AND ARE NOT MODIFIED OR RECONSTRUCTED UNITS; THEREFORE, THEY ARE NOT SUBJECT TO 40 CFR §60.4233(f)]

(d) [NA – ENGINES ARE NOT EMERGENCY USE]

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(e) [NA – ENGINES ARE LANDFILL GAS FIRED]

(f) [NA – ENGINES ARE GREATER THAN 500 HP]

(g) [NA – ENGINES ARE NOT EQUIPPED WITH CATALYSTS OR NSCR]

(h) [NA – ENGINES WERE MANUFACTURED AFTER JULY 1, 2008]

(i) [NA – ENGINES ARE NOT MODIFIED OR RECONSTRUCTED]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021]

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 of this section:
[SEE REGULATION FOR EQUATION]

Where:

ER = Emission rate of NO_x in g/HP-hr.

C_d = Measured NO_x concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

Where:

ER = Emission rate of CO in g/HP-hr.

C_d = Measured CO concentration in ppmv.

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1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd = VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

Where:

RFi = Response factor of compound i when measured with EPA Method 25A.

CMi = Measured concentration of compound i in ppmv as carbon.

CAi = True concentration of compound i in ppmv as carbon.

Where:

Cicorr = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

Cimeas = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

Where:

CPeq = Concentration of compound i in mg of propane equivalent per DSCM.

Table 2 to 40 CFR Part 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Requirements for Performance Tests)

(1)(a) For each stationary SI internal combustion engine (ICE) demonstrating compliance according to 40 CFR §60.4244 and complying with the requirement to limit the concentration of NOx in the stationary SI ICE exhaust, you must:

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- (i) Select the sampling port location and the number of traverse points using Method 1 or 1A of 40 CFR Part 60, Appendix A, or ASTM Method D6522-00 (Reapproved 2005)*+;
- (ii) Determine the O₂ concentration of the stationary ICE exhaust at the sampling port location using Method 3, 3A, or 3B# of 40 CFR Part 60, Appendix A, or ASTM Method D6522-00 (Reapproved 2005)*+ [Measurements to determine O₂ concentration must be made at the same time as the measurements for NO_x concentration];
- (iii) If necessary, determine the exhaust flow rate of the stationary ICE exhaust using Method 2 or 19 of 40 CFR Part 60, Appendix A;
- (iv) If necessary, measure the moisture content of the stationary ICE exhaust at the sampling port location using Method 4 of 40 CFR Part 60, Appendix A, Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348-03+ [Measurements to determine moisture must be made at the same time as the measurement for NO_x concentration]; and
- (v) Measure NO_x at the exhaust of the stationary ICE using Method 7E of 40 CFR Part 60, Appendix A, Method D6522-00 (Reapproved 2005)*+, Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348-03 [Results of this test consist of the average of the three 1-hour or longer runs].
- (1)(b) For each stationary SI ICE demonstrating compliance according to 40 CFR §60.4244 and complying with the requirement to limit the concentration of CO in the stationary SI ICE exhaust, you must:
- (i) Select the sampling port location and the number of traverse points using Method 1 or 1A of 40 CFR Part 60, Appendix A, or ASTM Method D6522-00 (Reapproved 2005)*+;
- (ii) Determine the O₂ concentration of the stationary ICE exhaust at the sampling port location using Method 3, 3A, or 3B# of 40 CFR Part 60, Appendix A, or ASTM Method D6522-00 (Reapproved 2005)*+ [Measurements to determine O₂ concentration must be made at the same time as the measurements for CO concentration];
- (iii) If necessary, determine the exhaust flow rate of the stationary ICE exhaust using Method 2 or 19 of 40 CFR Part 60, Appendix A;
- (iv) If necessary, measure moisture content of the stationary ICE exhaust at the sampling port location using Method 4 of 40 CFR Part 60, Appendix A, Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348-03+ [Measurements to determine moisture must be made at the same time as the measurement for CO concentration]; and
- (v) Measure CO at the exhaust of the stationary ICE using Method 10 of 40 CFR Part 60, Appendix A, ASTM Method D6522-00 (Reapproved 2005)*+, Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348-03+ [Results of this test consist of the average of the three 1-hour or longer runs].
- (1)(c) For each stationary SI ICE demonstrating compliance according to 40 CFR §60.4244 and complying with the requirement to limit the concentration of VOC in the stationary SI ICE exhaust, you must:
- (i) Select the sampling port location and the number of traverse points using Method 1 or 1A of 40 CFR Part 60, Appendix A;
- (ii) Determine the O₂ concentration of the stationary ICE exhaust at the sampling port location using Method 3, 3A, or 3B# of 40 CFR Part 60, Appendix A, or ASTM Method D6522-00 (Reapproved 2005)*+ [Measurements to determine O₂ concentration must be made at the same time as the measurements for VOC concentration];
- (iii) If necessary, determine the exhaust flow rate of the stationary ICE exhaust using Method 2 or 19 of 40 CFR Part 60, Appendix A;
- (iv) If necessary, measure moisture content of the stationary ICE exhaust at the sampling port location using Method 4 of 40 CFR Part 60, Appendix A, Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348-03+ [Measurements to determine moisture must be made at the same time as the measurement for VOC concentration]; and
- (v) Measure VOC at the exhaust of the stationary ICE using Methods 25A and 18 of 40 CFR Part 60, Appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 of 40 CFR Part 60, Appendix A, Method 320

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of 40 CFR part 63, Appendix A, or ASTM D 6348-03+ [Results of this test consist of the average of the three 1-hour or longer runs].

* You may petition the Administrator for approval to use alternative methods for portable analyzer.

You may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B.

^ You may use EPA Method 18 of 40 CFR Part 60, Appendix A, provided that you conduct an adequate presurvey test prior to the emissions test, such as the one described in OTM 11 on EPA's Web site (<http://www.epa.gov/ttn/emc/prelim/otm11.pdf>).

\$ You may use ASTM D6420-99 (2004), Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography/Mass Spectrometry as an alternative to EPA Method 18 for measuring total nonmethane organic.

+ Incorporated by reference, see 40 CFR §60.17.

END OF TABLE 2 REQUIREMENTS

[76 FR 37975, June 28, 2011, as amended at 78 FR 6698, Jan. 30, 2013]

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) [NA – ENGINES ARE NON-CERTIFIED]

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.

(b) [NA – ENGINES ARE NOT EMERGENCY USE]

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

[NOTE: THE PERMITTEE SUBMITTED SOURCE ID 101'S INITIAL NOTIFICATION TO THE DEPARTMENT & U.S. EPA VIA A LETTER DATED SEPTEMBER 22, 2009; THE PERMITTEE SUBMITTED SOURCE ID 101A'S INITIAL NOTIFICATION TO BOTH U.S. EPA AND THE DEPARTMENT VIA A LETTER DATED JUNE 23, 2014]

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(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference - see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7.

(e) [NA – ENGINES ARE NOT EMERGENCY USE]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013; 81 FR 59809, Aug. 30, 2016; 86 FR 34362, June 29, 2021]

§ 60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

[NA – NOT AN ENGINE MANUFACTURER]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 86 FR 34362, June 29, 2021]

***** Permit Shield in Effect. *****

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Group Name: G03

Group Description: MACT 40 CFR Part 63, Subpart ZZZZ

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)

I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.**# 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6580]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What is the purpose of subpart ZZZZ?**

§ 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for

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competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) [NA – NOT AN AREA SOURCE OF HAPS]

(d) [NA – CURRENTLY PERMITTED UNDER THE TITLE V PROGRAM]

(e) [NA – ENGINES NOT USED FOR NATIONAL SECURITY PURPOSES]

(f) [NA – ENGINES ARE NOT EMERGENCY]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013]

§ 63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) Affected source. An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) Existing stationary RICE.

(i) [N/A - THE STATIONARY RICEs ARE DEFINED AS NEW STATIONARY RICEs SINCE THEY WERE CONSTRUCTED ON OR AFTER 12/19/02]

(ii) [N/A - THE STATIONARY RICEs HAVE A SITE RATING OF GREATER THAN 500 BHP]

(iii) [N/A - THE FACILITY IS A MAJOR SOURCE OF HAP EMISSIONS]

(iv) [N/A - THE STATIONARY RICEs ARE DEFINED AS NEW STATIONARY RICEs PURSUANT TO 40 CFR §63.6590(a)(2)(i)]

(2) New stationary RICE.

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) [NA – ENGINES ARE GREATER THAN 500 HP]

(iii) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

(3) [NA – ENGINES ARE NOT RECONSTRUCTED]

(b) Stationary RICE subject to limited requirements. (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).

(i) [NA – ENGINES ARE NOT EMERGENCY USE]

(ii) [NA – ENGINES ARE NOT LIMITED USE]

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

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(3) [NA – ENGINES ARE NEW]

(c) Stationary RICE subject to Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) [NA – FACILITY IS A MAJOR SOURCE]

(2) [NA – ENGINES ARE GREATER THAN 500 BHP]

(3) [NA – ENGINES ARE GREATER THAN 250 BHP]

(4) [NA – ENGINES ARE GREATER THAN 500 BHP]

(5) [NA – ENGINES ARE GREATER THAN 500 BHP]

(6) [NA – ENGINES ARE GREATER THAN 500 BHP]

(7) [NA – ENGINES ARE GREATER THAN 500 BHP]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013]

§ 63.6595 When do I have to comply with this subpart?

(a) Affected sources.

(1) [NA – ENGINES ARE NEW]

(2) [NA – ENGINES STARTED UP AFTER 8/16/04]

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source. [NOTE: PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(4) [NA – ENGINES ARE GREATER THAN 500 BHP]

(5) [NA – ENGINES ARE GREATER THAN 500 BHP]

(6) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

(7) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

(b) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

(c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

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[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

[NA – ENGINES ARE GREATER THAN 500 BHP]

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

§ 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

[NA – ENGINES ARE GREATER THAN 500 BHP]

[78 FR 6701, Jan. 30, 2013]

§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

[NA – FACILITY IS A MAJOR SOURCE OF HAPS]

§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

[NA – ENGINES ARE LANDFILL GAS FIRED]

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020]

§ 63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must 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. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. 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.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

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[NA – ENGINES ARE GREATER THAN 500 HP]

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

[NA – ENGINES ARE GREATER THAN 500 HP]

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6615 When must I conduct subsequent performance tests?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICES DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

§ 63.6620 What performance tests and other procedures must I use?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICES DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013]

§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) [N/A - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICES DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ; THEREFORE, TABLE 5 OF 40 CFR PART 63, SUBPART ZZZZ, IS NOT APPLICABLE AND THE ENGINES DO NOT EMPLOY CEMS]

(b) N/A - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICES DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ; THEREFORE, TABLE 5 OF 40 CFR PART 63, SUBPART ZZZZ, IS NOT APPLICABLE AND THE ENGINES DO NOT EMPLOY CPMS]

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions. [NOTE: 40 CFR §63.6590(b)(2) EXPLICITLY STATES THAT 40 CFR §63.6625(c) IS APPLICABLE]

(d) [NA – ENGINES ARE GREATER THAN 500 BHP]

(e) [NA – ENGINES ARE NEW]

(f) [NA – ENGINES ARE GREATER THAN 500 BHP]

(g) [NA – ENGINES ARE NEW]

(h) [PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICES DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(i) [NA – ENGINES ARE SPARK IGNITION]

(j) [NA – ENGINES ARE NEW]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20,

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2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

[PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

§ 63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) [NA – ENGINES ARE GREATER THAN 500 BHP]

(2) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) [NA – ENGINES ARE NEW]

(b) [NA – ENGINES STARTED UP AFTER DECEMBER 13, 2004]

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart. NOTE: THE PERMITTEE SUBMITTED SOURCE ID 101'S INITIAL NOTIFICATION TO THE DEPARTMENT & U.S. EPA VIA LETTERS DATED AUGUST 19, 2010 & OCTOBER 5, 2010, RESPECTIVELY; THE PERMITTEE SUBMITTED SOURCE ID 101A'S INITIAL NOTIFICATION TO BOTH U.S. EPA AND THE DEPARTMENT VIA A LETTER DATED JUNE 23, 2014]

(d) [NA – ENGINES ARE GREATER THAN 500 BHP]

(e) [NA – ENGINES ARE GREATER THAN 500 BHP]

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions). [NOTE: 40 CFR §63.6590(b)(2) EXPLICITLY STATES THAT 40 CFR §63.6645(f) IS APPLICABLE]

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[NOTE: THE PERMITTEE SUBMITTED SOURCE ID 101'S INITIAL NOTIFICATION TO THE DEPARTMENT & U.S. EPA VIA LETTERS DATED AUGUST 19, 2010 & OCTOBER 5, 2010, RESPECTIVELY; THE PERMITTEE SUBMITTED SOURCE ID 101A'S INITIAL NOTIFICATION TO BOTH U.S. EPA AND THE DEPARTMENT VIA A LETTER DATED JUNE 23, 2014]

(g) [NA – PERFORMANCE TEST NOT REQUIRED]

(h) [NA – PERFORMANCE TEST OR OTHER INITIAL COMPLIANCE DEMONSTRATIONS AS SPECIFIED IN TABLE 4 NOT REQUIRED]

(i) [NA – FACILITY IS A MAJOR SOURCE OF HAPS]

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020]

§ 63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you. [NOTE: THE APPLICABLE TABLE 7 REQUIREMENTS ARE DESCRIBED BELOW]

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

**SECTION E. Source Group Restrictions.**

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period 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 § 63.6605(b), including actions taken to correct a malfunction. [NOTE: PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(5) [NOTE: PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(6) [NA – ENGINES DO NOT USE CMS]

(d) [NOTE: PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(e) [NOTE: PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

[NOTE: 40 CFR §63.6590(b)(2) EXPLICITLY STATES THAT 40 CFR §63.6650(g) IS APPLICABLE]

(h) [NA – ENGINES ARE NOT EMERGENCY USE]

Table 7 to 40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Requirements for Reports)

As stated in 40 CFR §63.6650, you must comply with the following requirements for reports:

For each new or reconstructed non-emergency stationary RICE > 500 brake HP located at a major source of HAP, you must submit a compliance report. The report must contain:

**SECTION E. Source Group Restrictions.**

(1)(a)(i) [N/A - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(1)(b)(i) [N/A - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(1)(c)(i) If you had a malfunction during the reporting period, the information in 40 CFR §63.6650(c)(4). You must submit the report semiannually according to the requirements in 40 CFR §63.6650(b).

For each new or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit a report.

The report must contain:

(2)(a)(i) The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the gross heat input on an annual basis. You must submit the report annually according to the requirements in 40 CFR §63.6650; and

(2)(b)(i) The operating limits provided in your federally enforceable permit and any deviations from these limits. You must submit the report annually according to the requirements in 40 CFR §63.6650; and

(2)(c)(i) Any problems or errors suspected with the meters. You must submit the report annually according to the requirements in 40 CFR §63.6650.

END OF TABLE 7 REQUIREMENTS

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013]

§ 63.6655 What records must I keep?

(a) [NA - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(b) [NA - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ]

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors. [NOTE: 40 CFR §63.6590(b)(2) EXPLICITLY STATES THAT 40 CFR §63.6655(c) IS APPLICABLE]

(d) [N/A - PURSUANT TO 40 CFR §§63.6590(b)(2) AND 63.6600(c), THE STATIONARY RICEs DO NOT HAVE TO MEET THE EMISSION LIMITATIONS AND OPERATING LIMITATIONS OF 40 CFR PART 63, SUBPART ZZZZ; THEREFORE, TABLE 6 IS NOT APPLICABLE]

(e) [NA – ENGINES ARE DEFINED AS NEW UNITS]

(f) [NA – ENGINES ARE NOT EMERGENCY USE]

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013]

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

**SECTION E. Source Group Restrictions.**

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

§ 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

§ 63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA 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:

- (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
- (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
- (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
- (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
- (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).

§ 63.6675 What definitions apply to this subpart?

[INCORPORATED BY REFERENCE]

*** **Permit Shield in Effect.** ***

**SECTION E. Source Group Restrictions.**

Group Name: G04

Group Description: LFG-FIRED ENGINES

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §127.1]****Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the permittee shall not allow the emission into the outdoor atmosphere of any landfill gas leaks which result in concentrations of 500 ppmv or more, measured as propane (or 1375 ppmv, or more, measured as methane), at a distance of 0.5 inch from each Group G04 engine. Non-repeatable and momentary readings shall not be considered to be leaks, nor should measurements taken during routine equipment maintenance.

002 [25 Pa. Code §127.1]**Purpose.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the permittee shall not allow the emission into the outdoor atmosphere of visible air contaminants from each Group G04 engine in such a manner that the opacity of the emission is any of the following:

(a) Normal operation: Greater than 0% at any time.

(b) Start-up, shutdown and malfunction:

(1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any one hour.

(2) Greater than or equal to 60% at any time.

The following definitions for normal operation, start-up, shutdown and malfunction are applicable to this condition:

Normal operation means any operation that does not satisfy the definitions of start-up, shutdown or malfunction.

Start-up means the setting in operation of an affected source or portion of an affected source for any purpose.

Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

[Compliance with this streamlined permit condition assures compliance with the visible emissions limit specified in 25 Pa. Code §123.41]

003 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall comply with a CO emission cap of 244 tons during any consecutive 12-month period for the Group

**SECTION E. Source Group Restrictions.**

G04 sources. The CO emission cap for the Group G04 sources is a compliance cap, imposed for Prevention of Significant Deterioration (PSD) applicability purposes. This CO emission cap shall not provide any relief from PSD applicability determinations for any future physical change or change in the method of operation of the Group G04 sources at the facility. The Group G04 sources covered under the aforementioned CO emission cap shall be considered as one emissions unit, as defined in 25 Pa. Code §121.1 (relating to definitions), for PSD applicability purposes. Any future PSD applicability determinations must consider the baseline actual CO emissions of all of the Group G04 sources as one emissions unit and not the CO emission cap. In the event that PSD is triggered for any of the Group G04 sources covered by the CO emission cap, BACT shall apply to all of the Group G04 sources. If the permittee finds it necessary to relax the CO emission cap at some future date, the source obligation requirements of 40 CFR §52.21(r)(4) shall apply.

(b) The provisions of part (a), above, do not preclude the permittee from seeking and procuring a plant-wide applicability limit (PAL) pursuant to 40 CFR §52.21(aa).

Fuel Restriction(s).

004 [25 Pa. Code §127.1]

Purpose.

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §127.1, the permittee shall operate each Group G04 engine using only landfill gas generated by the Community Refuse Services, Inc./Cumberland County Landfill that has been treated by the associated landfill gas treatment system (Source ID 102 of Title V Operating Permit No. 21-05053) and meets all of the requirements of this operating permit.

Throughput Restriction(s).

005 [25 Pa. Code §127.512]

Operating permit terms and conditions.

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall not operate any Group G04 engine at a capacity less than 47.5 percent (hourly average) except during periods of start-up, shutdown or malfunction. In order to demonstrate compliance with this requirement, the control system shall be programmed to prevent any Group G04 engine to be set to operate at a capacity less than 47.5 percent (hourly average) of rated capacity.

(b) Each period of start-up or shutdown shall not exceed 30 minutes.

(c) If the permittee cannot correct a malfunction within 30 minutes of start-up, the Group G04 engine shall be shutdown.

(d) The following definitions for start-up, shutdown and malfunction are applicable to this condition:

(1) Start-up means the setting in operation of an affected source or portion of an affected source for any purpose;

(2) Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose; and

(3) Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(e) The permittee shall calculate the emissions during start-up, shutdown and malfunction periods. These emissions shall be included in source, facility and combined totals.

II. TESTING REQUIREMENTS.

006 [25 Pa. Code §127.512]

Operating permit terms and conditions.

(a) Unless otherwise approved in writing by DEP, the permittee shall do the following

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(1) Once during the permit term, test the Source ID 101A engine and one of the Source ID 101 engines for the following pollutants:

(i) EPA Reference Method 320, 323 or another Method approved by the Department - formaldehyde emissions; report formaldehyde emissions in units of g/bhp-hr (corrected to 3% oxygen on a dry basis).

(ii) EPA Reference Method 18, 25, 25C or another Method approved by the Department - NMOC emissions and NMOC destruction efficiency; report NMOC emissions in units of ppmvd (corrected to 3% oxygen on a dry basis); NMOC emissions shall be reported in terms of hexane; NMOC destruction efficiency shall be reported by weight.

(iii) EPA Reference Methods 201 & either 202 or OTM028, or another Method(s) approved by the Department - PM10 emissions (filterable and condensable shall be reported separately and together); report PM10 emissions in units of lb/hr.

(iv) EPA Reference Methods 5 & 202, or another Method(s) approved by the Department - PM emissions (filterable and condensable shall be reported separately and together); report PM emissions in units of lb/hr.

(v) EPA Reference Method 6A, 6B, 6C or another Method approved by the Department - SO_x emissions; report SO_x emissions in units of lb/hr and ppmvd; SO_x emissions shall be reported in terms of sulfur dioxide (SO₂).

For this testing, submit to DEP a test protocol for review and approval by no later than 365 days prior to the expiration of this permit, and not conduct the test that is the subject of the protocol until the protocol has been approved by DEP.

(2) Within 90 days of the Title V renewal issuance, submit a test protocol to the Department for approval for EPA reference method (or alternate method) stack testing in accordance with 25 Pa Code Chapter 139 and applicable EPA reference methods to quantify per- and polyfluoroalkyl substances (PFAS), which shall, at a minimum, include all of the target analytes in Table 45-1 of Other Test Method 45 (OTM-45), Revision 0, dated January 13, 2021.

(3) If DEP finds deficiencies in the protocol, the permittee shall provide a response to DEP addressing the deficiencies within 30 days of being notified of the deficiencies.

(4) Complete the performance test within 120 days of DEP's approval of the test protocol.

(b) Pursuant to 25 Pa. Code § 139.3 at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 25 Pa. Code Section 139.53(a)(3) within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office indicating the completion date of the on-site testing.

(d) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test

(e) Pursuant to 25 Pa. Code Section 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or noncompliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

1. A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

2. Permit number(s) and condition(s) which are the basis for the evaluation.

**SECTION E. Source Group Restrictions.**

3. Summary of results with respect to each applicable permit condition.

4. Statement of compliance or non-compliance with each applicable permit condition.

(f) Pursuant to 25 Pa. Code § 139.3 to all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(g) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(h) Pursuant to 25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecommm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, one digital copy of each submittal shall be made to each of the following:

Regional Office: Digital copy: RA-epsctesttesting@pa.gov

Bureau of Air Quality: Digital copy: RA-epstacktesting@pa.gov

(i) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

III. MONITORING REQUIREMENTS.

007 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall, at a minimum, conduct leak checks weekly on the treated landfill gas handling and processing equipment that is part of the facility to demonstrate compliance with Condition #001, above. This includes all plumbing of, and including the connection point to, the landfill gas collection system of the landfill. All leaks shall be repaired as soon as practicable.

(b) The permittee shall maintain records of the weekly leak checks described in part (a), above. The records shall include, at a minimum, the following information:

(1) The name of the company representative monitoring each leak check.

(2) The date and time of each leak check.

(3) A description of any leaks detected. If no leaks are detected, then document that no leaks were detected.

(c) The permittee shall retain records of these leak checks for a minimum of five (5) years. The records shall be made available to the Department upon its request.

IV. RECORDKEEPING REQUIREMENTS.

008 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053B]

(a) The permittee shall calculate the monthly CO emissions from the Group G04 engines. The permittee shall maintain records of the monthly CO emissions.

(b) The permittee shall calculate the cumulative Group G04 engine CO emissions for each consecutive 12-month period. The permittee shall maintain records of the cumulative Group G04 engine CO emissions for each consecutive 12-month period in order to demonstrate compliance with Condition #003, above.

**SECTION E. Source Group Restrictions.**

(c) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

009 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall maintain records of each start-up, shutdown and malfunction of each Group G04 engine in order to demonstrate compliance with Condition #005(b) and (c), above. The records shall include the date, time, duration and type of each event.

(b) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

010 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall maintain records of the following for the three Source ID 101 engines as a group and the Source ID 101A engine:

- (1) Monthly electricity generation (kWh).
- (2) Monthly fuel usage.
- (3) Fuel usage during each consecutive 12-month period.
- (4) Monthly hours of operation.
- (5) Monthly air emissions (e.g., CO, NO_x, PM₁₀, SO_x, VOC, formaldehyde, aggregate HAPs). Until the initial performance test is conducted, the air emissions shall be calculated using AP-42 emission factors, manufacturer-supplied emission factors, mass material balance, or other method(s) acceptable to the Department. The air emissions shall be calculated using the emission rates determined during the most recently approved performance test by the Department, except for air emissions during periods of start-up, shutdown and malfunction. The air emissions during periods of start-up, shutdown or malfunction shall be calculated using emission factors approved by the Department.
- (6) Air emissions (e.g., CO, NO_x, PM₁₀, SO_x, VOC, formaldehyde, aggregate HAPs) during each consecutive 12-month period.

(b) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

011 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) The permittee shall maintain the following records regarding each Group G04 engine in order to demonstrate compliance with Condition #015, below:

- (a) The date of the tuning procedures of the engine.
- (b) The name of the service company, if any, and technicians.
- (c) The final operating rate or load.
- (d) The final CO and NO_x emission rates.
- (e) The final excess oxygen rate.

(b) The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

**SECTION E. Source Group Restrictions.****V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.**# 012 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

(a) Any landfill gas not being fired in the Group G04 engines shall be directed to the Community Refuse Services, Inc./Cumberland County Landfill's enclosed ground flare (Source ID CEU07 of Title V Operating Permit No. 21-05031) and/or the permittee's enclosed ground flare (Source ID C102 of Title Operating Permit No. 21-05053). At no time shall landfill gas be exhausted to the atmosphere from any of the equipment, except during start-up, shutdown and malfunction. The amount of landfill gas exhausted to the atmosphere during start-up, shutdown and malfunction events shall be kept to a minimum. Each Group G04 engine shall be equipped with an automatic shut-off mechanism designed to immediately stop the flow of landfill gas when the engine shuts down.

(b) The terms "start-up", "shutdown" and "malfunction" are defined in Section E (Group G04), Condition #005(d), above.

013 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval Nos. 21-05053A & 21-05053B]

The permittee shall perform an annual adjustment and/or tune-up of each Group G04 engine which shall include the following:

(a) Inspection, adjustment, cleaning or replacement of combustion equipment, including stationary and moving parts necessary for proper operation as specified by the manufacturer.

(b) Inspection of the characteristics and adjustments necessary to minimize emissions of NO_x, and to the extent practicable, minimize emissions of CO.

(c) Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer.

(d) Sampling of the final NO_x and CO emission rates. This sampling shall be conducted with portable metering equipment in accordance with applicable manufacturer's calibrating and operating procedures.

VII. ADDITIONAL REQUIREMENTS.**# 014 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

[Additional authority for this permit condition is also derived from Plan Approval No. 21-05053A]

The Department may require the permittee to determine the ambient impact of any HAPs found in excess of their detection level in the exhaust from the engines. This determination shall be conducted in accordance with the Department's guidelines.

*** **Permit Shield in Effect.** ***

**SECTION E. Source Group Restrictions.**

Group Name: G05

Group Description: 25 PA CODE 129.96-129.100 PRESUMPTIVE NOX RACT II

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)
C102	PERMANENT ENCLOSED GROUND FLARE

I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.**# 001 [25 Pa. Code §129.96]****Applicability**

§ 129.96. Applicability.

(a) The NO_x requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a major NO_x emitting facility and the VOC requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a major VOC emitting facility that were in existence on or before July 20, 2012, for which a requirement or emission limitation, or both, has not been established in § § 129.51—129.52c, 129.54—129.69, 129.71—129.73, 129.75, 129.77, 129.101—129.107 and 129.301—129.310.

(b) [NA – FACILITY IS ALREADY MAJOR FOR NOX]

(c) This section and § § 129.97—129.100 do not apply to the owner and operator of a NO_x air contamination source located at a major NO_x emitting facility that has the potential to emit less than 1 TPY of NO_x or a VOC air contamination source located at a major VOC emitting facility that has the potential to emit less than 1 TPY of VOC.

(d) [NA – FACILITY IS ALREADY MAJOR FOR NOX]

§ 129.97. Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule.

**SECTION E. Source Group Restrictions.**

(a) The owner and operator of a source listed in one or more of subsections (b)—(h) located at a major NO_x emitting facility or major VOC emitting facility subject to § 129.96 (relating to applicability) shall comply with the applicable presumptive RACT requirement or RACT emission limitation, or both, beginning with the specified compliance date as follows, unless an alternative compliance schedule is submitted and approved under subsections (k)—(m) or § 129.99 (relating to alternative RACT proposal and petition for alternative compliance schedule):

(1) January 1, 2017, for a source subject to § 129.96(a).

(2) [NA – SOURCE IS EXISTING]

(b) [NA – UNITS ARE ENGINES]

(c) The owner and operator of a source specified in this subsection, which is located at a major NO_x emitting facility or major VOC emitting facility subject to § 129.96 shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices:

(1) A NO_x air contamination source that has the potential to emit less than 5 TPY of NO_x.

(2) A VOC air contamination source that has the potential to emit less than 2.7 TPY of VOC.

(3) [NA - UNITS ARE ENGINES]

(4) [NA - UNITS ARE ENGINES]

(5) [NA - ENGINES ARE GREATER THAN 500 BHP]

(6) [NA - UNITS ARE ENGINES]

(7) [NA – CAPACITY FACTOR NOT USED]

(8) [NA - ENGINES ARE NON EMERGENCY USE]

(d) [NA – FACILITY IS NOT MAJOR FOR VOC]

(e) [NA – 40 CFR 60 Subparts Cc and WWW have been superseded by 40 CFR 60 Subpart Cf and 40 CFR 62 Subpart OOO]

(f) [NA – NOT A MWI]

(g) Except as specified under subsection (c), the owner and operator of a NO_x air contamination source specified in this subsection, which is located at a major NO_x emitting facility or a VOC air contamination source specified in this subsection, which is located at a major VOC emitting facility subject to § 129.96 may not cause, allow or permit NO_x or VOCs to be emitted from the air contamination source in excess of the applicable presumptive RACT emission limitation:

(1) [NA – NO COMBUSTION UNITS OR PROCESS HEATERS]

(2) [NA – NO COMBUSTION TURBINES]

(3) A stationary internal combustion engine:

(i) For a lean burn stationary internal combustion engine with a rating equal to or greater than 500 bhp fired with:

(A) Natural gas or a noncommercial gaseous fuel, 3.0 grams NO_x/bhp-hr. [NOTE: THIS LIMIT IS SUPERSEDED BY THE NO_x LIMIT OF 1.0 g/bhp-hr ESTABLISHED AS BAT]

(B) [NA - FACILITY IS NOT A MAJOR SOURCE OF VOC]

**SECTION E. Source Group Restrictions.**

(ii) [NA – ENGINES ARE LFG FIRED]

(iii) [NA – ENGINES ARE LEAN BURN]

(4) [NA – UNITS FIRE ON LFG EXCLUSIVELY]

(h) [NA – NO PORTLAND CEMENT KILNS]

(i) The requirements and emission limitations of this section supersede the requirements and emission limitations of a RACT permit issued to the owner or operator of an air contamination source subject to one or more of subsections (b)—(h) prior to April 23, 2016, under § § 129.91—129.95 (relating to stationary sources of NO_x and VOCs) to control, reduce or minimize NO_x emissions or VOC emissions, or both, from the air contamination source unless the permit contains more stringent requirements or emission limitations, or both.

(j) The requirements and emission limitations of this section supersede the requirements and emission limitations of § § 129.201—129.205, 145.111—145.113 and 145.141—145.146 (relating to additional NO_x requirements; emissions of NO_x from stationary internal combustion engines; and emissions of NO_x from cement manufacturing) unless the requirements or emission limitations of § § 129.201—129.205, § § 145.111—145.113 or § § 145.141—145.146 are more stringent.

(k) [NA – UNITS CAN MEET PRESUMPTIVE RACT]

(l) The Department or appropriate approved local air pollution control agency will review the timely and complete written petition requesting an alternative compliance schedule submitted in accordance with subsection (k) and approve or deny the petition in writing.

(m) Approval or denial under subsection (l) of the timely and complete petition for an alternative compliance schedule submitted under subsection (k) will be effective on the date the letter of approval or denial of the petition is signed by the authorized representative of the Department or appropriate approved local air pollution control agency.

§ 129.98. Facility-wide or system-wide NO_x emissions averaging plan general requirements.

[NA – NO_x AVERAGING PLAN NOT USED]

§ 129.99. Alternative RACT proposal and petition for alternative compliance schedule.

[NA – UNITS CAN MEET PRESUMPTIVE RACT REQUIREMENTS]

§ 129.100. Compliance demonstration and recordkeeping requirements.

(a) Except as provided in subsection (c), the owner and operator of an air contamination source subject to a NO_x requirement or RACT emission limitation or VOC requirement or RACT emission limitation, or both, listed in § 129.97 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation by performing the following monitoring or testing procedures:

(1) [NA – UNITS ARE NOT EQUIPPED WITH CEMS]

(2) [NA – NO PORTLAND CEMENT KILNS]

(3) [NA – NOT A MWI]

(4) For an air contamination source without a CEMS, monitoring and testing in accordance with a Department-approved emissions source test that meets the requirements of Chapter 139, Subchapter A (relating to sampling and testing methods and procedures). The source test shall be conducted one time in each 5-year calendar period. [NOTE – THIS REQUIREMENT IS SUPERSEDED BY THE NO_x AND VOC SOURCE TESTING REQUIREMENTS OF 40 CFR

**SECTION E. Source Group Restrictions.**

60.4243(b)(2)(ii)]

(b) Except as provided in § 129.97(k) and § 129.99(i) (relating to alternative RACT proposal and petition for alternative compliance schedule), the owner and operator of an air contamination source subject to subsection (a) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation in accordance with the procedures in subsection (a) not later than:

(1) January 1, 2017, for a source subject to § 129.96(a) (relating to applicability).

(2) [NA – UNITS ARE EXISTING]

(c) [NA – NO WAIVER REQUESTED]

(d) The owner and operator of an air contamination source subject to this section and § § 129.96—129.99 shall keep records to demonstrate compliance with § § 129.96—129.99 in the following manner:

(1) The records must include sufficient data and calculations to demonstrate that the requirements of § § 129.96—129.99 are met.

(2) Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.

(e) Beginning with the compliance date specified in § 129.97(a), the owner or operator of an air contamination source claiming that the air contamination source is exempt from the applicable NO_x emission rate threshold specified in § 129.99(b) and the requirements of § 129.97 based on the air contamination source's potential to emit shall maintain records that demonstrate to the Department or appropriate approved local air pollution control agency that the air contamination source is not subject to the specified emission rate threshold.

(f) Beginning with the compliance date specified in § 129.97(a), the owner or operator of an air contamination source claiming that the air contamination source is exempt from the applicable VOC emission rate threshold specified in § 129.99(c) and the requirements of § 129.97 based on the air contamination source's potential to emit shall maintain records that demonstrate to the Department or appropriate approved local air pollution control agency that the air contamination source is not subject to the specified emission rate threshold.

(g) [NA – TUNE UPS NOT REQUIRED]

(h) [NA – NO PORTLAND CEMENT KILNS]

(i) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

*** Permit Shield in Effect. ***

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Group Name: G06

Group Description: NESHAP 40 CFR 63 Subpart AAAA

Sources included in this group

ID	Name
101	ENGINES (#1, #3, #4)
101A	LFG-FIRED ENGINE (#2)
102	LANDFILL GAS TREATMENT SYSTEM
C102	PERMANENT ENCLOSED GROUND FLARE

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.1930]****Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills****What is the purpose of this subpart?**

§ 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.

(a) Before September 28, 2021, all landfills described in § 63.1935 must meet the requirements of 40 CFR part 60, subpart WWW, or an approved state or federal plan that implements 40 CFR part 60, subpart Cc, and requires timely control of bioreactors and additional reporting requirements. Landfills must also meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions as specified in Table 1 to subpart AAAA of this part and must demonstrate compliance with the operating conditions by parameter monitoring results that are within the specified ranges. Specifically, landfills must meet the following requirements of this subpart that apply before September 28, 2021, as set out in: §§ 63.1955(a), 63.1955(b), 63.1965(a), 63.1965(c), 63.1975, 63.1981(a), 63.1981(b), and 63.1982, and the definitions of "Controlled landfill" and "Deviation" in § 63.1990.

(b) Beginning no later than September 27, 2021, all landfills described in § 63.1935 must meet the requirements of this subpart. A landfill may choose to meet the requirements of this subpart rather than the requirements identified in § 63.1930(a) at any time before September 27, 2021. The requirements of this subpart apply at all times, including during periods of SSM, and the SSM requirements of the General Provisions of this part do not apply.

§ 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 an 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) [NA - NOT A MAJOR SOURCE OF HAPS]

(2) [NA - NOT A MAJOR SOURCE OF HAPS]

(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 § 63.1959.

(b)[NA - NO BIOREACTOR]

§ 63.1940 What is the affected source of this subpart?

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(a) An affected source of this subpart is an 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 § 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 later.

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

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

[NA - NO BIOREACTOR]

§ 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 your landfill meets the collection and control system removal criteria in § 63.1957(b).

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

[NA – NO BIOREACTOR]

[85 FR 17261, Mar. 26, 2020]

§ 63.1955 What requirements must I meet?

(a) Before September 28, 2021, if alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping, or reporting provisions have already been approved under 40 CFR part 60, subpart WWW; subpart XXX; a federal plan; or an 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 § 63.1981(h), 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. Beginning no later than September 28, 2021, the collection and control system design plan may include for approval collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping, or reporting provisions, as provided in §63.1981(d)(2).

(b) [NA – NO BIOREACTOR]

(c) At all times, beginning no later than September 27, 2021, the owner or operator must 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. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if the requirements of this subpart have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will

**SECTION E. Source Group Restrictions.**

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.

[85 FR 17261, Mar. 26, 2020]

§ 63.1957 Requirements for gas collection and control system installation and removal.

(a) Operation. Operate the collection and control device in accordance with the provisions of §§ 63.1958, 63.1960, and 63.1961.

(b) Removal criteria. The collection and control system may be capped, removed, or decommissioned if the following criteria are met:

(1) The landfill is a closed landfill (as defined in § 63.1990). A closure report must be submitted to the Administrator as provided in § 63.1981(f);

(2) The gas collection and control system has been in operation a minimum of 15 years or the landfill owner or operator demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flow; and

(3) [NA – APPLIES TO THE LANDFILL]

[85 FR 17261, Mar. 26, 2020]

§ 63.1958 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 § 63.1957 must:

(a) [NA – APPLIES TO THE LANDFILL]

(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

(d) [NA – APPLIES TO THE LANDFILL]

(e) Operate the system as specified in § 60.753(e) of this chapter, except:

(1) Beginning no later than September 27, 2021, operate the system in accordance to § 63.1955(c) such that all collected gases are vented to a control system designed and operated in compliance with § 63.1959(b)(2)(iii). In the event the collection or control system is not operating:

(i) The gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating; and

(ii) Efforts to repair the collection or control system must be initiated and completed in a manner such that downtime is kept to a minimum, and the collection and control system must be returned to operation.

(2) [Reserved]

(f) Operate the control system at all times when the collected gas is routed to the system.

(g) [NA – APPLIES TO THE LANDFILL]

[85 FR 17261, Mar. 26, 2020, as amended at 85 FR 64400, Oct. 13, 2020]

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§ 63.1959 NMOC calculation procedures.

(a) [NA – APPLIES TO THE LANDFILL]

(b) Each owner or operator of an affected source having a design capacity equal to or greater than 2.5 million Mg and 2.5 million m³ must either comply with paragraph (b)(2) of this section or calculate an NMOC emission rate for the landfill using the procedures specified in paragraph (a) of this section. The NMOC emission rate must be recalculated annually, except as provided in § 63.1981(c)(1)(ii)(A).

(1) [NA – APPLIES TO THE LANDFILL]

(2) If the calculated NMOC emission rate is equal to or greater than 50 Mg/yr using Tier 1, 2, or 3 procedures, the owner or operator must either:

(i) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year as specified in § 63.1981(d) or calculate NMOC emissions using the next higher tier in paragraph (a) of this section. The collection and control system must meet the requirements in paragraphs (b)(2)(ii) and (iii) of this section.

(ii) Collection system. Install and start up a collection and control system that captures the gas generated within the landfill as required by paragraphs (b)(2)(ii)(B) or (C) and (b)(2)(iii) of this section within 30 months after:

(A) The first annual report in which the NMOC emission rate equals or exceeds 50 Mg/yr, unless Tier 2 or Tier 3 sampling demonstrates that the NMOC emission rate is less than 50 Mg.

(B) An active collection system must:

(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 system equipment;

(2) [NA – APPLIES TO THE LANDFILL]

(3) Collect gas at a sufficient extraction rate; and

(4) [NA – APPLIES TO THE LANDFILL]

(C) [NA – APPLIES TO THE LANDFILL]

(iii) Control system. 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) [N/A - EPP IS NOT PERMITTED TO OPERATE A NON-ENCLOSED FLARE.]

(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 ppmv, dry basis as hexane at 3-percent oxygen. The reduction efficiency or ppmv must 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 paragraph (e) of this section. The performance test is not required for boilers and process heaters with design heat input capacities equal to or greater than 44 megawatts that burn landfill gas for compliance with this subpart.

(1) [NA – NO BOILER OR PROCESS HEATER]

(2) The control device must be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §§ 63.1961(b) through (e);

(C) A treatment system that processes the collected gas for subsequent sale or beneficial use such as fuel for combustion, production of vehicle fuel, production of high-British thermal unit (Btu) gas for pipeline injection, or use as a raw material in

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a chemical manufacturing process. Venting of treated landfill gas to the ambient air is not allowed. If the treated landfill gas cannot be routed for subsequent sale or beneficial use, then the treated landfill gas must be controlled according to either paragraph (b)(2)(iii)(A) or (B) of this section.

(D) All emissions from any atmospheric vent from the gas treatment system are subject to the requirements of paragraph (b)(2)(iii)(A) or (B) of this section. For purposes of this subpart, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of paragraph (b)(2)(iii)(A) or (B) of this section.

(c) After the installation and startup of a collection and control system in compliance with this subpart, the owner or operator must calculate the NMOC emission rate for purposes of determining when the system can be capped, removed, or decommissioned as provided in § 63.1957(b)(3), using Equation 3:

[SEE REGULATION FOR EQUATION]

Where: MNMOC = Mass emission rate of NMOC, Mg/yr. QLFG = Flow rate of landfill gas, m³ per minute. CNMOC = Average NMOC concentration, ppmv as hexane. 1.89×10^{-3} = Conversion factor.

(1) [NA – APPLIES TO THE LANDFILL]

(2) [NA – APPLIES TO THE LANDFILL]

(3) [NA – APPLIES TO THE LANDFILL]

(i) Within 60 days after the date of completing each performance test (as defined in § 63.7), the owner or operator must submit the results of the performance test, including any associated fuel analyses, according to § 63.1981(l)(1).

(ii) [Reserved]

(d) For the performance test required in § 63.1959(b)(2)(iii)(B), EPA Method 25 or 25C (EPA Method 25C of appendix A-7 to part 60 of this chapter may be used at the inlet only) 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 § 63.1981(d)(2). EPA Method 3, 3A, or 3C of appendix A-7 to part 60 must 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), EPA Method 25A should be used in place of EPA Method 25. EPA Method 18 may be used in conjunction with EPA Method 25A on a limited basis (compound specific, e.g., methane) or EPA Method 3C may be used to determine methane. The methane as carbon should be subtracted from the EPA Method 25A total hydrocarbon value as carbon to give NMOC concentration as carbon. The landowner or operator must divide the NMOC concentration as carbon by 6 to convert from the CNMOC as carbon to CNMOC as hexane. Equation 4 must be used to calculate efficiency.

[SEE REGULATION FOR EQUATION]

Where: NMOC_{in} = Mass of NMOC entering control device. NMOC_{out} = Mass of NMOC exiting control device.

(e) For the performance test required in § 63.1959(b)(2)(iii)(A), the net heating value of the combusted landfill gas as determined in § 63.11(b)(6)(ii) is calculated from the concentration of methane in the landfill gas as measured by EPA Method 3C of appendix A to part 60 of this chapter. A minimum of three 30-minute EPA Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. EPA Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under § 63.11(b)(7) of subpart A.

(1) Within 60 days after the date of completing each performance test (as defined in § 63.7), the owner or operator must submit the results of the performance tests, including any associated fuel analyses, required by § 63.1959(c) or (e) according to § 63.1981(l)(1).

(2) [Reserved]

(f) The performance tests required in §§ 63.1959(b)(2)(iii)(A) and (B), must be conducted under such conditions as the

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Administrator specifies to the owner or operator based on representative performance of the affected source for the period being tested. Representative conditions exclude periods of startup and shutdown unless specified by the Administrator. The owner or operator may not conduct performance tests during periods of malfunction. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. 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.

[85 FR 17261, Mar. 26, 2020, as amended at 85 FR 64400, Oct. 13, 2020]

§ 63.1960 Compliance provisions.

(a) [NA – APPIES TO THE LANDFILL]

(b) [NA – APPIES TO THE LANDFILL]

(c) [NA – APPIES TO THE LANDFILL]

(d) [NA – APPIES TO THE LANDFILL]

(e)(1) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standards in introductory paragraph § 63.1958(e), the provisions of this subpart apply at all times, except during periods of SSM, provided that the duration of SSM does not exceed 5 days for collection systems and does not exceed 1 hour for treatment or control devices. You must comply with the provisions in Table 1 to subpart AAAA that apply before September 28, 2021.

(2) Once an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard in § 63.1958(e)(1), the provisions of this subpart apply at all times, including periods of SSM. During periods of SSM, you must comply with the work practice requirement specified in § 63.1958(e) in lieu of the compliance provisions in § 63.1960.

[85 FR 17261, Mar. 26, 2020, as amended at 85 FR 64400, Oct. 13, 2020]

§ 63.1961 Monitoring of operations.

Except as provided in § 63.1981(d)(2):

(a) [NA – APPLIES TO THE LANDFILL]

(b) Each owner or operator seeking to comply with § 63.1959(b)(2)(iii) using an enclosed combustor must 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 the control device and bypass of the control device (if applicable). The owner or operator must:

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

(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 must 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.

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(c) Each owner or operator seeking to comply with § 63.1959(b)(2)(iii) using a non-enclosed flare must 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; and

(2) A device that records flow to the flare and bypass of the flare (if applicable). The owner or operator must:

(i) Install, calibrate, and maintain a gas flow rate measuring device that records the flow to the control device at least every 15 minutes; and

(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 must 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 § 63.1959(b)(2)(iii) using a device other than a nonenclosed flare or an enclosed combustor or a treatment system must provide information satisfactory to the Administrator

as provided in § 63.1981(d)(2) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator must 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 § 63.1962 or seeking to monitor alternative parameters to those required by §§ 63.1958 through 63.1961 must provide information satisfactory to the Administrator as provided in § 63.1981(d)(2) and (3) 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) [NA – APPLIES TO THE LANDFILL]

(g) Each owner or operator seeking to demonstrate compliance with § 63.1959(b)(2)(iii)(C) using a landfill gas treatment system must calibrate, maintain, and operate according to the manufacturer's specifications a device that records flow to the treatment system and bypass of the treatment system (if applicable). Beginning no later than September 27, 2021, each owner or operator must maintain and operate all monitoring systems associated with the treatment system in accordance with the site-specific treatment system monitoring plan required in § 63.1983(b)(5)(ii). The owner or operator must:

(1) Install, calibrate, and maintain a gas flow rate measuring device that records the flow to the treatment system at least every 15 minutes; and

(2) 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 must 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.

(h) The monitoring requirements of paragraphs (a), (b), (c), (d), and (g) of this section apply at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the temperature and nitrogen and oxygen operational standards in introductory paragraph § 63.1958(c)(1), (d)(2), and (e)(1), the standards apply at all times.

[85 FR 17261, Mar. 26, 2020, as amended at 85 FR 64401, Oct. 13, 2020]

§ 63.1962 Specifications for active collection systems.

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(a) [NA – APPLIES TO THE LANDFILL]

(b) [NA – APPLIES TO THE LANDFILL]

(c) [NA – APPLIES TO THE LANDFILL]

[85 FR 17261, Mar. 26, 2020]

§ 63.1964 How is compliance determined?

Compliance is determined using performance testing, collection system monitoring, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data collected under § 63.1961(b)(1), (c)(1), and (d) are used to demonstrate compliance with the operating standards for control systems. If a deviation occurs, you have failed to meet the control device operating standards described in this subpart and have deviated from the requirements of this subpart.

(a) Before September 28, 2021, you must develop a written SSM plan according to the provisions in § 63.6(e)(3) of subpart A. 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.

(b) After September 27, 2021, the SSM provisions of § 63.6(e) of subpart A no longer apply to this subpart and the SSM plan developed under paragraph (a) of this section no longer applies. Compliance with the emissions standards and the operating standards of § 63.1958 of this subpart is required at all times.

[85 FR 17261, Mar. 26, 2020]

§ 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 § 63.1983(c)(1) 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) Before September 28, 2021, a deviation occurs when a SSM plan is not developed or maintained on site and when an affected source fails to meet any emission limitation, (including any operating limit), or work practice requirement in this subpart during SSM, regardless of whether or not such failure is permitted by this subpart.

[85 FR 17261, Mar. 26, 2020]

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

Before September 28, 2021, averages are calculated in the same way as they are calculated in 40 CFR part 60, subpart WWW (§ 60.758(b)(2)(i) for average combustion temperature and § 60.758(c) for 3-hour average combustion temperature for enclosed combustors), except that the data collected during the events listed in paragraphs (a) through (d) of this section are not to be included in any average computed under this subpart. Beginning no later than September 27, 2021, averages are calculated according to §§ 63.1983(b)(2)(i) and 63.1983(c)(1)(i) and the data collected during the events listed in paragraphs (a) through (d) of this section are 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.

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(d) Malfunctions.

[85 FR 17261, Mar. 26, 2020]

§ 63.1981 What reports must I submit?

You must submit the reports specified in this section and the reports specified in Table 1 to this subpart. If you have previously submitted a design capacity report, amended design capacity report, initial NMOC emission rate report, initial or revised collection and control system design plan, closure report, equipment removal report, or initial performance test under 40 CFR part 60, subpart WWW; 40 CFR part 60, subpart XXX; or a federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR part 60, subpart Cc or 40 CFR part 60, subpart Cf, then that submission constitutes compliance with the design capacity report in paragraph (a) of this section, the amended design capacity report in paragraph (b) of this section, the initial NMOC emission rate report in paragraph (c) of this section, the initial collection and control system design plan in paragraph (d) of this section, the revised design plan in paragraph (e) of this section, the closure report in paragraph (f) of this section, the equipment removal report in paragraph (g) of this section, and the initial performance test report in paragraph (i) of this section. You do not need to re-submit the report(s). However, you must include a statement certifying prior submission of the respective report(s) and the date of submittal in the first semi-annual report required in this section.

(a) Initial design capacity report. The initial design capacity report must contain the information specified in § 60.757(a)(2) of this chapter, except beginning no later than September 28, 2021, the report must contain:

(1) 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.

(2) 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 must be calculated using good engineering practices. The calculations must be provided, along with the relevant parameters as part of the report. The landfill may calculate design capacity in either Mg or m³ for comparison with the exemption values. 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 Mg or 2.5 million m³, the calculation must include a site-specific density, which must be recalculated annually. Any density conversions must be documented and submitted with the design capacity 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.

(b) Amended design capacity report. An amended design capacity report must 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 meet or exceed 2.5 million Mg and 2.5 million m³. 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 § 63.1983(f).

(c) NMOC emission rate report. Each owner or operator subject to the requirements of this subpart must submit a copy of the latest NMOC emission rate report that was submitted according to § 60.757(b) of this chapter or submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in paragraph (c)(1)(ii)(A) of this section. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate. If you have submitted an annual report under 40 CFR part 60, subpart WWW; 40 CFR part 60, subpart XXX; or a Federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR part 60, subpart Cc or 40 CFR part 60, subpart Cf, then that submission constitutes compliance with the annual NMOC emission rate report in this paragraph. You do not need to re-submit the annual report for the current year. Beginning no later than September 27, 2021, the report must meet the following requirements:

(1) The NMOC emission rate report must contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in § 63.1959(a) or (b), as applicable.

(i) The initial NMOC emission rate report must be submitted no later than 90 days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or

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after March 12, 1996.

(ii) Subsequent NMOC emission rate reports must be submitted annually thereafter, except as provided for in paragraph (c)(1)(ii)(A) of this section.

(A) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 Mg/yr 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 must 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 must be provided to the Administrator. This estimate must 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 must be submitted to the Administrator. The revised estimate must cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

(B) The report must be submitted following the procedure specified in paragraph (l)(2) of this section.

(2) The NMOC emission rate report must 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 to submit an NMOC emission rate report, after installing a collection and control system that complies with § 63.1959(b)(2), during such time as the collection and control system is in operation and in compliance with §§ 63.1958 and 63.1960.

(d) Collection and control system design plan. Each owner or operator subject to the provisions of § 63.1959(b)(2) must submit a collection and control system design plan to the Administrator for approval according to § 60.757(c) of this chapter and the schedule in § 60.757(c)(1) and (2). Beginning no later than September 27, 2021, each owner or operator subject to the provisions of § 63.1959(b)(2) must submit a collection and control system design plan to the Administrator according to paragraphs (d)(1) through (6) of this section. The collection and control system design plan must be prepared and approved by a professional engineer.

(1) The collection and control system as described in the design plan must meet the design requirements in § 63.1959(b)(2).

(2) The collection and control system design plan must include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of §§ 63.1957 through 63.1983 proposed by the owner or operator.

(3) The collection and control system design plan must either conform with specifications for active collection systems in § 63.1962 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to § 63.1962.

(4) Each owner or operator of an MSW landfill affected by this subpart must submit a collection and control system design plan to the Administrator for approval within 1 year of becoming subject to this subpart.

(5) The landfill owner or operator must notify the Administrator that the design plan is completed and submit a copy of the plan's signature page. The Administrator has 90 days to decide whether the design plan should be submitted for review. If the Administrator chooses to review the plan, the approval process continues as described in paragraph (d)(6) of this section. In the event that the design plan is required to be modified to obtain approval, the owner or operator must take any steps necessary to conform any prior actions to the approved design plan and any failure to do so could result in an enforcement action.

(6) Upon receipt of an initial or revised design plan, the Administrator must review the information submitted under paragraphs (d)(1) through (3) 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.

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(e) Revised design plan. Beginning no later than September 27, 2021, the owner or operator who has already been required to submit a design plan under paragraph (d) of this section must submit a revised design plan to the Administrator for approval as follows:

(1) At least 90 days before expanding operations to an area not covered by the previously approved design plan, was submitted to the Administrator according to paragraph (d) of this section.

(f) Closure report. Each owner or operator of a controlled landfill must 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 § 258.60 of this chapter. 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 § 63.9(b) of subpart A.

(g) Equipment removal report. Each owner or operator of a controlled landfill must submit an equipment removal report as provided in § 60.757(e) of this chapter. Each owner or operator of a controlled landfill must submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) Beginning no later than September 27, 2021, the equipment removal report must contain all of the following items:

(i) A copy of the closure report submitted in accordance with paragraph (f) of this section;

(ii) A copy of the initial performance test report demonstrating that the 15-year minimum control period has expired, or information that demonstrates that the gas collection and control system will be unable to operate for 15 years due to declining gas flows. In the equipment removal report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's Central Data Exchange (CDX); and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 Mg or greater of NMOC per year. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in § 63.1957(b) have been met.

(h) Semi-annual report. The owner or operator of a landfill seeking to comply with § 63.1959(b)(2) using an active collection system designed in accordance with § 63.1959(b)(2)(ii) must submit to the Administrator semi-annual reports. Beginning no later than September 27, 2021, you must submit the report, following the procedure specified in paragraph (l) of this section. The initial report must be submitted within 180 days of installation and startup of the collection and control system and must include the initial performance test report required under § 63.7 of subpart A, as applicable. In the initial report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's CDX. For enclosed combustion devices and flares, reportable exceedances are defined under § 63.1983(c). The semi-annual reports must contain the information in paragraphs (h)(1) through (8) of this section.

(1) Number of times that applicable parameters monitored under § 63.1958(b), (c), and (d) were exceeded and when the gas collection and control system was not operating under § 63.1958(e), including periods of SSM. For each instance, report the date, time, and duration of each exceedance.

(i) [NA – APPLIES TO THE LANDFILL]

(ii) [NA – APPLIES TO THE LANDFILL]

(iii) Beginning no later than September 27, 2021, number of times the parameters for the site-specific treatment system in § 63.1961(g) were exceeded.

(2) Description and duration of all periods when the gas stream was diverted from the control device or treatment system

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through a bypass line or the indication of bypass flow as specified under § 63.1961.

(3) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating.

(4) All periods when the collection system was not operating.

(5) [NA – APPLIES TO THE LANDFILL]

(6) [NA – APPLIES TO THE LANDFILL]

(7) [NA – APPLIES TO THE LANDFILL]

(8) [NA – APPLIES TO THE LANDFILL]

(i) [NA - APPLIES TO THE LANDFILL]

(j) [NA – APPLIES TO THE LANDFILL]

(k) [NA – APPLIES TO THE LANDFILL]

(l) Electronic reporting. Beginning no later than September 27, 2021, the owner or operator must submit reports electronically according to paragraphs (l)(1) and (2) of this section.

(1) Within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (l)(1)(i) through (iii) of this section.

(i) Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test. Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

(ii) Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test. The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI.

(iii) Confidential business information (CBI). If you claim some of the information submitted under paragraph (a) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to the EPA. The file must be generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (l)(1)(i) of this section.

(2) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via CEDRI. CEDRI can be accessed through the EPA's CDX. The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). Once the spreadsheet template upload/forms for the reports have been available in CEDRI for 90 days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted. The NMOC emission rate reports, semi-annual reports, and bioreactor 40-percent moisture reports should be electronically reported as a spreadsheet template upload/form to CEDRI. If the reporting forms specific to this subpart are not available in CEDRI at the

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time that the reports are due, the owner or operator must submit the reports to the Administrator at the appropriate address listed in § 63.13 of subpart A.

(m) Claims of EPA system outage. Beginning no later than September 27, 2021, if you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to comply timely with the reporting requirement. To assert a claim of EPA system outage, you must meet the following requirements:

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning 5 business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) Measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(n) Claims of force majeure. Beginning no later than September 2, 2021, if you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to comply timely with the reporting requirement. To assert a claim of force majeure, you must meet the following requirements:

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning 5 business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) Measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

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(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

[85 FR 17261, Mar. 26, 2020]

§ 63.1982 What records and reports must I submit and keep for bioreactors or liquids addition other than leachate?

[NA - NO BIOREACTOR OR LIQUIDS OTHER THAN LEACHATE]

[85 FR 17261, Mar. 26, 2020]

§ 63.1983 What records must I keep?

You must keep records as specified in this subpart. You must also keep records as specified in the general provisions of 40 CFR part 63 as shown in Table 1 to this subpart.

(a) [NA – APPLIES TO THE LANDFILL]

(b) Except as provided in § 63.1981(d)(2), each owner or operator of a controlled landfill must keep up-to-date, readily accessible records for the life of the control system equipment of the data listed in paragraphs (b)(1) through (5) of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring must be maintained for a minimum of 5 years. Records of the control device vendor specifications must be maintained until removal.

(1) [NA – APPLIES TO THE LANDFILL]

(2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with § 63.1959(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 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 § 63.1959(b)(2)(iii)(B) achieved by the control device.

(3) [NA – NO BOILER OR PROCESS HEATER]

(4) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with § 63.1959(b)(2)(iii)(A) through use of a non-enclosed 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 § 63.11; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame or the flare flame is absent.

(5) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with § 63.1959(b)(2)(iii)(C) through use of a landfill gas treatment system:

(i) Bypass records. Records of the flow of landfill gas to, and bypass of, the treatment system.

(ii) Site-specific treatment monitoring plan. Beginning no later than September 27, 2021, the owner or operator must prepare a site-specific treatment monitoring plan to include:

(A) Monitoring records of parameters that are identified in the treatment system monitoring plan and that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. At a minimum, records should include records of filtration, de-watering, and compression parameters that ensure the treatment system is operating properly for each intended end use of the treated landfill gas.

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(B) Monitoring methods, frequencies, and operating ranges for each monitored operating parameter based on manufacturer's recommendations or engineering analysis for each intended end use of the treated landfill gas.

(C) Documentation of the monitoring methods and ranges, along with justification for their use.

(D) List of responsible staff (by job title) for data collection.

(E) Processes and methods used to collect the necessary data.

(F) Description of the procedures and methods that are used for quality assurance, maintenance, and repair of all continuous monitoring systems (CMS).

(c) Except as provided in § 63.1981(d)(2), each owner or operator of a controlled landfill subject to the provisions of this subpart must keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in § 63.1961 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 must be recorded and reported under § 63.1981(h):

(i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million Btu per hour) or greater, all 3-hour periods of operation during which the average temperature was more than 28 degrees Celsius (82 degrees Fahrenheit) below the average combustion temperature during the most recent performance test at which compliance with § 63.1959(b)(2)(iii) was determined.

(ii) [NA – NO BOILER OR PROCESS HEATER]

(2) Each owner or operator subject to the provisions of this subpart must keep up-to-date, readily accessible continuous records of the indication of flow to the control system and 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 § 63.1961(b)(2)(ii), (c)(2)(ii), and (g)(2).

(3) [NA – NO BOILER OR PROCESS HEATER]

(4) Each owner or operator seeking to comply with the provisions of this subpart by use of a non-enclosed flare must keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under § 63.1961(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

(5) Each owner or operator of a landfill seeking to comply with § 63.1959(b)(2) using an active collection system designed in accordance with § 63.1959(b)(2)(ii) must keep records of periods when the collection system or control device is not operating.

(6) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard in § 63.1958(e)(1), the date, time, and duration of each startup and/or shutdown period, recording the periods when the affected source was subject to the standard applicable to startup and shutdown.

(7) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard in § 63.1958(e)(1), in the event that an affected unit fails to meet an applicable standard, record the information below in this paragraph:

(i) For each failure record the date, time and duration of each failure and the cause of such events (including unknown cause, if applicable).

(ii) For each failure to meet an applicable standard; record and retain a list of the affected sources or equipment.

(iii) Record actions taken to minimize emissions in accordance with the general duty of § 63.1955(c) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(8) Beginning no later than September 27, 2021, in lieu of the requirements specified in § 63.8(d)(3) of subpart A you must

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keep the written procedures required by § 63.8(d)(2) on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, you must keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The program of corrective action should be included in the plan required under § 63.8(d)(2).

(d) [NA – APPLIES TO THE LANDFILL]

(e) [NA – APPLIES TO THE LANDFILL]

(f) [NA – APPLIES TO THE LANDFILL]

(g) [NA – APPLIES TO THE LANDFILL]

(h) [NA – APPLIES TO THE LANDFILL]

[85 FR 17261, Mar. 26, 2020, as amended at 85 FR 64401, Oct. 13, 2020]

§ 63.1985 Who enforces this subpart?

(a) This subpart can be implemented and enforced by the 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 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 through 63.1962. Where this subpart references 40 CFR part 60, subpart WWW, the cited provisions will be delegated according to the delegation provisions of 40 CFR part 60, subpart WWW. For this subpart, the EPA also retains the authority to approve methods for determining the NMOC concentration in § 63.1959(a)(3) and the method for determining the site-specific methane generation rate constant k in § 63.1959(a)(4).

[85 FR 17261, Mar. 26, 2020]

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).



SECTION E. Source Group Restrictions.

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

***** Permit Shield in Effect. *****



SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this Title V facility.



SECTION G. Emission Restriction Summary.

No emission restrictions listed in this section of the permit.



SECTION H. Miscellaneous.

NOTE: The capacities/throughputs listed in Section A are for informational use only and should not be used as enforceable limitations.

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1. The landfill gas throughput for the Source ID 101 & 101A engines is 507 cubic feet per minute per engine at a 50% methane (CH4) content. The throughput may vary in accordance with actual methane content. This variation also applies to the Source ID 102 landfill gas treatment system and the Source ID C102 enclosed ground flare.
 2. Source ID 101 - consists of three (3) 2233 bhp Caterpillar, Model 3520C, engines that were previously the subject of Plan Approval No. 21-05053A.
 3. Source ID 101A - consists of one (1) 2233 bhp Caterpillar, Model 3520C, engine that was previously the subject of Plan Approval No. 21-05053B.
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***** End of Report *****
