

**STATE OF MISSISSIPPI
AIR POLLUTION CONTROL
TITLE V PERMIT**

TO OPERATE AIR EMISSIONS EQUIPMENT

THIS CERTIFIES THAT

Waste Management of Tunica Landfill, Inc.
6035 Bowdre Road
Robinsonville, Mississippi
Tunica County

has been granted permission to operate air emissions equipment in accordance with emission limitations, monitoring requirements and conditions set forth herein. This permit is issued in accordance with Title V of the Federal Clean Air Act (42 U.S.C.A. § 7401 - 7671) and the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et. seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder.

Permit Issued: July 13, 2010

Effective Date: As specified herein.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Expires: June 30, 2015

Permit No.: 2660-00033

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SECTION 1. GENERAL CONDITIONS

- 1.1 The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Federal Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [Ref.: APC-S-6, Section III.A.6.a]
- 1.2 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. [Ref.: APC-S-6, Section III.A.6.b]
- 1.3 This permit and/or any part thereof 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 any permit condition. [Ref.: APC-S-6, Section III.A.6.c]
- 1.4 This permit does not convey any property rights of any sort, or any exclusive privilege. [Ref.: APC-S-6, Section III.A.6.d]
- 1.5 The permittee shall furnish to the DEQ within a reasonable time any information the DEQ 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. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permittee or, for information to be confidential, the permittee shall furnish such records to DEQ along with a claim of confidentiality. The permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [Ref.: APC-S-6, Section III.A.6.e]
- 1.6 The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. [Ref.: APC-S-6, Section III.A.5]
- 1.7 The permittee shall pay to the DEQ an annual permit fee. The amount of fee shall be determined each year based on the provisions of regulated pollutants for fee purposes and the fee schedule specified in the Commission on Environmental Quality's order which shall be issued in accordance with the procedure outlined in Regulation APC-S-6.
 - (a) For purposes of fee assessment and collection, the permittee shall elect for actual or allowable emissions to be used in determining the annual quantity of emissions unless the Commission determines by order that the method chosen by the applicant for calculating actual emissions fails to reasonably represent actual emissions. Actual

emissions shall be calculated using emission monitoring data or direct emissions measurements for the pollutant(s); mass balance calculations such as the amounts of the pollutant(s) entering and leaving process equipment and where mass balance calculations can be supported by direct measurement of process parameters, such direct measurement data shall be supplied; published emission factors such as those relating release quantities to throughput or equipment type (e.g., air emission factors); or other approaches such as engineering calculations (e.g., estimating volatilization using published mathematical formulas) or best engineering judgements where such judgements are derived from process and/or emission data which supports the estimates of maximum actual emission. [Ref.: APC-S-6, Section VI.A.2]

- (b) If the Commission determines that there is not sufficient information available on a facility's emissions, the determination of the fee shall be based upon the permitted allowable emissions until such time as an adequate determination of actual emissions is made. Such determination may be made anytime within one year of the submittal of actual emissions data by the permittee. (Ref.: APC-S-6, Section VI.A.2.) If at any time within the year the Commission determines that the information submitted by the permittee on actual emissions is insufficient or incorrect, the permittee will be notified of the deficiencies and the adjusted fee schedule. Past due fees from the adjusted fee schedule will be paid on the next scheduled quarterly payment time. [Ref.: APC-S-6, Section VI.D.2]
 - (c) The fee shall be due September 1 of each year. By July 1 of each year the permittee shall submit an inventory of emissions for the previous year on which the fee is to be assessed. The permittee may elect a quarterly payment method of four (4) equal payments; notification of the election of quarterly payments must be made to the DEQ by the first payment date of September 1. The permittee shall be liable for penalty as prescribed by State Law for failure to pay the fee or quarterly portion thereof by the date due. [Ref.: APC-S-6, Section VI.D]
 - (d) If in disagreement with the calculation or applicability of the Title V permit fee, the permittee may petition the Commission in writing for a hearing in accordance with State Law. Any disputed portion of the fee for which a hearing has been requested will not incur any penalty or interest from and after the receipt by the Commission of the hearing petition. [Ref.: APC-S-6, Section VI.C]
- 1.8 No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. [Ref.: APC-S-6, Section III.A.8.]
- 1.9 Any document required by this permit to be submitted to the DEQ shall contain a certification by a responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [Ref.: APC-S-6, Section II.E]

- 1.10 The permittee shall allow the DEQ, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- (a) enter upon the permittee's premises where a Title V source is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - (d) as authorized by the Federal Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [Ref.: APC-S-6, Section III.C.2]
- 1.11 Except as otherwise specified or limited herein, the permittee shall have necessary sampling ports and ease of accessibility for any new air pollution control equipment, obtained after May 8, 1970, and vented to the atmosphere. [Ref.: APC-S-1, Section 3.9(a)]
- 1.12 Except as otherwise specified or limited herein, the permittee shall provide the necessary sampling ports and ease of accessibility when deemed necessary by the Permit Board for air pollution control equipment that was in existence prior to May 8, 1970 [Ref.: APC-S-1, Section 3.9(b)]
- 1.13 Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance where such applicable requirements are included and are specifically identified in the permit or where the permit contains a determination, or summary thereof, by the Permit Board that requirements specifically identified previously are not applicable to the source. [Ref.: APC-S-6, Section III.F.1]
- 1.14 Nothing in this permit shall alter or affect the following:
- (a) the provisions of Section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section;
 - (b) the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - (c) the applicable requirements of the acid rain program, consistent with Section 408(a) of the Federal Act.
 - (d) the ability of EPA to obtain information from a source pursuant to Section 114 of the Federal Act. [Ref.: APC-S-6, Section III.F.2]

- 1.15 The permittee shall comply with the requirement to register a Risk Management Plan if permittee's facility is required pursuant to Section 112(r) of the Act to register such a plan. [Ref.: APC-S-6, Section III.H]
- 1.16 Expiration of this permit terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. A timely application is one which is submitted at least six (6) months prior to expiration of the Title V permit. If the permittee submits a timely and complete application, the failure to have a Title V permit is not a violation of regulations until the Permit Board takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit by the deadline specified in writing by the DEQ any additional information identified as being needed to process the application. [Ref.: APC-S-6, Section IV.C.2., Section IV.B., and Section II.A.1.C]
- 1.17 The permittee is authorized to make changes within their facility without requiring a permit revision (ref: Section 502(b)(10) of the Act) if:
- (a) the changes are not modifications under any provision of Title I of the Act;
 - (b) the changes do not exceed the emissions allowable under this permit;
 - (c) the permittee provides the Administrator and the Department with written notification in advance of the proposed changes (at least seven (7) days, or such other time frame as provided in other regulations for emergencies) and the notification includes:
 - (1) a brief description of the change(s),
 - (2) the date on which the change will occur,
 - (3) any change in emissions, and
 - (4) any permit term or condition that is no longer applicable as a result of the change;
 - (d) the permit shield shall not apply to any Section 502(b)(10) change. [Ref.: APC-S-6, Section IV.F]
- 1.18 Should the Executive Director of the Mississippi Department of Environmental Quality declare an Air Pollution Emergency Episode, the permittee will be required to operate in accordance with the permittee's previously approved Emissions Reduction Schedule or, in the absence of an approved schedule, with the appropriate requirements specified in Regulation APC-S-3, "Regulations for the Prevention of Air Pollution Emergency Episodes" for the level of emergency declared. (Ref.: APC-S-3)

- 1.19 Except as otherwise provided herein, a modification of the facility may require a Permit to Construct in accordance with the provisions of Regulations APC-S-2, "Permit Regulations for the Construction and/or Operation of Air Emissions Equipment", and may require modification of this permit in accordance with Regulations APC-S-6, "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act". Modification is defined as "[a]ny physical change in or change in the method of operation of a facility which increases the actual emissions or the potential uncontrolled emissions of any air pollutant subject to regulation under the Federal Act emitted into the atmosphere by that facility or which results in the emission of any air pollutant subject to regulation under the Federal Act into the atmosphere not previously emitted. A physical change or change in the method of operation shall not include:
- (a) routine maintenance, repair, and replacement;
 - (b) use of an alternative fuel or raw material by reason of an order under Sections 2 (a) and (b) of the Federal Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
 - (c) use of an alternative fuel by reason of an order or rule under Section 125 of the Federal Act;
 - (d) use of an alternative fuel or raw material by a stationary source which:
 - (1) the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166; or
 - (2) the source is approved to use under any permit issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;
 - (e) an increase in the hours of operation or in the production rate unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166; or
 - (f) any change in ownership of the stationary source."
- 1.20 Any change in ownership or operational control must be approved by the Permit Board. [Ref.: APC-S-6, Section IV.D.4]

- 1.21 This permit is a Federally approved operating permit under Title V of the Federal Clean Air Act as amended in 1990. All terms and conditions, including any designed to limit the source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act as well as the Commission. [Ref.: APC-S-6, Section III.B.1]
- 1.22 Except as otherwise specified or limited herein, the open burning of residential, commercial, institutional, or industrial solid waste, is prohibited. This prohibition does not apply to infrequent burning of agricultural wastes in the field, silvicultural wastes for forest management purposes, land-clearing debris, debris from emergency clean-up operations, and ordnance. Open burning of land-clearing debris must not use starter or auxiliary fuels which cause excessive smoke (rubber tires, plastics, etc.); must not be performed if prohibited by local ordinances; must not cause a traffic hazard; must not take place where there is a High Fire Danger Alert declared by the Mississippi Forestry Commission or Emergency Air Pollution Episode Alert imposed by the Executive Director and must meet the following buffer zones.
- (a) Open burning without a forced-draft air system must not occur within 500 yards of an occupied dwelling.
 - (b) Open burning utilizing a forced-draft air system on all fires to improve the combustion rate and reduce smoke may be done within 500 yards of but not within 50 yards of an occupied dwelling.
 - (c) Burning must not occur within 500 yards of commercial airport property, private air fields, or marked off-runway aircraft approach corridors unless written approval to conduct burning is secured from the proper airport authority, owner or operator. [Ref.: APC-S-1, Section 3.7]
- 1.23 Except as otherwise specified herein, the permittee shall be subject to the following provision with respect to emergencies.
- (a) Except as otherwise specified herein, an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
 - (b) An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in (c) following are met.

- (c) The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs, or other relevant evidence that include information as follows:
 - (1) an emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - (2) the permitted facility was at the time being properly operated;
 - (3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
 - (4) the permittee submitted notice of the emergency to the DEQ within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (d) In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (e) This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein. (Ref.: APC-S-6, Section III.G.)

1.24 Except as otherwise specified herein, the permittee shall be subject to the following provisions with respect to upsets, startups, shutdowns and maintenance.

- (a) Upsets (as defined by APC-S-1, Section 2.37)
 - (1) The occurrence of an upset constitutes an affirmative defense to an enforcement action brought for noncompliance with emission standards or other requirements of Applicable Rules and Regulations or any applicable permit if the permittee demonstrates through properly signed contemporaneous operating logs, or other relevant evidence that include information as follows:
 - (i) an upset occurred and that the permittee can identify the cause(s) of the upset;
 - (ii) the source was at the time being properly operated;
 - (iii) during the upset the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements of Applicable Rules and Regulations or any applicable permit;
 - (iv) the permittee submitted notice of the upset to the DEQ within 5 working days of the time the upset began; and

- (v) the notice of the upset shall contain a description of the upset, any steps taken to mitigate emissions, and corrective actions taken.
 - (2) In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
 - (3) This provision is in addition to any upset provision contained in any applicable requirement.
- (b) Startups and Shutdowns (as defined by APC-S-1, Sections 2.34 & 2.29)
- (1) Startups and shutdowns are part of normal source operation. Emissions limitations applicable to normal operation apply during startups and shutdowns except as follows:
 - (i) when sudden, unavoidable breakdowns occur during a startup or shutdown, the event may be classified as an upset subject to the requirements above;
 - (ii) when a startup or shutdown is infrequent, the duration of excess emissions is brief in each event, and the design of the source is such that the period of excess emissions cannot be avoided without causing damage to equipment or persons; or
 - (iii) when the emissions standards applicable during a startup or shutdown are defined by other requirements of Applicable Rules and Regulations or any applicable permit.
 - (2) In any enforcement proceeding, the permittee seeking to establish the applicability of any exception during a startup or shutdown has the burden of proof.
 - (3) In the event this startup and shutdown provision conflicts with another applicable requirement, the more stringent requirement shall apply.
- (c) Maintenance.
- (1) Maintenance should be performed during planned shutdown or repair of process equipment such that excess emissions are avoided. Unavoidable maintenance that results in brief periods of excess emissions and that is necessary to prevent or minimize emergency conditions or equipment malfunctions constitutes an affirmative defense to an enforcement action brought for noncompliance with emission standards, or other regulatory requirements if the permittee can demonstrate the following:

- (i) the permittee can identify the need for the maintenance;
 - (ii) the source was at the time being properly operated;
 - (iii) during the maintenance the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements of Applicable Rules and Regulations or any applicable permit;
 - (iv) the permittee submitted notice of the maintenance to the DEQ within 5 working days of the time the maintenance began or such other times as allowed by DEQ; and
 - (v) the notice shall contain a description of the maintenance, any steps taken to mitigate emissions, and corrective actions taken.
- (2) In any enforcement proceeding, the permittee seeking to establish the applicability of this section has the burden of proof.
- (3) In the event this maintenance provision conflicts with another applicable requirement, the more stringent requirement shall apply. [Ref.: APC-S-1, Section 10]

1.25 The permittee shall comply with all applicable standards for demolition and renovation activities pursuant to the requirements of 40 CFR Part 61, Subpart M, as adopted by reference in Regulation APC-S-1, Section 8. The permittee shall not be required to obtain a modification of this permit in order to perform the referenced activities. The full text of the referenced regulation is contained in Appendix B of this permit.

SECTION 2. EMISSION POINTS & POLLUTION CONTROL DEVICES

| Emission Point | Description |
|----------------|---|
| AA-001 | 27,000,000 cubic yard municipal landfill with a control device. |
| AA-022a | 110,000 gallon leachate storage tank |
| AA-022b | 110,000 gallon leachate storage tank |
| AA-022c | 110,000 gallon leachate storage tank |

SECTION 3. EMISSION LIMITATIONS & STANDARDS

A. Facility-Wide Emission Limitations & Standards

- 3.A.1 Except as otherwise specified or limited herein, the permittee shall not cause, permit, or allow the emission of smoke from a point source into the open air from any manufacturing, industrial, commercial or waste disposal process which exceeds forty (40) percent opacity subject to the exception provided in (a) below:
 - (a) Startup operations may produce emissions which exceed 40% opacity for up to fifteen (15) minutes per startup in any one hour and not to exceed three (3) startups per stack in any twenty-four (24) hour period.
- 3.A.2 Except as otherwise specified or limited herein, the permittee shall not cause, allow, or permit the discharge into the ambient air from any point source or emissions, any air contaminant of such opacity as to obscure an observer's view to a degree in excess of 40% opacity, equivalent to that provided in Paragraph 3.A.1. This shall not apply to vision obscuration caused by uncombined water droplets. [Ref.: APC-S-1, Section 3.2]

B. Emission Point Specific Emission Limitations & Standards

- 3.B.1 For Emission Point AA-001, when the landfill is closed and meets the conditions for control system removed specified in 40 CFR 60.752(b)(2)(v), a Title V operating permit shall no longer be required. [Ref. 40 CFR 60.752(d)]
- 3.B.2 For Emission Point AA-001, the permittee shall route all collected gas to the control system. The collection and control system shall comply with either paragraph (a), (b), (c) of this condition.

- (a) An open flare designed and operated in compliance with 40 CFR 60.18;
- (b) A control system designed and operated to reduce NMOC by 98% by weight, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98% by weight or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial start-up of the approved collection and control system using the test methods specified in 40 CFR 60.754(d).
 - (1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.
 - (2) The control device shall be operated within the parameters ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in 40 CFR 60.756;
- (c) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraphs (a) or (b) of Section 3.B.2 of this permit. [Ref. 40 CFR 60.752(b)(2)(iii)]

3.B.3 For Emission Point AA-001, the permittee shall operate the collection and control device installed to comply with Subpart WWW in accordance with 40 CFR Sections 60.753, 60.755 and 60.756. [Ref. 40 CFR 60.752(b)(2)(iv)]

3.B.4 For Emission Point AA-001, the permittee may cap or remove the collection and control system provided that all of the conditions of paragraphs (a), (b), and (c) of Condition 3.B.4 of this permit are met:

- (a) The landfill shall be a closed landfill as defined in 40 CFR 60.751 of Subpart WWW. A closure report shall be submitted to the Administrator as provided in 40 CFR 60.757(d);
- (b) The collection and control system shall have been in operation a minimum of 15 years; and
- (c) Following the procedures specified in 40 CFR 60.754(b) of Subpart WWW, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart and no more than 180 days apart. [Ref. 40 CFR 60.752(b)(2)(v)]

- 3.B.5 For Emission Point AA-001, the permittee shall not cause or permit the emission of any gas stream which contains hydrogen sulfide in excess of one grain per 100 standard cubic feet. Gas streams containing hydrogen sulfide in excess of one gram per 100 standard cubic feet shall be incinerated at temperatures of not less than 1600⁰ F for a period of not less than 0.5 seconds, or processed in such manner which is equivalent to or more effective for the remove of hydrogen sulfide. The permittee shall complete a performance test of the control system every five (5) years and be included with the Title V permit renewal application to demonstrate compliance with this condition. [Ref. APC-S-1, Section 4.2(b)]

- 3.B.6 For Emission Point AA-001, the permittee shall comply with 40 CFR Section 61.154 for asbestos containing material received from a source covered under 40 CFR Sections 60.149, 60.150, or 6-.155. The full text of the referenced regulations is contained in Appendix D of this permit. [Ref. 40 CFR 61.154]

- 3.B.7 Emission Point AA-001 is affected by and shall comply with the National Emission Standards for Hazardous Air Pollutants (NESHAP): Municipal Solid Waste Landfills. [Ref. 40 CFR Part 63, Subpart AAAA]

- 3.B.8 For Emission Point AA-001, the permittee shall comply with 40 CFR 63.1955(a)(1), 63.1955(b) and (c) and 40 CFR 63.1960. [Ref. 40 CFR Part 63, Subpart AAAA]

- 3.B.9 The full text of 40 CFR Part 60, Subpart WWW is contained in Appendix C of this permit. The full text of 40 CFR Part 63, Subpart AAAA is contained in Appendix D of this permit.

C. Insignificant and Trivial Activity Emission Limitations & Standards

| Applicable Requirement | Condition Number(s) | Pollutant/Parameter | Limit/Standard |
|----------------------------|---------------------|---------------------|---|
| APC-S-1, Section 3.4(a)(1) | 3.C.1 & 1.19 | PM | 0.6 lbs/MMBTU or as otherwise limited by facility modification restrictions |
| APC-S-1, Section 4.1(a) | 3.C.2 & 1.19 | SO ₂ | 4.8 lbs/MMBTU or as otherwise limited by facility modification restrictions |
| APC-A-1, Section 4.2(b) | 3.C.4 | H ₂ S | 1 grain/100 standard cubic foot |

- 3.C.1 The maximum permissible emission of ash and/or particulate matter from fossil fuel burning installations of less than 10 million BTU per hour heat input shall not exceed 0.6 pounds per million BTU per hour heat input.
- 3.C.2 The maximum discharge of sulfur oxides from any fuel burning installation in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 4.8 pounds (measured as sulfur dioxide) per million BTU heat input.
- 3.C.3 The maximum permitted emission of any gas stream which contains hydrogen sulfide shall not exceed one grain per 100 standard cubic feet. Gas streams containing hydrogen sulfide in excess of one grain per 100 standard cubic feet shall be incinerated at temperatures of not less than 1600⁰F for a period of not less than 0.5 seconds or processed in such a manner which is equivalent to or more effective for the removal of hydrogen sulfide. The permittee shall complete an analysis of the gas stream from the control system every five (5) years and include such analysis in the Title V permit renewal application to demonstrate compliance with this condition.
- 3.C.4 The permittee shall operate emission point AA-005, Solidification Basin, as described within the approved application.

D. Work Practice Standards

- 3.D.1 For Emission Point AA-001, in compliance with the provisions of Section 60.752(b)(2)(ii) of subpart WWW, the owner or operator of the MSW landfill shall:
- (a) Operate the gas collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:
 - (1) 5 years or more if active; or
 - (2) 2 years or more if closed or at final grade;
 - (b) Operate the gas collection system with negative pressure at each wellhead except under the following conditions:
 - (1) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the reports as provided in §60.757(f)(1);
 - (2) Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan;
 - (3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Administrator;
 - (c) Operate each interior wellhead in the collection system with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.
 - (1) The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by Sec. 60.752(b)(2)(i) of subpart WWW.
 - (2) Unless an alternative test method is established as allowed by Sec. 60.752(b)(2)(i) of subpart WWW, the oxygen shall be determined by an oxygen meter using Method 3A except that:
 - (a) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;
 - (b) A data recorder is not required;

- (c) Only two calibration gases are required, a zero and span, and ambient air may be used as the span;
 - (d) A calibration error check is not required;
 - (e) The allowable sample bias, zero drift, and calibration drift are ± 10 percent.
- (d) Operate the gas collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.
- (e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with Sec. 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour; and
- (f) Operate the control or treatment system at all times when the collected gas is routed to the system.
- (g) If monitoring demonstrates that the operational requirements in paragraphs (b), (c), or (d) of this section are not met, corrective action shall be taken as specified in Sec. 60.755(a)(3) through (5) or Sec. 60.755(c) of subpart WWW. If corrective actions are taken as specified in Sec. 60.755, the monitored exceedance is not a violation of the operational requirements in this section.

[Ref. 40 CFR 60.753]

SECTION 4. COMPLIANCE SCHEDULE

- 4.1 Unless otherwise specified herein, the permittee shall be in compliance with all requirements contained herein upon issuance of this permit.
- 4.2 Except as otherwise specified herein, the permittee shall submit to the Permit Board and to the Administrator of EPA Region IV a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices, by January 31 for the preceding calendar year. Each compliance certification shall include the following:
- (a) the identification of each term or condition of the permit that is the basis of the certification;
 - (b) the compliance status;
 - (c) whether compliance was continuous or intermittent;
 - (d) the method(s) used for determining the compliance status of the source, currently and over the applicable reporting period;
 - (e) such other facts as may be specified as pertinent in specific conditions elsewhere in this permit. (Ref.: APC-S-6, Section III.C.5.a.,c.,&d.)
- 4.3 The permittee shall comply with all applicable requirements and limitations and any subsequent future revisions to the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 63, Subpart AAAA, as specified in Conditions 3.B.4, 5.B.4, 5.B.5, 5.C.5 by November 24, 2007 as established by the conditions of 40 CFR 60.752(b)(2) of Subpart WWW, New Source Performance Standards. [Ref. 40 CFR 63, Subpart AAAA]

SECTION 5. MONITORING, RECORDKEEPING & REPORTING
REQUIREMENTS

A. General Monitoring, Recordkeeping and Reporting Requirements

- 5.A.1 The permittee shall install, maintain, and operate equipment and/or institute procedures as necessary to perform the monitoring and recordkeeping specified below.
- 5.A.2 In addition to the recordkeeping specified below, the permittee shall include with all records of required monitoring information the following:
- (a) the date, place as defined in the permit, and time of sampling or measurements;
 - (b) the date(s) analyses were performed;
 - (c) the company or entity that performed the analyses;
 - (d) the analytical techniques or methods used;
 - (e) the results of such analyses; and
 - (f) the operating conditions existing at the time of sampling or measurement. (Ref.: APC-S-6, Section III.A.3.b.(1)(a)-(f))
- 5.A.3 Except as otherwise specified herein, the permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. (Ref.: APC-S-6, Section III.A.3.b.(2))
- 5.A.4 Except as otherwise specified herein, the permittee shall submit reports of any required monitoring by July 31 and January 31 for the preceding six-month period. All instances of deviations from permit requirements must be clearly identified in such reports and all required reports must be certified by a responsible official consistent with APC-S-6, Section II.E. (Ref.: APC-S-6, Section III.A.3.c.(1))

- 5.A.5 Except as otherwise specified herein, the permittee shall report all deviations from permit requirements, including those attributable to upsets, the probable cause of such deviations, and any corrective actions or preventive measures taken. Said report shall be made within five (5) days of the time the deviation began. (Ref.: APC-S-6, Section III.A.3.c.(2))
- 5.A.6 Except as otherwise specified herein, the permittee shall perform emissions sampling and analysis in accordance with EPA Test Methods and with any continuous emission monitoring requirements, if applicable. All test methods shall be those versions or their equivalents approved by the DEQ and the EPA.
- 5.A.7 The permittee shall maintain records of any alterations, additions, or changes in equipment or operation.

B. Specific Monitoring and Recordkeeping Requirements

- 5.B.1 For Emission Point AA-001, except as provided in 40 CFR 60.752(b)(2)(i)(B), the permittee shall comply with the following monitoring requirements:
 - (a) For an active gas collection system, the permittee shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each well head and:
 - (1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR 60.755(a)(3); and
 - (2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR 60.755(a)(5); and
 - (3) Monitor temperature of the landfill gas on a monthly basis as provided by 40 CFR 60.755(a)(5).
 - (b) For an open flare, the permittee shall install, calibrate, maintain and operate according to the manufacturer's specifications the following equipment:
 - (1) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.
 - (2) A device that records flow to or bypass of the flare. The permittee shall
 - (i) Record the flow to the control device at least every 15 minutes;

(ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

(3) The permittee shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in 40 CFR 60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[Ref. 40 CFR 60.756(a), (c), (f)]

5.B.2 Fore Emission Point AA-001, except as provided in 40 CFR 60.752(b)(2)(i)(B), the permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered 40 CFR 60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [Ref. 40 CFR 60.758(a)]

5.B.3 For Emission Point AA-001, except as provided in 40 CFR 60.752(b)(c)(i)(B), the permittee shall comply with the recordkeeping requirements of 40 CFR 60.758(b), (c), (d), (e). [Ref. 40 CFR 60.758(b), (c), (d), (e)]

5.B.4 For Emission Point AA-001, the permittee shall develop and implement a written Startup, Shutdown and Malfunction (SSM) Plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM Plan shall be maintained on site. [Ref. 40 CFR 63, Subpart AAAA]

5.B.5 For Emission Point AA-001, the permittee shall keep records and reports specified in 40 CFR Part 60, Subpart WWW, with the exception of the report required by 40 CFR 60.757(f), the permittee shall submit the required report and information semi-annually in accordance with Condition 5.A.4 of this permit. [Ref. 40 CFR Part 63, Subpart AAAA]

C. Specific Reporting Requirements

5.C.1 For Emission Point AA-001, the permittee shall submit an NMOC emission rate report to the MDEQ initially and annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) or (b)(3). The MDEQ may request such additional information as may be necessary to verify the reported NMOC emission rate.

- (a) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b) as applicable.
 - (1) The initial NMOC emission rate report shall be submitted to the MDEQ within 90 days from the issuance date of this permit, unless a 5-year report as referenced in Condition 5.C.1(a)(2) of this permit has been previously submitted to MDEQ and is still current. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) and (b)(3).
 - (2) If the estimated NMOC emission rate as reported in the annual report to the MDEQ is less than 50 megagrams per year in each of the next five (5) consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the MDEQ. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5 year estimate, a revised 5 year estimate shall be submitted to the MDEQ. The revised estimate shall cover the 5 year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.
- (b) The NMOC emission rate report shall include all the data, calculations, sample reports, and measurements used to estimate the annual or 5 year emissions.
- (c) The permittee shall become exempt from the requirements of 40 CFR 60.757(b)(1) and (2), after the installation of a collection and control system in compliance with 40 CFR 60.752(b)(2), during such time as the collection and control system is in operation and in compliance with 40 CFR Sections 60.753 and 60.755. [Ref. 40 CFR 60.757(b)]

- 5.C.2 For Emission Point AA-001, the permittee shall comply with the reporting requirements in 40 CFR 60.757(d), (e), (f), and (g). [Ref. 40 CFR 60.757(d), (e), (f), (g)]

- 5.C.3 For Emission Point AA-001, the permittee shall comply with 40 CFR 61.153 for asbestos containing waste material received from a source covered under 40 CFR Sections 61.149, 61.150, or 61.155. The full text of the referenced regulations is contained in Appendix D of this permit. [Ref. 40 CFR 61.153]

- 5.C.4 For Emission Point AA-001, the permittee shall keep records and reports as specified in the general provisions of 40 CFR Part 60 and 40 CFR Part 63 as shown in Table 1 of Subpart AAAA. Applicable records in the general provisions include items such as SSM Plans and SSM Plan Reports. The full text of the referenced regulations is contained in Appendix F of this permit. [Ref. 40 CFR Part 63, Subpart AAAA]

- 5.C.5 For Emission Point AA-001 to show compliance with Condition 3.B.2 of this permit, the permittee shall maintain a flare flame at all times when the collected gas is routed to the flare and keep records of all maintenance performed on the flare in order to operate the flare in a manner consistent with good air pollution control practices to minimize emissions.

- 5.C.6 For Emission Point AA-001, the permittee shall submit an equivalency demonstration for hydrogen sulfide destruction as required by Conditions 3.B.5 and 3.C.4 upon use of an alternate processing method as allowed Conditions 3.B.5 and 3.C.4 of this permit.

SECTION 6. ALTERNATIVE OPERATING SCENARIOS

6.1 None permitted.

SECTION 7. TITLE VI REQUIREMENTS

The following are applicable or potentially applicable requirements originating from Title VI of the Clean Air Act – Stratospheric Ozone Protection. The full text of the referenced regulations may be found on-line at <http://ecfr.gpoaccess.gov> under Title 40, or DEQ shall provide a copy upon request from the permittee.

- 7.1 If the permittee produces, transforms, destroys, imports or exports a controlled substance or imports or exports a controlled product, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart A – Production and Consumption Controls.
- 7.2 If the permittee performs service on a motor vehicle for consideration when this service involves the refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart B – Servicing of Motor Vehicle Air Conditioners.
- 7.3 The permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart E – The Labeling of Products Using Ozone-Depleting Substances, for the following containers and products:
 - (a) All containers in which a class I or class II substance is stored or transported;
 - (b) All products containing a class I substance; and
 - (c) All products directly manufactured with a process that uses a class I substance, unless otherwise exempted by this subpart or, unless EPA determines for a particular product that there are no substitute products or manufacturing processes for such product that do not rely on the use of a class I substance, that reduce overall risk to human health and the environment, and that are currently or potentially available. If the EPA makes such a determination for a particular product, then the requirements of this subpart are effective for such product no later than January 1, 2015.
- 7.4 If the permittee performs any of the following activities, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart F – Recycling and Emissions Reduction:
 - (a) Servicing, maintaining, or repairing appliances;
 - (b) Disposing of appliances, including small appliances and motor vehicle air conditioners; or

- (c) Refrigerant reclaimers, technician certifying programs, appliance owners and operators, manufacturers of appliances, manufacturers of recycling and recovery equipment, approved recycling and recovery equipment testing organizations, persons selling class I or class II refrigerants or offering class I or class II refrigerants for sale, and persons purchasing class I or class II refrigerants.

7.5 The permittee shall be allowed to switch from any ozone-depleting substance to any acceptable alternative that is listed in the Significant New Alternatives Policy (SNAP) program promulgated pursuant to 40 CFR Part 82, Subpart G – Significant New Alternatives Policy Program. The permittee shall also comply with any use conditions for the acceptable alternative substance.

7.6 If the permittee performs any of the following activities, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart H – Halon Emissions Reduction:

- (a) Any person testing, servicing, maintaining, repairing, or disposing of equipment that contains halons or using such equipment during technician training;
- (b) Any person disposing of halons;
- (c) Manufacturers of halon blends; or
- (d) Organizations that employ technicians who service halon-containing equipment.

APPENDIX A

List of Abbreviations Used In this Permit

| | |
|------------------|---|
| APC-S-1 | Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants |
| APC-S-2 | Permit Regulations for the Construction and/or Operation of Air Emissions Equipment |
| APC-S-3 | Regulations for the Prevention of Air Pollution Emergency Episodes |
| APC-S-4 | Ambient Air Quality Standards |
| APC-S-5 | Regulations for the Prevention of Significant Deterioration of Air Quality |
| APC-S-6 | Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act |
| APC-S-7 | Acid Rain Program Permit Regulations for Purposes of Title IV of the Federal Clean Air Act |
| BACT | Best Available Control Technology |
| CEM | Continuous Emission Monitor |
| CEMS | Continuous Emission Monitoring System |
| CFR | Code of Federal Regulations |
| CO | Carbon Monoxide |
| COM | Continuous Opacity Monitor |
| COMS | Continuous Opacity Monitoring System |
| MDEQ | Mississippi Department of Environmental Quality |
| EPA | United States Environmental Protection Agency |
| gr/dscf | Grains Per Dry Standard Cubic Foot |
| HP | Horsepower |
| HAP | Hazardous Air Pollutant |
| lbs/hr | Pounds per Hour |
| M or K | Thousand |
| MACT | Maximum Achievable Control Technology |
| MM | Million |
| MMBTUH | Million British Thermal Units per Hour |
| NA | Not Applicable |
| NAAQS | National Ambient Air Quality Standards |
| NESHAP | National Emissions Standards For Hazardous Air Pollutants, 40 CFR 61 |
| | or |
| | National Emission Standards For Hazardous Air Pollutants for Source Categories, 40 CFR 63 |
| NMVOC | Non-Methane Volatile Organic Compounds |
| NMOC | Non-Methane Organic Compounds |
| NO _x | Nitrogen Oxides |
| NSPS | New Source Performance Standards, 40 CFR 60 |
| O&M | Operation and Maintenance |
| PM | Particulate Matter |
| PM ₁₀ | Particulate Matter less than 10 μ m in diameter |
| ppm | Parts per Million |
| PSD | Prevention of Significant Deterioration, 40 CFR 52 |
| SIP | State Implementation Plan |
| SO ₂ | Sulfur Dioxide |
| TPY | Tons per Year |
| TRS | Total Reduced Sulfur |
| VEE | Visible Emissions Evaluation |
| VHAP | Volatile Hazardous Air Pollutant |
| VOC | Volatile Organic Compound |

APPENDIX B

40 CFR 61

Subpart M – Asbestos Containing Material

APPENDIX C

40 CFR 60

New Source Performance Standards, Subpart WWW

APPENDIX D

40 CFR Part 63

National Emission Standards for Hazardous Air Pollutants, Subpart AAAA