

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

**TO OPERATE AIR EMISSIONS EQUIPMENT**

**THIS CERTIFIES THAT**

MacLand Disposal Center, Inc.  
A Wholly Owned Subsidiary of Waste Recyclers Holdings, LLC  
11300 Highway 63 North  
Moss Point, Mississippi  
Jackson 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: March 10, 2009**

**Effective Date: As specified herein.**

**MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD**



\_\_\_\_\_

**AUTHORIZED SIGNATURE**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

**Expires: February 28, 2014**

**Permit No.: 1280-00135**

**TABLE OF CONTENTS**

SECTION 1. GENERAL CONDITIONS ..... 3  
SECTION 2. EMISSION POINTS & POLLUTION CONTROL DEVICES ..... 12  
SECTION 3. EMISSION LIMITATIONS & STANDARDS..... 12  
SECTION 4. COMPLIANCE SCHEDULE..... 15  
SECTION 5. MONITORING, RECORDKEEPING & REPORTING REQUIREMENTS ..... 15  
SECTION 6. ALTERNATIVE OPERATING SCENARIOS..... 15  
SECTION 7. TITLE VI REQUIREMENTS ..... 15

**APPENDIX A LIST OF ABBREVIATIONS USED IN THIS PERMIT**

**APPENDIX B 40 CFR 82 - PROTECTION OF STRATOSPHERIC OZONE**

**APPENDIX C 40 CFR 60 SUBPART WWW – STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS**

**APPENDIX D 40 CFR 61, SUBPART M – NATIONAL EMISSION STANDARDS FOR ASBESTOS**

**APPENDIX E 40 CFR 63 SUBPART AAAA – MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**

## 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 2.34)
  - (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 2.31 & 2.26)
- (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 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.

SECTION 2. EMISSION POINTS & POLLUTION CONTROL DEVICES

Emission Point	Description
AA-001	Commercial and Industrial Landfill with a disposal capacity of approximately 4.45 million cubic yards

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 exceptions 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, the permittee shall either comply with §60.752(b)(2) or calculate a NMOC emission rate for the landfill using the procedures specified in §60.754. The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii). When the landfill is closed and either never needed control or meets the conditions for control system removal specified in §60.752(b)(2)(v), a Title V operating permit shall no longer be required.

- (a) If the calculated NMOC emission rate is less than 50 megagrams per year, the permittee shall:
  - (1) Submit an annual emission report to the DEQ, except as provided for in §60.757(b)(1)(ii); and
  - (2) Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.
    - (a) If the NMOC emission rate, upon recalculation required in §60.752(b)(1)(ii), is equal to or greater than 50 megagrams per year, the permittee shall install a collection and control system in compliance with §60.752(b)(2) or comply with the requirements of Conditions 3.B.1(a)(2)(b) or 3.B.1(a)(2)(c) of this permit.
    - (b) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the permittee shall determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in §60.754(a)(3).
    - (c) If the NMOC emission rate calculated in accordance with Condition 3.B.1 (a)(2)(b) of this permit is equal to or greater than 50 megagrams per year, then the permittee shall either comply with Condition 3.B.1 (a)(2)(a) of this permit or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedures provided in §60.754(a)(4).

- (1) If the resulting NMOC mass emission rate is less than 50 megagrams per year, the permittee shall submit a periodic estimate of the emission rate report as provided in §60.757(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in §60.754.
  - (2) If the resulting NMOC mass emission rate is greater than 50 megagrams per year, the permittee shall install a gas collection and control system pursuant to Condition 3.B.1(b) of this permit.
- (d) If the landfill is permanently closed, a closure notification shall be submitted to the DEQ as provided in §60.757(d).
- (b) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the permittee shall:
- (1) Submit a collection and control system design plan prepared by a professional engineer to the DEQ within 1 year:
    - (a) The collection and control system as described in the plan shall meet the design requirements of §60.752(b)(2)(ii).
    - (b) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of §§60.753 through 60.758 proposed by the permittee.
    - (c) The collection and control system design plan shall either conform with specifications for active collection systems in §60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to §60.759.
    - (d) The Administrator shall review the information submitted under §60.752(b)(2)(i)(A), (B) and (C) 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.

- (2) Install a collection and control system that captures the gas generated within the landfill as required by Paragraphs 3.B.1(b)(2)(a) or (b) and 3.B.1(b)(3) within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in §60.757(c)(1) or (2).
  - (a) An active collection system shall:
    - (1) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;
    - (2) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of;
      - (a) 5 years or more if active; or
      - (b) 2 years or more if closed or at final grade;
    - (3) Collect gas at a sufficient extraction rate;
    - (4) Be designed to minimize off-site migration of subsurface gas.
  - (b) A passive collection system shall:
    - (1) Comply with the provisions specified in §60.752(b)(2)(ii), (A)(1), (2) and (4).
    - (2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR 258.40 of this title.
- (3) After installation of a collection and control system for Emission Point AA-001, the permittee shall route all collected gas to the control system. The collection system must comply with either paragraph (a), (b) or (c) of this section.
  - (a) An open flare designed and operated in compliance with §60.18;

- (b) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test, required under §60.8 using the test methods specified in §60.754(d).
  - (1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.
  - (2) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §60.756;
- (c) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraphs (a) or (b) of this section.
- (4) For Emission Point AA-001, the permittee shall operate the collection and control device installed to comply with Subpart WWW in accordance with §60.753, §60.755 and §60.756.
- (5) For Emission Point AA-001, the permittee may cap or remove the collection and control system provided that all the conditions of paragraphs (a), (b), and (c) of this section are met:
  - (a) The landfill shall be no longer accepting solid waste and be permanently closed under the requirements of 40 CFR 258.60. A closure report shall be submitted to the Administrator as provided in §60.757(d);
  - (b) The collection and control system shall have been in operation a minimum of 15 years; and
  - (c) Following the procedures specified in §60.754(b) of 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))



- 3.B.2 After installation of a collection and control system 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 grain per 100 standard cubic feet shall be incinerated at temperatures of not less than 1600°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 removal of hydrogen sulfide. (Ref.: APC-S-1, Section 4.2(b))
- 3.B.3 For Emission Point AA-001, the permittee shall comply with §61.154 for asbestos-containing waste material received from a source covered under §§61.149, 61.150, or 61.155. The full text of the referenced regulations is contained in Appendix D to this permit. (Ref.: 40 CFR 61.154)
- 3.B.4 Emission Point AA-001 is affected by and shall comply with the National Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills at such time as the uncontrolled NMOC emissions exceed 50 MG/year as determined by methods and procedures specified under 40 CFR 60.754. (Ref. 40 CFR 63, Subpart AAAA).
- 3.B.5 For Emission Point AA-001, the owner or operator shall not cause or permit the emission of gas containing sulfur oxides (measured as sulfur dioxide) in excess of 500 ppm (volume) from the collection and control system when installed. (Ref. APC-S-1, Section 4.2.(a)).

**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 <sub>2</sub>	4.8 lbs/MMBTU  or  as otherwise limited by facility modification restrictions
APC-S-1, Section 4.2(b)	3.C.3	H <sub>2</sub> 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 1600°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 removal of hydrogen sulfide.

#### 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.)

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 §60.752(b)(2)(i)(B), the permittee shall, after installation of a landfill gas collection and control system, comply with the monitoring requirements of §60.756.  
(Ref.: 40 CFR 60.756)
- 5.B.2 For Emission Point AA-001, except as provided in §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 maximum design capacity, 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 §60.752(b)(2)(i)(B), the permittee shall, after installation of a landfill gas collection and control system, comply with the recordkeeping requirements of §60.758(b), (c), (d) and (e).  
(Ref.: 40 CFR 60.758(b), (c), (d) and (e))

C. Specific Reporting Requirements

5.C.1 For Emission Point AA-001, except as provided in §60.752(b)(2)(i)(B), the permittee shall submit a NMOC emission rate report to the DEQ annually, except as provided for in §60.757(b)(1)(ii) or (b)(3). The DEQ may request such additional information as may be necessary to verify the reported NMOC emission rate.

- (a) The NMOC emission rate report shall contain a annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in §60.754(a) or (b), as applicable.
  - (1) NMOC emission rate reports shall be submitted annually, except as provided for §60.757(b)(1)(ii) and (b)(3).
  - (2) If the estimated NMOC emission rate as reported in the annual report to the DEQ 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 a NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the DEQ. 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 DEQ. 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 §60.757(b)(1) and (2), after the installation of a collection and control system in compliance with §60.752(b)(2), during such time as the collection and control system is in operation and in compliance with §§60.753 and 60.755.  
(Ref.: 40 CFR 60.757(b))

5.C.2 For Emission Point AA-001, if the permittee is subject to §60.752(b)(2)(i), the permittee shall submit a collection and control system design plan to DEQ within 1 year of the first report, required under §60.757(b), in which the emission rate exceeds 50 megagrams per year, except as follows:

- (a) If the permittee elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in §60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using

the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

- (b) If the permittee elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in §60.754(a)(4), and the resulting NMOC emission rate is less than 50 megagrams per year, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of §60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to DEQ within 1 year of the first calculated emission rate exceeding 50 megagrams per year.  
(Ref.: 40 CFR 60.757(c))

- 5.C.3 For Emission Point AA-001, except as provided in §60.752(b)(2)(i)(B), the permittee shall, after installation of a landfill gas collection and control system, comply with the reporting requirements in §60.757(d), (e), (f) and (g).  
(Ref.: 40 CFR 60.757(d), (e), (f) and (g))
- 5.C.4 For Emission Point AA-001, the permittee shall comply with §61.153 for asbestos-containing waste material received from a source covered under §§61.149, 61.150, or 61.155. The full text of the referenced regulations is contained in Appendix D to this permit. (Ref.: 40 CFR 61.153)
- 5.C.5 The NMOC emission rate report shall be submitted in accordance with 40 CFR 60, Subpart WWW. (Ref. 40 CFR 60, Subpart WWW).

**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. The full text of the referenced regulations is contained in Appendix B to this permit.

- 7.1 If the permittee stores or transports class I or class II substances, the permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
- (a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if being introduced into interstate commerce pursuant to § 82.106.
  - (b) The placement of the required warning statement must comply with the requirements pursuant to § 82.108.
  - (c) The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.
  - (d) No person may modify, remove, or interfere with the required warning statement except as described in § 82.112.
- 7.2 If the permittee performs any of the activities described below, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:
- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
  - (b) Equipment used during the maintenance, service, repair, or disposal of appliance must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
  - (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.
  - (d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the recordkeeping requirements pursuant to § 82.166. ("MVAC - like appliance" is defined at § 82.152.)
  - (e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.

(f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

7.3 If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

7.4 If the permittee performs a service on motor (fleet) vehicles and if this service involves an ozone-depleting substance (refrigerant) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include air-tight sealed refrigeration systems used for refrigerated cargo, or air conditioning systems on passenger buses using HCFC-22 refrigerant.

7.5 The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program.

## 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
DEQ	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
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standards, 40 CFR 60
O&M	Operation and Maintenance
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter less than 10 Φm in diameter
ppm	Parts per Million
PSD	Prevention of Significant Deterioration, 40 CFR 52
SIP	State Implementation Plan
SO <sub>2</sub>	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 82**

**PROTECTION OF STRATOSPHERIC OZONE**

**APPENDIX C**  
**40 CFR 60, SUBPART WWW**  
**STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS**

**APPENDIX D**  
**40 CFR 61, SUBPART M**  
**NATIONAL EMISSION STANDARDS FOR ASBESTOS**

**APPENDIX E**

**40 CFR 63, SUBPART AAAAA  
NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS  
MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**