

DURHAM REGIONAL LANDFILL, LLC – FLORENCE

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1. Introduction¹

This permit pertains to a solid waste landfill facility, owned and operated by Durham Regional Landfill, LLC, an Arizona Limited Liability Company. The facility occupies approximately 500 acres, of which 184 acres are permitted for disposal. The facility, commonly known as the Durham Regional Landfill, is located at 22316 South Harmon Road, Florence, Arizona upon a parcel also identified by Pinal County Assessor's Parcel #400-28-0010. The source lies in an area classified as non-attainment for PM₁₀.

The principal business activity is landfilling of solid wastes. The facility accepts various residential, commercial and light industrial refuse and demolition and renovation waste including Regulated Asbestos Containing Materials (RACM). Regulated hazardous waste and liquid waste are not be accepted at the site.

Landfill gas (LFG) generated from the natural decomposition of the waste in the landfill constitutes the primary source of emissions. LFG is composed primarily of methane and carbon dioxide with smaller quantities of nitrogen, oxygen and other compounds. The non-methane organic compounds (NMOC), volatile organic compounds (VOC) and hazardous air pollutants (HAP) in the LFG are regulated.

Traffic delivering waste materials generates particulate emissions (PM₁₀ and PM_{2.5}) or dust. In addition, the daily application of a cover layer of soil also produces PM₁₀ emissions, resulting from soil stockpiling, cover layer distribution, and wind erosion. Soil is typically used as a daily cover material; however, other alternatives as expressly approved under this permit may also be used. One diesel-driven generator and two diesel-driven tipper engines also emit oxides of nitrogen (NO_x) and sulfur dioxide (SO₂).

This facility falls subject to a number of regulatory requirements; the primary requirements include:

- 40 CFR Part 60, Subpart WWW ("the Landfill NSPS") regulates emissions of LFG. The Landfill NSPS requires that once calculated LFG emissions exceed a certain threshold, a capture-and-control system must be designed and installed. The Landfill NSPS defines a method for calculating emissions as a function of the amount of waste deposited in the facility, and other variables. Upon exceeding the emission threshold of 50 Mg. of NMOC per year, the permittee is obliged to begin the design process leading to installation of a capture-and-control system. As indicated by the NMOC calculation in the application, this facility will most likely not need installation of a gas collection and control system during the term of this permit.
- 40 CFR Part 63, Subpart AAAA establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in §63.1935 to meet the requirements of 40 CFR Part 60, Subpart WWW. This subpart also requires such landfills to meet the startup, shutdown, malfunction (SSM) requirements of the general provisions of this part and requires additional reporting requirements when the capture-and-control system is required by the Landfill NSPS.
- The Stratospheric Ozone Protection Program established by Clean Air Act Title VI requires, with only limited exceptions, that refrigerants be properly removed from various appliances prior to disposal in a landfill facility. This facility allows final disposal of "white goods," including major consumer appliances and other similar equipment items.

¹ The Introduction section of this permit is for information only and is not an enforceable provision

- The Compression Ignition(CI) Internal Combustion Engines (ICE) NSPS, 40 CFR 60 Subpart III, for 2007 model year or later engines may apply to stationary engines.

Permit revision V20660.R01 adds the Asbestos NESHAP, 40 CFR 61 Subpart M provisions associated with accepting Regulated Asbestos Containing Material (RACM)

A complete list of equipment from which emissions are allowed by this permit is given in Section 11. of this permit.

2. Listing of Federally Enforceable Applicable Requirements

[Mandated by 40 CFR §70.5(c)(4)] (Code §§3-1-060.B.2.d, 3-1-081.A.2, 3-1-081.A.8.a)

- A. SIP-approved PGCAQCD Regulations. Those specific provisions of the Pinal-Gila Counties Air Quality Control District ("PGCAQCD") Regulations, as adopted by the Pinal County Board of Supervisors, and approved by the Administrator as elements of the Arizona State Implementation Plan ("SIP") at the listed Federal Register notice citation, and specifically the following rules:

7-3-1.1	Visible Emissions; General (47 FR 15580, 4/12/82)
7-3-1.2	Emission Standards - Particulate Emissions - Fugitive Dust (43 FR 53034, 11/15/78)

- B. SIP-approved PCAQCD Regulations. Those provisions of the Pinal County Air Quality Control District Code of Regulations, as adopted by the Pinal County Board of Supervisors, and approved by the Administrator as elements of the Arizona SIP at the listed Federal Register notice citation, and specifically the following rules:

§2-8-300	Performance standard (generic opacity standard) (71 FR 15043, 3/27/06)
§3-1-010	Purpose (Permits and Permit Revisions) (65 FR 79741, 12/20/00)
§3-1-040	Applicability and classes of permits (65 79741) (12/20/00)
§3-1-081	Permit Terms (66 FR 63166, 12/5/01)

- C. The following specific elements of 40 CFR Part 60, Subpart WWW Standards of Performance for Municipal Solid Waste Landfills:

§60.750	Applicability, designation of affected facility, and delegation of authority.
§60.751	Definitions.
§60.752	Standards for air emissions from municipal solid waste landfills.
§60.754	Test methods and procedures.
§60.755	Compliance provisions.
§60.757	Reporting requirements.
§60.758	Recordkeeping requirements.

- D. The following specific elements of 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos:

§61.154	Standard for active waste disposal sites
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- E. The following specific elements of 40 CFR Part 63, Subpart AAAA, NESHAP for Municipal Solid Waste Landfills:

§63.1935	Applicability
§63.1940	Affected Sources
§63.1945	Compliance dates
§63.1955	Standard requirements

§63.1960	General and Continuing Compliance Requirements
§63.1980	Notifications, Records and Reports
§63.1990	Definitions

- F. CAA §608 (11/15/90); 40 CFR Part 82, Subpart F - Recycling and Emissions Reduction (9/7/95); regulations pertaining to use and handling of ozone-depleting substances.
- G. The Compression Ignition (CI) Internal Combustion Engines (ICE) NSPS, 40 CFR 60 Subpart III, (1/30/13) for 2007 model year or later engines.

3. Compliance Certification

- A. Compliance Plan
[Mandated by 40 CFR §70.5(c)(8)] (Code §§3-1-081.C, 3-1-083.A.7)

As the Permittee is currently in compliance, the compliance plan consists of continued adherence to the requirements of this permit and those requirements set forth in applicable regulations and statutes.

- B. Compliance Schedule
[Mandated by 40 CFR §§ 70.5(c)(8), 70.6(c)(3)] (Code §§3-1-060.B.1, 3-1-083.A.7.c)

As the Permittee is currently in compliance, no compliance schedule to attain compliance is required.

4. Authority to Construct

[Federally enforceable - Code §§3-1-010, 3-1-040 (as amended 10/12/95) approved as a SIP Element at 65 FR79741 (12/20/00)]

Emissions from this facility, specifically the equipment described in "Equipment Schedule" section below, and the operating configuration more fully described in the application for permit, already fall subject to the independent Federally Enforceable limitations identified elsewhere in this permit. Therefore, based on the regulations in effect upon the date of issuance of this permit and on a finding that allowable emissions from the equipment described in the Equipment Schedule will neither cause nor contribute to a violation of any ambient air quality standard even without any additional limitations, and a further finding that this does not constitute a "major source" within the meaning of Code §3-3-203, this permit constitutes authority to construct and operate such equipment.

5. Emission Limitations and Related Requirements

[Mandated by 40 CFR §70.6(a)(1)] (Code §3-1-081.A.2)

- A. Allowable Emissions
[Federally enforceable pursuant to PCAQCD Code § 3-1-040 (10/12/95) approved as SIP Elements at 65 FR 79742 (12/20/00)]

Permittee is authorized to discharge or cause to discharge into the atmosphere those emissions of air contaminants as set forth below. Unless exempted under Code §3-1-040.C., or authorized by a separate permit, by this permit or by a revision or operational change allowed under Chapter 3, Article 2 of the Code, Permittee shall not commence construction of, operate or make any modification to this source in a manner which will cause emissions of any regulated air pollutant in excess of the de minimis amount.

- B. New Source Performance Standard (NSPS) - Municipal Solid Waste Landfills
[Federally enforceable pursuant to 40 CFR Part 60, Subpart WWW] (Code §6-1-030.73 (12/3/03))

1. Control Requirement Trigger; Monitoring Prior to Installation of Controls

- a. Permittee shall annually, or on such other schedule as may be allowed under §60.757(b)(1)(ii), submit an NMOC emissions rate report to the Control Officer and the Administrator (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901).

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

Specifically, unless otherwise approved in writing by the Control Officer or the Administrator:

- i. Tier 1 analyses shall rely on the default values for L_o , k and CNMOC; in accord with §60.754(a)(1)(i) and §60.754(a)(1)(ii). Tier I reports shall be due within 30 days of the anniversary date that triggers the reporting requirement..
- ii. Tier 2 analyses shall rely on the default values for L_o and k in accord with §60.754(a)(1)(i) and §60.754(a)(1)(ii) The average CNMOC value shall be calculated in accord with §60.754(a)(3). Tier II reports shall be due within 180 days of the first calculated exceedance of 50 Mg./yr per year.
- iii. Tier 3 analyses shall rely on the default value for L_o . CNMOC and k values shall be determined in accord with §60.754(a)(3). Tier III reports shall be due within 1 year of the first calculated exceedance of 50 Mg./yr per year.
- b. In accord with 40 CFR §60.757(d), within 30 days of the facility ceasing to accept waste for deposition, Permittee shall notify the Control Officer, and the Administrator, in writing. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR §60.7(a)(4).

2. Control System Design; Permit Revision Application

When a NMOC emission rate report, as calculated in accord with 40 CFR §60.754(a), indicates that emissions equals or exceed the 50 Mg./yr. (55 ton-per-year) emission rate cutoff specified in §60.752(b)(2), then Permittee shall either:

- a. Within one year of the date of that report, submit a collection and control system design plan, prepared by a professional engineer to meet the requirements of 40 CFR §60.752(b)(2)(ii), to the Control Officer for approval, as required under §60.752(b)(2), as well as an application for a permit revision to incorporate such changes to this permit. Additionally, Permittee shall send a copy of the control system design to the Administrator. The final system design and the terms of a revised permit will each require approval by both the Control Officer and the Administrator; or
- b. To the extent allowed under §60.757(c), resubmit a revised NMOC emissions report(s), recalculated under Tier 2 within 180 days and/or recalculated under Tier 3 within 1 year, as set forth in §60.754(a), to determine if the estimated NMOC emission rate exceeds 50 Mg/yr. Permittee may invoke any variable

values allowed above for an initial Tier 2/Tier 3 analysis. If the revised NMOC emission report under Tier 2 and/or Tier 3 indicates NMOC emissions equal to or greater than 50 Mg/yr, Permittee shall comply with subparagraph 2.a. of this paragraph. Otherwise, Permittee shall resume annual reporting under subparagraph 1.a. of this paragraph.

- c. Once the permit revision described in subparagraph 2.a of this paragraph is obtained the approved collection and control system must be installed within 30 months after the first annual report in which the NMOC emission rate equals or exceeds 50 Mg/yr unless Tier 2 or Tier 3 sampling demonstrates the NMOC emission rate is less than 50 Mg/yr.
- C. National Emission Standard for Hazardous Air Pollutants (NESHAP) (Subpart M) – National Standard for Asbestos
[Federally Enforceable, pursuant to 40 CFR Part 61, Subpart M, 40 CFR Part 61.154] (Code §7-1-030)
1. Signage requirement

Permittee shall post and maintain a prominent sign at or prior to the facility gatekeeper, indicating that "LOADS WITH ASBESTOS-CONTAINING MATERIALS MUST BE DECLARED TO THE GATEKEEPER."
 2. Records; Regulated asbestos-containing waste area definition

Permittee shall maintain, until facility closure, records of the location, depth, area and quantity (in volume) of asbestos-containing waste material, as well as a map or diagram showing the disposal area.
 3. Records; Regulated asbestos-containing waste deposition activity.

Receipt, handling and disposal of asbestos containing waste received from sources covered by 40 CFR §61.149 (asbestos mills), 40 CFR §61.150 (demolition, renovation, fabricating and manufacturing), or 40 CFR §61.155 (asbestos conversion operations) must meet the following standards:
 - a. Waste shipment records required

Asbestos containing waste may only be accepted when the transporter presents a complete waste shipment record, identifying:
 - i. The name, address and telephone number of the waste generator;
 - ii. The name, address and telephone number of the transporter; and
 - iii. The quantity of asbestos-containing waste material, expressed in cubic yards or cubic meters.
 - b. Waste shipment receiving requirements

At the time of accepting asbestos containing waste for disposal, the Permittee shall:
 - i. Record the date of receipt of the material.

- ii. Record the presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers.
- iii. Inspect the materials, determine whether or not the quantity of asbestos containing waste material differs from the quantity indicated on the waste shipment record, and record any discrepancies. *Report discrepancies as outlined in §7.D below.*
- iv. Inspect the materials to determine the presence, and quantity, of improperly enclosed or uncovered asbestos-containing waste, or any asbestos-containing waste material not sealed in leak-tight containers. *Report discrepancies as outlined in §7.D below.*

c. Generator return notification requirement

As soon as possible, and within 30 days after receipt of the asbestos containing waste, the Permittee shall send a copy of the signed waste shipment record to the waste generator.

d. Waste shipment record retention

Permittee must maintain waste shipment records for all asbestos containing waste material received for at least 2 years.

e. Daily cover/suppressant application requirement

Either there must be no visible emissions to the outside air from any active waste disposal site that receives asbestos containing waste material;

or

At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, all asbestos containing waste materials that have been deposited at the site during the operating day or previous 24-hour period shall:

- i. be covered with at least 6 inches of compacted non-asbestos containing material, or
- ii. be covered with a resinous or petroleum based dust suppressant agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Used, spent, or other waste oil may not be used as a dust suppression agent.

4. Asbestos cell re-opening notification requirement

At least 45 days before excavating or otherwise disturbing any asbestos-containing waste material that has been deposited and covered at the site, Permittee shall notify the Control Officer in writing. The notice shall include:

- a. The scheduled starting and completion dates
- b. The reason for disturbing the waste

- c. The procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material.
- d. The location of any temporary storage site and the final disposal site.

If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Control Officer at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification.

D. National Emission Standard for Hazardous Air Pollutants (NESHAP) (Subpart AAAA) – Municipal Solid Waste Landfills

[Federally Enforceable, pursuant to 40 CFR Part 63, Subpart AAAA, 40 CFR Part 63.1955]

1. Standards for Air Emissions from Municipal Landfills

Each owner or operator of a MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters and the NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall:

- a. Comply with the requirements of 40 CFR Part 60, subpart WWW.
- b. Comply with the collection and control system requirements in 40 CFR 63.1960 through 63.1985 and with the general provisions of the part specified in table 1 of the subpart.
- c. Follow the procedures in 40 CFR 60.752 (b).(2) for an approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions.

E. NSPS (Subpart IIII) Standards - Stationary Compression Ignition (CI) Internal Combustion Engines (ICE)

[Federally enforceable, pursuant to 40 CFR 60.4201, 60.4204]

Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the following emission standards:

Unit	Mfg. Date	Displacement per Cylinder (l)	NMHC + NOX g/kw-hr	CO g/kw-hr	PM g/kw-hr
Tipper Engine John Deere (140 HP) 75 ≤ kW < 130	2014	<10	4.0	5.0	0.3
Tipper Engine John Deere (140 HP) 75 ≤ kW < 130	2014	<10	4.0	5.0	0.3

Non-emergency Generator Cummins (433 HP) 225 ≤ kW <450	2014	<10	4.0	3.5	0.2
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F. Stratospheric Ozone and Climate Protection Emission Limitations

[Federally Enforceable, pursuant to 40 CFR Part 82 Subpart F] (Code §§1-3-140.15, 1-3-140.58.k)

1. Public Notice Required

[Federally Enforceable, pursuant to 40 CFR §82.156.f.3]

At or near the gatekeeper's facility, Permittee shall provide a clearly visible warning sign, notifying suppliers of appliances that refrigerant must be properly removed before delivery of the items to the facility.

2. Signed written statement

[Federally Enforceable, pursuant to 40 CFR §82.156(f)(2)]

Permittee may allow disposal of small appliances, room air conditioning, motor vehicle air conditioners ("MVAC"), or MVAC-like appliances. Permittee shall first verify that the refrigerant has been evacuated from the appliance or shipment of appliances previously. Such verification shall include a signed statement verifying that all refrigerant that had not leaked previously has been recovered evacuated from the appliance(s) previously, in accord with either 40 CFR §§82.156(g) or 82.156(h). The written statement must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered or a contract that the refrigerant was to be removed prior to delivery for disposal.

3. Copy of written certification required for disposal of other appliances not covered above.
Federally Enforceable, pursuant to 40 CFR §82.154.e]

Permittee shall only allow disposal of appliances (other than small appliances, MVACs and MVAC-like appliances allowed under the preceding subsection), including air conditioners, refrigerators, chillers or freezers, to customers which provide the Permittee with a signed written statement, affirming that a certification has previously been submitted to the Administrator, attesting to compliance with the refrigerant recycling/recovery requirements of 40 CFR §82 Subpart F.

4. Due diligence required

Permittee shall exercise reasonable efforts to observe and screen load contents to assure compliance with the stratospheric ozone related emission limitations and prohibitions set forth above.

G. Particulate Emissions Limitations

1. Opacity SIP Limitation

[Federally enforceable pursuant to PGAQCD Reg. 7-3-1.1 (6/16/80) approved as a SIP Element at 47 FR 15580 (4/12/82)]

The opacity of any plume or effluent shall not be greater than 40 percent as determined by reference method 9 in the Arizona Testing Manual.

2. Visibility Limiting Standard
[Federally enforceable provision, pursuant to Code §2-8-300 (as amended 5/18/05) approved as a SIP element at 47 FR 15043 (3/27/06)]

The opacity of any plume or effluent from any point source not subject to a New Source Performance Standard adopted under Chapter 6 of the Code, and not subject to an opacity standard in Chapter 5 of the Code, shall not be greater than 20% as determined by Method 9 in 40 CFR 60, Appendix A.

3. Internal Combustion Engines Opacity
 (§5-23-1010)

No person shall cause, allow or permit to be emitted into the atmosphere from any stationary rotating machinery, smoke for any period greater than 10 consecutive second which exceeds 40% opacity. For purposes of stationary rotating machinery, visible emissions when starting cold equipment shall be exempt from the 40% opacity standard for 10 minutes.

4. Generic Control Requirement; Reasonable Precaution Requirement
[Federally Enforceable, pursuant to PGCAQCD Reg. 7-3-1.2 (3/31/75) approved as a SIP Element at 43 FR 50534 (11/15/78); Code §4-2-040, as limited by §1-1-105 (10/12/95), approved as SIP Elements at 61 FR 15717 (4/9/96)]

- a. In managing site-traffic, excavating, moving, stockpiling or placing fill or cover material; Permittee shall exercise reasonable precautions to effectively prevent fugitive dust from becoming airborne. Dust and other types of particulates shall be kept to a minimum by such measures as wetting down, covering, landscaping, paving, treating or by other reasonable means.
1. Other than when internal haul roads are already visibly damp due to either rainfall or earlier water spraying, water spraying shall be used by the Permittee to control dust emissions from unpaved travel areas.
 2. Waste shipments may be wetted with water or waste liquids to assist in the control of dust during the landfilling process.
- b. Permittee shall not cause, suffer, allow or permit transportation of material likely to give rise to airborne dust without taking reasonable precautions to prevent particulate matter from becoming airborne.

- H. Particulate Matter Reasonable Precautions
[Federally enforceable pursuant to PCAQCD Reg. 4-2-040 (4/27/04) approved as a SIP element at 72 FR 41896 (8/1/07)]

1. Permittee shall not cause, suffer, allow, or permit a building or its appurtenances, subdivision site, driveway, parking area, vacant lot or sales lot, or an urban or suburban open area to be constructed, used, altered, repaired, demolished, cleared, or leveled, or the earth to be moved or excavated, or fill dirt to be deposited, without taking reasonable precautions to effectively prevent fugitive dust from becoming airborne.
2. Permittee shall not cause, suffer, allow, or permit a vacant lot, or an urban or suburban open area, to be driven over or used by motor vehicles, such as but not limited to all-terrain vehicles, trucks, cars, cycles, bikes, or buggies, without taking reasonable precautions to effectively prevent fugitive dust from becoming airborne.

3. Permittee shall not disturb or remove soil or natural cover from any area without taking reasonable precautions to effectively prevent fugitive dust from becoming airborne.
4. Permittee shall not crush, screen, handle or convey materials or cause, suffer, allow or permit material to be stacked, piled or otherwise stored without taking reasonable precautions to effectively prevent fugitive dust from becoming airborne.
5. Stacking and reclaiming machinery utilized at storage piles shall be operated at all times with a minimum fall of material and in such a manner, or with the use of spray bars and wetting agents, as to prevent excessive amounts of particulate matter from becoming airborne. Other reasonable precautions shall be taken, as necessary, to effectively prevent fugitive dust from becoming airborne.
6. Permittee shall not cause, suffer, allow or permit transportation of materials likely to give rise to fugitive dust without taking reasonable precautions to prevent fugitive dust from becoming airborne. Earth and other material that is tracked out or transported by trucking and earth moving equipment on paved streets shall be removed by the party or person responsible for such deposits.

I. Stationary Rotating Machinery
(§5-23-1010)

1. The permittee shall not cause, allow or permit the emission of particulate matter, caused by combustion of fuel, from any stationary rotating machinery in excess of the amount calculated by the following equation:

$$E = 1.02Q^{0.769}$$

where:

E = the maximum allowable particulate emissions rate in pounds-mass per hour.

Q = the total heat input of all operating fuel-burning units on a plant or premises in million Btu/hr.

2. Permittee shall not emit or cause to emit more than 1.0 pound of sulfur dioxide per million Btu heat input when low fuel sulfur is used.

J. Fuel Use Limitations

1. Primary Fuel for NSPS Subpart IIII generators, model year 2007 and newer
[Federally Enforceable, pursuant to 40 CFR §60.4207.a, 40 CFR 80.510.b]
 - a. Owners and operators of CI ICE with a displacement of less than 30 liters per cylinder that use diesel fuel must only use diesel fuel meeting the requirements of 40 CFR 80.510.b which requires that diesel fuel shall:
 - i. Have a maximum sulfur content of 15 parts per million (ppm) and;
 - ii. Either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.
2. Local fuel use requirement
(Code §§5-23-1000, 1010.F)

Permittee shall only use gasoline or "low sulfur" diesel fuel, having a sulfur content of less than 0.90% by weight.

K. General Maintenance Obligation.
[Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.11(d)]

At all times, including periods of start-up, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate the permitted facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

L. Additional Applicable Limitations

1. Open Burning Prohibition
[Federally Enforceable, pursuant to PCAQCD Code §3-8-700 (10/27/04) approved as a SIP element at 71 FR 28270 (5/16/06) and PGCAQCD Reg. 7-3-1.3 (3/31/75) approved as a SIP Element at 43 FR 53034 (11/15/78)]

Unless authorized by a separate permit, open burning shall be prohibited.

2. Asbestos NESHAP Compliance
[Federally Enforceable, pursuant to 40 CFR Part 61, Subpart M] (Code §§7-1-030, 7-1-060)

Permittee shall comply with Code §§7-1-030.A. and 7-1-060 and 40 CFR Part 61, Subpart M, when conducting any renovation or demolition activities at the facility.

3. Stratospheric Ozone and Climate Protection
[Federally Enforceable, pursuant to 40 CFR Part 82 Subpart F]

When servicing any on-site heating or cooling equipment that uses a closed-cycle refrigeration system, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

4. Daily Cover Requirement.
[Apparently federally enforceable under PCAQCD Permit A20500 §B.I.E.3 (4/22/94), and authority derived from EPA SIP-approval of predecessor PGAQCD NSR-program; see 43 FR 50531 (11/15/78)]

Permittee shall cover disposed solid waste with at least six inches of earthen material or approved alternate cover as designated below, at the end of each operating day, or at more frequent intervals if necessary. Approved alternate cover materials include:

- a. Auto shredder fluff;
- b. Wood chips;
- c. Tire chips;
- d. foam;
- e. tarps;
- f. petroleum contaminated soils that are not regulated hazardous waste and contain no free liquids.

6. **Compliance Demonstration**
[Mandated by 40 CFR §70.6(c)] (Code §§3-1-060.b.2.d, 3-1-081.A.2, 3-1-083)

A. Monitoring and Testing
[Mandated by 40 CFR §70.6(a)(3)] (Code §3-1-083)

1. Fuel Use Monitoring
 (Code §§3-1-083, 5-23-1010.F)

- a. Permittee shall demonstrate compliance with the fuel-sulfur limitation by maintaining fuel documentation which demonstrates diesel fuel delivered:
- i. Has a maximum sulfur content of 15 parts per million (ppm);
 - ii. Either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent, and;
 - iii. Has a sulfur content of less than 0.90% by weight.
- b. Permittee shall report to the Control Officer any daily period during which the diesel fuel being fired in the generators or tippers exceed these limits.

2. Soil Moisture Content Determination; Emission Inventory Revision
 (Code §§3-1-103, 3-7-590.C.1)

To accurately quantify actual regulated emissions associated with the use of soil as daily cover, when the tipping rate exceeds 750 tons-per-day, as averaged over the preceding twelve months, Permittee shall commence a soil-moisture testing program. Permittee shall prepare and submit for the Control Officer's approval a testing program, which at a minimum shall employ ASTM or other recognized testing methods.

The soil obtained for testing shall be collected from the bottom cut of soil stockpiled for the purposes of application of daily cover, and shall be obtained prior to the application of water for dust control. The soil testing program shall proceed on a quarterly basis, for not less than one year in order to achieve a site-specific seasonally representative soil moisture content. Since the program is not meant to be a perpetual obligation, the program shall cease upon written notification by the Director that the intent and purpose of the program has been fulfilled. Subsequent emission inventory submittal shall use the test-determined average soil moisture content in calculating emissions under AP-42 Section 13.2.4-6 Eq. (1).

3. ~~Open area Fugitive Emissions Opacity Monitoring~~

~~On at least a semi-annual basis, Permittee shall conduct a visual opacity screen performed on the open areas of the facility utilizing EPA Method 22. If more than 30 seconds of visible emissions are observed in any continuous six minute period, Permittee shall have a full Method 9 opacity test performed by a certified opacity observer, and shall provide a copy of the resulting report to the District within 10 days. Records of all opacity screens, opacity tests and results shall be kept.~~

3. Petroleum Contaminate Soils (PCS) Monitoring

1. Permittee shall request laboratory results from each supplier of PCS indicating that the concentrations of organic compounds in the soil do not exceed the "Hazardous Waste" level designations as defined in the Arizona Revised Statutes (A.R.S) §49-921(5).
2. Permittee shall inspect all deliveries of PCS at the gate to ensure that they do not contain any free liquids. Records of these inspections shall be kept.

B. NESHAP Subpart AAAA Compliance Requirements
[Federally enforceable pursuant to 40 CFR Part 63, Subpart AAAA, Section §§63.1960 and 63.1945(e)]

Compliance is determined in the same way it is determined for 40 CFR Part 60, Subpart WWW, Section §60.755 including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR §60.756(b)(1), (c)(1), and (d) of subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. Finally, a written Startup, Shutdown and Malfunction (SSM) plan shall be developed according to the provisions in 40 CFR §63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of this subpart. The requirement for the SSM Plan is effective upon installation of a collection and control system at the facility.

C. Recordkeeping
[Mandated by 40 CFR §70.6(a)(3)] (Code §3-1-083.A.2)

1. General NSPS-related Recordkeeping Requirements

a. Monitoring-related records
[Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR Part 60, Subpart A, namely 40 CFR §60.7(f)]

Permittee shall maintain, either at the source or at a centralized location, a file of all measurements, including monitoring-system-, monitoring-device-, and performance-testing measurements; all monitoring system performance evaluations; all monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required pursuant to any federally enforceable provision of this permit, recorded in a permanent form suitable for inspection.

b. Excess Emission Records
[Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.7(b)]

Permittee shall maintain records of the occurrence and duration of any start-up, shutdown, malfunction or period of excess emissions in the operation of the permitted facility or any air pollution control equipment.

2. Landfill-NSPS-specific Records
[Federally enforceable pursuant to 40 CFR §60.758.a and Code §§1-3-140.15 and 1-3-140.58.k]

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.

3. General NESHAP-related Recordkeeping Requirements ***[Federally enforceable pursuant to 40 CFR Part 63, Subpart AAAA, §63.1980(a)(b)]***

a. Permittee shall keep records as specified in 40 CFR Part 60, subpart WWW. The annual report described in 40 CFR 60.757(f) must be submitted every 6 months.

- b. Permittee shall also keep records and reports as specified in the general provisions of 40 CFR Part 63, Subpart AAAAA as shown in Table 1 of this subpart. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports.

- 4. Dust Suppression Activity Records
[Federally enforceable - PGCAQCD Reg. 7-3-1.2 (3/31/75) approved as a SIP Element at 43 FR 50531 (11/15/78); Code §4-2-040., as limited by §1-1-105 (10/12/95), approved as SIP Elements at 61 FR 15717 (4/9/96)]

To provide a reasonable demonstration of effort with regard to applying water for purposes of dust suppression, Permittee shall maintain a daily log for each day the facility is open, and shall enter either:

- a. the quantity of water applied; or
- b. the reason why water was not applied (e.g. "it rained all day", or "the haul roads were visibly damp.")

- 5. Stratospheric Ozone and Climate Protection
[Federally enforceable; 40 CFR Part 82 Subpart F]

If Permittee elects to allow disposal of devices that once used refrigerants, Permittee shall retain records adequate to show continuing compliance, including as necessary:

- a. Copies of the signed written statements, affirming refrigerant removal from small appliances, motor vehicle air conditioners, or motor-vehicle-air-conditioner-like appliances, shall be kept on-site; and
- b. Copies of the signed written statements from those disposing of appliances not covered under the preceding sub-paragraph, verifying customer-compliance with the certification requirements under 40 CFR §82.154.e; or
- c. Copies of verifications from "qualified parties" into whose hands Permittee is disposing of such items, as outlined above.

- 6. Daily Cover Requirement.
[Apparently federally enforceable under PCAQCD Permit A20500 §B.I.E.3 (4/22/94), and authority derived from EPA SIP-approval of predecessor PGAQCD NSR-program; see 43 FR 50531 (11/15/78)]

- a. Permittee shall maintain records showing that cover was applied on at least a daily basis during active days; equipment operating logs may be used for this purpose.
- b. Permittee shall maintain records showing, on a calendar-month-basis, the quantity of auto shredder fluff used as daily cover at the facility.
- c. Permittee shall maintain records of the amount of PCS brought on the site on a monthly basis, along with laboratory results for each of the deliveries, showing that the delivery contained no hazardous waste and records of the gate inspections for free liquids. The PCS records shall contain:
 - i. Tons of PCS received;

ii. Type of contamination such as Total Petroleum Hydrocarbon (TPH), Benzene, Toluene, Ethylbenzene and Xylenes (BTEX), and Diesel Range Organics (DRO).

iii. The maximum and average TPH and/or BTEX expressed in mg/kg;

iv. Potential VOC emissions calculated as follows:

$$\text{VOC (tons)} = \text{TPH (mg/kg)} \times 10^{-6} \times \text{tons of soil}$$

$$\text{VOC (tons)} = \text{BTEX (mg/kg)} \times 10^{-6} \times \text{tons of soil}$$

D. Stationary Compression Ignition (CI) Internal Combustion Engine (ICE) Operational Compliance Demonstration for NSPS 40 CFR 60 Subpart IIII
[Federally enforceable; 40 CFR §60.4211.a and c]

1. All engines and control devices must be installed, configured, operated and maintained according to the specifications and instructions provided by the engine manufacturer.
2. Owners and operators of 2007 or later model year engines must demonstrate compliance by:
 - i. Purchasing an engine that is certified to meet non-road emission standards for the model year and maximum engine power.

E. Hours of Operation Records
(Code §§3-1-083.A, 3-1-103)

Permittee shall record the number of hours of operation for each engine in support of the annual emissions inventory required by this permit.

7. Reporting Obligations

A. Regular Compliance Reporting
[Mandated by 40 CFR §§70.6(a)(3)] (Code §3-1-083.A.3.a)

Permittee shall submit a semi-annual report containing a summary of the information required to be recorded pursuant to this permit, which summary shall clearly show that Permittee has complied with the operational and emissions limitations under this permit. All instances of deviations from permit requirements shall be clearly identified in such reports. For brevity, such deviation reports may incorporate by reference any written supplemental upset reports filed by Permittee during the reporting period. The report shall be submitted to the District within 30 days after the end of each calendar half. Appendix A of this permit is a form which may be used for the report.

B. Regular Compliance/Compliance Progress Certification
[Mandated by 40 CFR §70.6(c)(5)] (Code §3-1-083.A.4)

Permittee shall annually submit a certification of compliance with the provisions of this permit. The certification shall be separately submitted to both the District and to the Enforcement Office (AIR 5), EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901. The certification shall:

1. Be signed by a responsible official, as defined in Code §3-1-030.18;
2. Identify each term or condition of the permit that is the basis of the certification;

3. State the compliance status with respect to each such term or condition;
4. State whether compliance with respect to each such term or condition has been continuous or intermittent;
5. Identify the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
6. Be postmarked within thirty (30) days of the start of each calendar year.

C. Annual Emissions Inventory
[Federally Enforceable Provision pursuant to code §3-1-103.A&B (2/22/95) approved as a SIP element at 65 FR 79742 (12/2/00)]

Permittee shall complete and submit to the District an annual emissions inventory, disclosing actual emissions for the preceding calendar year. The submittal shall be made on a form provided by the District. The inventory is due by the latter of March 31st, or ninety (90) days after the form is furnished by the District.

D. NESHAP Reporting
[Federally enforceable; 40 CFR Part 61, Subpart M, 40 CFR Part 61.151 and 61.154] (Code §§7-1-030)

1. Improper RACM packaging and quantification

Receipt, handling and disposal of asbestos containing waste received from sources covered by 40 CFR §61.159 (asbestos mills), 40 CFR §61.150 (demolition, renovation, fabricating and manufacturing), or 40 CFR §61.155 (asbestos conversion operations) must meet the following standards:

- a. If Permittee discovers improperly enclosed or uncovered asbestos-containing waste materials, or any asbestos-containing waste material not sealed in leak-tight containers, Permittee shall by the following working day report in writing to the Control Officer, as well as to any additional local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, the incident and submit a copy of the waste shipment record.
- b. If Permittee discovers a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, Permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, Permittee shall immediately report in writing to the Control Officer, as well as to any additional local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, describing the discrepancy, the attempts to reconcile the discrepancy, and submit an accompanying copy of the waste shipment record.

2. Closure notification requirement

Upon facility closure, Permittee shall:

- i. Submit to the Control Officer a copy of the asbestos waste disposal locations and quantities.

- ii. Comply with all of the requirements of 40 CFR §61.151, including those pertaining to post-closure obligations.

E. NSPS Reporting

[Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.7(a)(4)]

1. Generally.

Permittee shall provide to the District and to the Regional EPA Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901) notification of any physical or operational change which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR § 60.14(e) or 40 CFR Part 60, Subpart WWW. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.

2. Landfill NSPS Initial Design Capacity Report

[Federally Enforceable, pursuant to 40 CFR Part 60.757(a)]

Permittee shall submit an initial design capacity report to the provide to the District and to the Regional EPA Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901).

The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required by 40 CFR 60.7(a)(1) and shall be submitted no later than ninety days (90) after the date of commenced construction modification, or reconstruction.

The initial design capacity report shall contain the following information:

- a. A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by the State, local, or tribal agency responsible for regulating the landfill.
- b. The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by the State, local, or tribal agency responsible for regulating the landfill, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The District or Administrator may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

3. Landfill NSPS Annual Emission Estimate Reports

[Federally Enforceable, pursuant to 40 CFR Part 60.757(b)]

Permittee shall submit an NMOC emission rate report to the District and the Administrator initially and annually thereafter, except as provided for below. The District or Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.

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

- a. The initial NMOC emission rate report may be combined with the initial design capacity report required in paragraph (2) of this section and shall be submitted no later than ninety days after the date of commenced construction, modification, or reconstruction. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for below
 - i. If the estimated NMOC emission rate as reported in the annual report to the District and the Administrator is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the District and the Administrator. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the District and the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

- F. Deviation Reporting Requirement
[Mandated by 40 CFR §§70.6(a)(3)(iii)(B), 70.6(g), 40 CFR 63.6640(b)(e)] (Code §3-1-083.A.3.b)

Permittee shall report any deviation from the requirements of this permit along with the probable cause for such deviation, and any corrective actions or preventative measures taken to the District within ten days of the earlier of date the Permittee learned, or should have learned, of the deviation unless earlier notification is required by the provisions of this permit.

8. Fee Payment
[Mandated by 40 CFR §§70.6(a)(7), 70.9] (Code §3-1-081.A.9)

As an essential term of this permit, an annual permit fee shall be assessed by the District and paid by Permittee in accord with the provisions of Code Chapter 3, Article 7 generally, and Code §3-1-081.A.9. The annual permit fee shall be due on or before the anniversary date of the issuance of an individual permit, or formal grant of approval to operate under a general permit. The District will notify the Permittee of the amount to be due, as well as the specific date on which the fee is due.

9. General Conditions

- A. Term
[Mandated by 40 CFR §70.6(a)(2)] (Code §3-1-089)

This permit shall have a term of five (5) years, measured from the date of issuance.

- B. Basic Obligation

[Mandated by 40 CFR §§70.4(b)(15), 70.6(a)(6(i), 70.6(a)(6)(ii), 70.7.b] (Code §3-1-081.)

1. The owner or operator ("Permittee") of the facilities shall operate them in compliance with all conditions of this permit, the Pinal County Air Quality Control District ("the District") Code of Regulations ("Code"), and consistent with all State and Federal laws, statutes, and codes relating to air quality that apply to these facilities. Any permit noncompliance is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application and may additionally constitute a violation of the Clean Air Act (1990).
2. All equipment, facilities, and systems used to achieve compliance with the terms and conditions of this permit shall at all times be maintained and operated in good working order.
3. 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.

C. Duty to Supplement Application

[Mandated by 40 CFR §§70.5(b), 70.6(a)(6)(v)] (Code §3-1-081.A.8.e)

Permittee shall furnish to the District within a reasonable time, which shall not exceed thirty days unless the Control Officer fixes some other time period for response, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking, reissuing, or terminating this permit or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required under this permit. For information claimed to be confidential, Permittee shall submit along with the requested information or records a showing as required under Code §3-1-120, and shall separately submit a full duplicate copy to the EPA Regional Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901).

D. Right to Enter

[Mandated by 40 CFR §70.6(c)(2)] (Code §§ 3-1-083.A.6, 3-1-132)

Authorized representatives of the District shall, upon presentation of proper credentials and while observing reasonable standard safety requirements as set forth by the owner or operator of the source, be allowed for purposes of ascertaining compliance with this permit and with other applicable requirements:

1. to enter upon the premises where the source is located, where emissions-related activity is conducted, or in which any records are required to be kept under the terms and conditions of this permit;
2. to inspect any equipment, operation, or method required in this permit; and
3. to sample or monitor emissions from the source, or other substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements;
4. to have access to and copy, at reasonable times, any records that are required to be kept under the conditions of this permit; and
5. to record any inspection by use of written, electronic, magnetic and photographic media.

E. Transfer of Ownership

[Mandated by 40 CFR §70.7(d)(4)] (Code §3-1-090)

This permit may be transferred under an administrative permit amendment from one person to another by notifying the District at least 30 days in advance of the transfer. The notice shall contain all the information and items required by Code § 3-1-090. The transfer may take place if not denied by the District within 10 days of the receipt of the transfer notification.

F. Posting of Permit
(Code §3-1-100)

Permittee shall firmly affix the permit, an approved facsimile of the permit, or other approved identification bearing the permit number, upon such building, structure, facility or installation for which the permit was issued. In the event that such building, structure, facility or installation is so constructed or operated that the permit cannot be so placed, the permit shall be mounted so as to be clearly visible in an accessible place within a reasonable distance of the equipment or maintained readily available at all times on the operating premises.

G. Permit Revocation for Cause
[Mandated by 40 CFR §70.6(a)(6)(iii)] (Code §3-1-140)

The Director of the District ("Director") may issue a notice of intent to revoke this permit for cause pursuant to Code §3-1-140, which cause shall include occurrence of any of the following:

1. The Director has reasonable cause to believe that the permit was obtained by fraud or material misrepresentation;
2. Permittee failed to disclose a material fact required by the permit application form or a regulation applicable to the permit;
3. The terms and conditions of the permit have been or are being violated.

H. Certification of Truth, Accuracy, and Completeness
[Mandated by 40 CFR §§70.5(a)(2), 70.6(a)(3)(iii)(B)] [Federally enforceable - Code §§3-1-083.A.5, 3-1-175 (as amended 10/12/95) approved as SIP Elements at 61 FR 15717 (4/9/96)]

Any application form, report, or compliance certification submitted pursuant to the Code shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under Chapter 3 of the Code shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

I. Renewal of Permit
[Mandated by 40 CFR §§70.5(a)(1)(iii), 70.7(c)] (Code §3-1-050.C.2)

Expiration of this permit will terminate the facility's right to operate unless either a timely application for renewal has been submitted in accordance with §§3-1-050, 3-1-055 and 3-1-060, or a substitute application for a general permit under §3-5-490. For Class I permit renewals, a timely application is one that is submitted at least 6 months, but not greater than 18 months prior to the date of the permit expiration. For Class II or Class III permit renewals, a timely application is one that is submitted at least 3 months, but not greater than 12 months prior to the date of permit expiration.

J. Severability
[Mandated by 40 CFR §70.6(a)(5)] (Code §3-1-081.A.7)

Pursuant to Code § 3-1-081.A.7., the provisions of this permit are severable, and if any provision of this permit is held invalid the remainder of this permit shall not be affected thereby.

K. Permit Shield
[Mandated by 40 CFR §70.6(f)] (Code § 3-1-102.)

Subject to the following schedule of exclusions, compliance with the terms of this permit shall be deemed compliance with any applicable requirement identified in this permit. The permit-shield exclusions include:

1. PGCAQCD Rule §7-3-1.3 OPEN BURNING²;
2. Any part of 40 CFR Part 60, Subpart WWW and 40 CFR Part 63 Subpart AAAA not expressly listed as an Applicable Requirement in §2 of this permit³.

L. Permit Revisions
[Mandated by 40 CFR §70.7(d), 70.7(e)] (Code Chapter 3, Article 2, specifically Code §3-1-081.A.8.c)

1. This permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
2. Permit amendments, permit revisions, and changes made without a permit revision shall conform to the requirements in Article 2, Chapter 3, of the Code.

M. Permit Re-opening
[Mandated by 40 CFR §§70.6(a)(6)(iii), 70.7(f), 70.7(g)] (Code §3-1-087.)

1. This permit shall be reopened if either:
 - a. Additional applicable requirements under the Clean Air Act (1990) become applicable to this source, and on that date, this permit has a remaining term of three or more years. Provided, that no such reopening under this subparagraph is required if the effective date of the newly applicable requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to Code §3-1-089.C.
 - b. The Control Officer determines that it contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of it;
 - c. The Control Officer determines that it needs to be revised or revoked to assure compliance with the applicable requirements; or
 - d. The EPA Administrator finds that cause exists to terminate, modify, or revoke and reissue this permit.
2. If this permit must be reopened for cause, the District will notify the permittee in accord with Code §3-1-087.A.3.

² Since PGCAQCD Rule §7-3-1.3 OPEN BURNING has been effectively replaced by SIP approved PCAQCD Rule §3-8-700 it will be excluded from the permit shield. However, since §7-3-1.3 is still a SIP provision it must be cited as an applicable requirement.

³ Note that this permit includes both incorporation-by-reference of the substance of the Landfill NSPS, and also includes a number of paraphrased translations of the Landfill NSPS requirements. In so doing, this permit intends those paraphrased provisions to constitute limited guidance as to achieve *prima facie* compliance with the NSPS, but to still invoke the literal language of the standard itself as the legal standard with which the Permittee must comply in order to actually invoke a "shield."

N. Record Retention
[Mandated by 40 CFR §70.6(a)(3)(ii)(B)] (Code §3-1-083.A.2.b)

Permittee shall retain for a period of five (5) years all documents required under this permit, including reports, monitoring data, support information, calibration and maintenance records, and all original recordings or physical records of required continuous monitoring instrumentation.

O. Scope of License Conferred
[Mandated by 40 CFR §70.6(a)(6)(iv)] (Code §3-1-081.A.8.d)

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

P. Excess Emission Reports; Emergency Provision
[Mandated by 40 CFR §70.6(g)] (Code §3-1-081.E, Code §8-1-030)

1. To the extent Permittee may wish to offer a showing in mitigation of any potential penalty, underlying upset events resulting in excess emissions shall reported as follows:

a. The permittee shall report to the Control Officer any emissions in excess of the limits established by this permit. Such report shall be in two parts:

- i. Notifications by telephone or facsimile within 24 hours or the next business day, whichever is later, of the time when the owner or operator first learned of the occurrence of excess emissions, including all available information required under subparagraph b. below.
- ii. Detailed written notification within 3 working days of the initial occurrence containing the information required under subparagraph b. below.

b. The excess emissions report shall contain the following information:

- i. The identity of each stack or other emission point where the excess emissions occurred.
- ii. The magnitude of the excess emissions expressed in the units of the applicable limitation.
- iii. The time and duration or expected duration of the excess emissions.
- iv. The identity of the equipment from which the excess emissions occurred.
- v. The nature and cause of such emissions.
- vi. If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions.
- vii. The steps that were or are being taken to limit the excess emissions. To the extent this permit defines procedures governing operations during periods of start-up or malfunction, the report shall contain a list of steps taken to comply with this permit.

- viii. To the extent excess emissions are continuous or recurring, the initial notification shall include an estimate of the time the excess emissions will continue. Continued excess emissions beyond the estimated date will require an additional notification.
- 2. 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.
- 3. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of the following subparagraph are met.
- 4. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. The permittee submitted notice of the emergency to the Control Officer by certified mail or hand delivery within 2 working days of the time when emissions limitations were exceeded due to emergency. The notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

10. Additional provisions applicable to Title V Sources
(Code §3-1-081.B.2)

Subject to the following specific exclusions, all terms and conditions of this permit are enforceable by the Administrator and citizens under the Clean Air Act. The exclusions include:

- A. Section 1. Introduction
- B. Section 9.F Posting of Permit

11. Equipment Schedule
[Mandated by 40 CFR §70.5(c)] (Code §3-1-050)

Equipment for which emissions are allowed by this permit are as follows:

- A. One (1) landfill facility, consisting of approximately 500 acres of landfill footprint.
- B. Two (2) Columbia Industries landfill tippers, 50 Ton, Model LFT-50/65T, powered by two John Deere, Model E404, 140 hp diesel engines, Manufactured 2014

- C. One (1) MultiQuip Power Whisperwatt generator, Model DCA300SSCU4i, powered by Cummins, Model QSL9-G3, 433 hp diesel engine, Manufactured 2014

Insignificant Activities:

1,000 gallon aboveground diesel tank.

**Appendix A: Semi-annual Report
Permit V20679.000**

Abstract - This constitutes a semi-annual report, documenting emissions and emission-related activity during the subject reporting period.

Facility - Durnham Regional Landfill, LLC
22316 South Harmon Road, Florence, Arizona

Reporting Period - January to June __ or July to December __ Year _____

Parametric Emissions Report

Waste deposited _____ (This period)
Quantity Units

Amount of PCS used as cover _____ tons

Estimated VOC emissions from PCS cover _____ tons

Engines Report

Total hours of operation of the two tipper engines - _____ hours

Hours of operation of the generator _____ hours

Did the engines meet the NSPS IIII emission standards as listed in Section §5.E of this permit?
Yes _____ No _____

Monitoring Verification

Was diesel fuel with more than 0.8% or 15 ppm sulfur used during the reporting period?..... Yes No
(Attach records of such occurrences with the dates in accordance with §6.A)

Did the tipping rate exceed 750 tons per day? Yes No

o If yes, was the soil moisture testing program required by §6.A.2 submitted for approval and commenced? Yes No

Were semi-annual opacity screens conducted in accordance with §6.A.3?..... Yes No
(Attach results of any Method 9 testing conducted)

Were deliveries of PCS inspected at the gate in accordance with §6.A.4?..... Yes No

Record Generation Verification

Were the required records of each of the following maintained? Yes No

o Asbestos cell size and location as required by §5.C.2? Yes No

o Asbestos waste shipment records as required by §5.C.3? Yes No

o The sulfur content in diesel fuel as required by §6.A.1? Yes No

o Water sprayed for dust suppression as required by §6.C.4?..... Yes No

- Did the facility prohibit disposal of refrigerant-containing equipment?
Yes No

- If on-site disposal was allowed, were written statements as required by §6.C.5 collected regarding refrigerant removal from
 - small appliances/MVACs?.....
 - larger appliances?.....

- If collected equipment is disposed off-site, is written verification of contractor certification retained?
- Daily cover logs as required by §6.C.6?.....
- Monthly records of auto shredder fluff used for daily cover as required by §6.C.6?

Reporting Verification

- Were any RACM loads improperly wrapped or improperly quantified by the waste generator?
- If yes, did you report the discrepancies as required by §7.D.1?

- Was the Initial Design Capacity Report required by §7.E.2 submitted within 90 days of commencing construction?

- Was the annual NMOC report submitted as required by §5.B and §7.E.3?
- Did the report predict any annual NMOC emission equal to or greater than 50 Mg/yr?
- If NMOC emissions were predicted to equal or exceed 50 Mg/yr were the provisions for recalculation or permit revision listed in §5.B.2 followed

- Did this facility experience any deviations?
- If so, were deviation reports filed within 10 days as required by §7.F?

Certification by Responsible Official

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

Signed _____

Printed Name _____

Title _____

Date _____

Contact Phone Number _____

Mail to - Pinal County Air Quality Control District
P.O. Box 987
Florence, AZ 85132