



AUG 17 2015

Mr. Anthony Falbo
MM Tulare Energy LLC
5087 Junction Road
Lockport, NY 14094

**Re: Notice of Minor Title V Permit Modification
District Facility # S-2996
Project # S-1143668**

Dear Mr. Falbo:

Enclosed is the District's analysis of your application for minor Title V permit modification for the facility identified above. You proposed a Title V minor permit modification to modify Permit(s) to Operate (PTOs) S-2996-1 of the facility's current Title V operating permit. The modification is to remove non-applicable surface emission monitoring requirements that were incorrectly placed on the permit during a previous project.

Enclosed is the engineering evaluation with the following attachments: proposed modified Title V PTO(s) S-2996-1-4, application, and previous Title V permit. This project will be finalized after the 45-day EPA comment period.

If you have any questions, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

Thank you for your cooperation in this matter.

Sincerely,



Arnaud Marjollet
Director of Permit Services

Enclosures

cc: Gerardo C. Rios, EPA (w/enclosure) via email

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org www.healthyliving.com

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

TITLE V APPLICATION REVIEW

Minor Modification
Project #: S-1143668

Engineer: Dan Klevann
Date: July 20, 2015

Facility Number: S-2996
Facility Name: NEO Tulare Energy LLC
Mailing Address: 5087 Junction Road
Lockport, NY 14094

Contact Name: Anthony Falbo
Phone: 716-439-1004

Responsible Official: Anthony Falbo
Title: Vice President

I. PROPOSAL

NEO Tulare Energy LLC (NEO) is proposing a Minor Modification to their Title V Permit. The modifications correct errors that were introduced prior to the initial Title V project. The correction consists of removing non-applicable District Rule 4642, Solid Waste Disposal Sites, requirements from the vapor collection system permit (S-2996-1). The landfill that the collection system is serving is subject to the requirements of NSPS WWW. Therefore, the landfill and collection system are not subject to District Rule 4642 requirements pursuant to section 4.1.2 and will be removed from the current permit. The Visalia landfill (S-3729) currently is not required to install a gas collection system or perform surface emission monitoring per the NSPS. However, NEO has installed a collection system for the purpose of generating electricity by burning the collected gas in engines connected to generators.

The above errors were introduced during a previous project and were not brought to the attention of the District until after the Title V Permit was issued. No new Authority to Construct permit is associated with this Minor Modification.

The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with the applicable requirements, and to provide the legal and factual basis for the proposed revisions.

II. FACILITY LOCATION

NEO is located at the Visalia Landfill 33466 Road 80 Visalia, CA.

III. EQUIPMENT DESCRIPTION

S-2996-1-4: LANDFILL GAS COLLECTION SYSTEM WITH GAS COLLECTION WELLS, GAS PIPING, BLOWER(S), AND KNOCKOUT VESSEL(S)

IV. SCOPE OF EPA AND PUBLIC REVIEW

This correction and change to the Title V permit is considered to be a minor modification and, as such, requires no public review.

V. APPLICABLE REQUIREMENTS

District Rule 2520, Federally Mandated Operating Permits (Adopted June 21, 2001)

40 CFR Part 60, Subpart WWW Standards of Performance for Municipal Solid Waste Landfills

VI. DESCRIPTION OF PROPOSED MODIFICATIONS

S-2996-1:

S-2996-1-3 Current Conditions	S-2996-1-4 Proposed Conditions	Notes
1	1	Correct Rule reference
2	2	Correct rule reference and clarify only gas collection system monitored
3	3	Correct Rule reference
4	4	Correct Rule reference
5	5	Correct Rule reference
6	6	Correct Rule reference
7	Remove	Destruction efficiency not applicable to landfill at

		this time.
8	7	No change
9	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
10	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
11	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
12	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
13	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
14	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
15	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
16	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
17	Remove	Surface testing not required/applicable to collection system. Surface testing is landfill requirement
18	8	Correct Rule reference
19	9	No change
20	10	No change

PTO S-2996-1 erroneously includes District Rule 4642 referenced conditions. Reviewing previous projects and the original initial Title V evaluation, the District has concluded that the permit has incorrect rule references on some of the conditions and as well as some conditions that should not be on the collection system permit. This project will remove the District Rule 4642 rule references and conditions that were placed on the permit erroneously.

VII. COMPLIANCE

In accordance with Rule 2520, 3.20, these modifications:

1. Do not violate requirements of any applicable federally enforceable local or federal requirement;
2. Do not relax monitoring, reporting, or recordkeeping requirements in the permit and are not significant changes in existing monitoring permit terms or conditions;
3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
 - a. A federally enforceable emission cap assumed to avoid classification as a modification under any provisions of Title I of the Federal Clean Air Act; and
 - b. An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Federal Clean Air Act; and
5. Are not Title I modifications as defined in District Rule 2520 or modifications as defined in section 111 or 112 of the Federal Clean Air Act; and
6. Do not seek to consolidate overlapping applicable requirements.

In accordance with Rule 2520, the application meets the procedural requirements of section 11.4 by including;

1. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
2. The source's suggested draft permit; and
3. Certification by a responsible official that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used.

VIII. ATTACHMENTS

- A. Proposed Modified Title V Operating Permits
- B. Previous Title V Operating Permit
- C. Application
- D. Compliance Certification Form

ATTACHMENT A

Proposed Modified Title V Operating Permit

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: S-2996-1-4

LEGAL OWNER OR OPERATOR: NEO TULARE LLC/TULARE COUNTY
MAILING ADDRESS: 5087 JUNCTION RD
LOCKPORT, NY 14094

LOCATION: VISALIA LANDFILL
CA

EQUIPMENT DESCRIPTION:
MODIFICATION OF LANDFILL GAS COLLECTION SYSTEM WITH GAS COLLECTION WELLS, GAS PIPING,
BLOWER(S), AND KNOCKOUT VESSEL(S): REMOVE RULE 4642 CONDITIONS

CONDITIONS

1. Sampling ports shall be installed on each gas collection well head. [District Rule 2080] Federally Enforceable Through Title V Permit
2. The gas collection system shall be operated such that the concentration of total organic compounds (as CH4) shall not exceed 1,00 ppmv at any point along the gas transfer path of the gas collection system. [District Rule 2080] Federally Enforceable Through Title V Permit
3. The gas collection system shall be operated in a manner which maximizes the amount of landfill gas extracted while preventing overdraw that can cause fires or damage the gas collection system. [District Rule 2080] Federally Enforceable Through Title V Permit
4. Excavated solid waste shall be covered using fresh soil, plastic sheeting, or vapor retarding foam as necessary to prevent odorous emissions and to minimize the release of landfill gas. [District Rule 2080] Federally Enforceable Through Title V Permit
5. The permittee shall notify the APCO by telephone at least 24 hours before performing any maintenance work that requires the system to be shutdown. The notification shall include a description of work, the date work will be performed and the amount of time needed to complete the maintenance work. [District Rule 2080] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (661) 392-5500 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director, APCO

Arnaud Marjolle, Director of Permit Services

S-2996-1-4 - Aug 12 2015 12:10PM -- KLEVANND : Joint Inspection NOT Required

6. During maintenance of the gas collection system and/or incineration device(s), emissions of landfill gas shall be minimized during shutdown, and gas collection system and control device shall not be shutdown for more than 144 cumulative hours in any calendar year. [District Rule 2080] Federally Enforceable Through Title V Permit
7. Landfill gas sulfur content shall not exceed 75 ppmv (as H₂S). [District Rule 2201] Federally Enforceable Through Title V Permit
8. Permittee shall maintain records of maintenance related to gas collection system and control device downtime, including individual well shutdown. [District Rule 2080] Federally Enforceable Through Title V Permit
9. Landfill gas combusted in the flare shall be tested for H₂S content on a quarterly basis using draeger tubes. If compliance is shown for two consecutive quarters, the testing frequency may be changed to annual. Quarterly testing shall resume if any annual test shows noncompliance. [District Rule 2520 9.3.2] Federally Enforceable Through Title V Permit
10. Permittee shall maintain such records for a period of five years from the date of each entry and shall make such records readily available for District inspection upon request. [District Rule 1070 & District Rule 2520, 9,4,2] Federally Enforceable Through Title V Permit

DRAFT

ATTACHMENT B
Previous Title V Operating Permit

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: S-2996-1-3

EXPIRATION DATE: 03/31/2017

EQUIPMENT DESCRIPTION:

LANDFILL GAS COLLECTION SYSTEM WITH GAS COLLECTION WELLS, GAS PIPING, BLOWER(S), AND KNOCKOUT VESSEL(S)

PERMIT UNIT REQUIREMENTS

1. Sampling ports shall be installed on each gas collection well head. [District Rule 4642] Federally Enforceable Through Title V Permit
2. The gas collection system shall be operated such that the concentration of total organic compounds (as CH₄) shall not exceed 1000 ppmv at any point on the surface, along the gas transfer path of the gas collection system. [District Rule 4642] Federally Enforceable Through Title V Permit
3. The gas collection system shall be operated in a manner which maximizes the amount of landfill gas extracted while preventing overdraw that can cause fires or damage the gas collection system. [District Rule 4642] Federally Enforceable Through Title V Permit
4. Excavated solid waste shall be covered using fresh soil, plastic sheeting, or vapor retarding foam as necessary to prevent odorous emissions and to minimize the release of landfill gas as described in Rule 4642 subsection 5.3. [District Rule 4642] Federally Enforceable Through Title V Permit
5. The permittee shall notify the APCO by telephone at least 24 hours before performing any maintenance work that requires the system to be shutdown. The notification shall include a description of work, the date work will be performed and the amount of time needed to complete the maintenance work. [District Rule 4642] Federally Enforceable Through Title V Permit
6. During maintenance of the gas collection system and/or incineration device(s), emissions of landfill gas shall be minimized during shutdown, and gas collection system and control device shall not be shutdown for more than 144 cumulative hours in any calendar year. [District Rule 4642] Federally Enforceable Through Title V Permit
7. All landfill gas collected by a gas collection system shall be controlled by a control device with a VOC destruction efficiency of at least 98% or reduce the VOC concentration to 20 ppmv or less (measured as methane) corrected to 3% oxygen. [District Rules 2201 and 4642] Federally Enforceable Through Title V Permit
8. Landfill gas sulfur content shall not exceed 75 ppmv (as H₂S). [District Rule 2201] Federally Enforceable Through Title V Permit
9. Permittee shall notify the District no later than 30 days prior to any surface testing. [District Rule 2201] Federally Enforceable Through Title V Permit
10. Surface emission testing per Rule 4642 subsection 6.1.1 shall be performed once every six month period per calendar year. Upon completion of two consecutive semi-annual tests without an exceedance of the 1000 ppmv standard, testing may be performed every calendar year per Rule 4642 subsection 6.3.1. [District Rule 4642] Federally Enforceable Through Title V Permit
11. Prior to testing of surface emissions, the operator shall submit a written Surface Emissions Testing Protocol for approval by the APCO. [District Rule 4642] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

Facility Name: NEO TULARE LLC/TULARE COUNTY

Location: VISALIA LANDFILL, CA

S-2996-1-3 : Jul 20 2015 11:50AM -- KLEVANNND

12. Surface emissions testing shall be conducted using a portable hydrocarbon detection test instrument. The instrument shall be calibrated before and after each test using zero air and an approximately 500 parts per million by volume (ppmv) methane based standard calibration gas in accordance with the manufacturer's recommendations. The instrument serial number and instrument calibration data shall be recorded for each calibration and maintained as a permanent record. [District Rule 4642] Federally Enforceable Through Title V Permit
13. Surface emissions testing shall be performed by holding the detector probe within three inches of the surface while walking a pattern of parallel paths not more than 90 feet apart over the entire surface area of the solid waste disposal site which contains buried refuse, and along the gas transfer path of the gas collection system. The operator shall monitor the instrument readings at least once every 30 seconds, at normal walking speed (approximately 2 miles per hour), record only the readings that exceed 1,000 ppmv, and geographically locate the specific area on the landfill surface where the exceedance occur. Cracks, holes and other breeches in the solid waste disposal site cover, as well as areas where buried waste interfaces with undistributed native soil, shall be tested. Sampling is not required on steep slopes of other areas posing an unavoidable hazard to testing personnel. [District Rule 4642] Federally Enforceable Through Title V Permit
14. Surface emissions testing shall be terminated when the average wind speed exceeds five miles per hour or the instantaneous wind speed exceeds ten miles per hour. Average wind speed shall be determined on a ten minute average using an on-site anemometer. The APCO may approve exceptions to the wind speed requirements for soil waste disposal sites which consistently have winds in excess of these limits. Application for this exemption must be made in writing prior to testing. [District Rule 4642] Federally Enforceable Through Title V Permit
15. Surface emissions testing shall be conducted when the solid waste disposal site is dry and no rain is falling. The site is considered dry when there has been no rain for 72 hours prior to testing. [District Rule 4642] Federally Enforceable Through Title V Permit
16. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. The results of each source test shall be submitted to the District within 60 days after testing. [District Rule 2201 & 4642] Federally Enforceable Through Title V Permit
17. Permittee shall maintain records of surface emission tests including: date and time, weather conditions, including precipitation records, areas sampled, calibration records, and test results. [District Rule 4642] Federally Enforceable Through Title V Permit
18. Permittee shall maintain records of maintenance related to gas collection system and control device downtime, including individual well shutdown. [District Rule 4642] Federally Enforceable Through Title V Permit
19. Landfill gas combusted in the flare shall be tested for H₂S content on a quarterly basis using draeger tubes. If compliance is shown for two consecutive quarters, the testing frequency may be changed to annual. Quarterly testing shall resume if any annual test shows noncompliance. [District Rule 2520 9.3.2] Federally Enforceable Through Title V Permit
20. Permittee shall maintain such records for a period of five years from the date of each entry and shall make such records readily available for District inspection upon request. [District Rule 1070 & District Rule 2520, 9,4,2] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

ATTACHMENT C
Application



San Joaquin Valley Air Pollution Control District

www.valleyair.org



Permit Application For:

ADMINISTRATIVE AMENDMENT MINOR MODIFICATION SIGNIFICANT MODIFICATION

1. PERMIT TO BE ISSUED TO: NEO Tulare LLC - Facility ID #2996	
2. MAILING ADDRESS: STREET/P.O. BOX: 5087 Junction Road CITY: Lockport STATE: New York 9-DIGIT ZIP CODE: 14094	
3. LOCATION WHERE THE EQUIPMENT WILL BE OPERATED: STREET: 32982 Road 80 CITY: Visalia, CA 93291 ¼ SECTION TOWNSHIP RANGE	INSTALLATION DATE:
4. GENERAL NATURE OF BUSINESS: Landfill gas collection and enclosed flare system	
5. DESCRIPTION OF EQUIPMENT OR MODIFICATION FOR WHICH APPLICATION IS MADE (include Permit #'s if known, and use additional sheets if necessary) Remove from Permit S-2996-1-3 Condition 2 – CH4 shall not exceed 1,000 ppmv at any point on the surface Condition 5 – Notify APCD 24 hours prior to maintenance work which requires system shutdown Condition 6 – Control device shall not be shutdown for more than 144 hours per calendar year due to maintenance. Condition 9 – Notify District 30 days prior to surface testing. Condition 10 – Surface testing performed every six months. Condition 11 – Submit written Surface Emission Protocol. Condition 12 – Surface emissions testing to be conducted using a portable hydrocarbon detection test instrument. Condition 13 – Surface emission testing requirements Condition 14 – Wind speed limitations during surface emission testing Condition 15 – Dry weather requirements during surface emission testing Condition 17 – Maintain records of surface emissions	
6. TYPE OR PRINT NAME OF APPLICANT: Anthony Falbo	TITLE OF APPLICANT: Senior Vice President - Operations
7. SIGNATURE OF APPLICANT: 	DATE: 6-25-14 PHONE: (716) 439-1004 FAX: (716) 439-0135 EMAIL: afalbo@fortistar.com

For APCD Use Only:

DATE STAMP	FILING FEE RECEIVED: \$ _____ CHECK#: _____
	DATE PAID: _____

ATTACHMENT D
Compliance Certification Form



**San Joaquin Valley
Unified Air Pollution Control District**



TITLE V MODIFICATION - COMPLIANCE CERTIFICATION FORM

I. TYPE OF PERMIT ACTION (Check appropriate box)

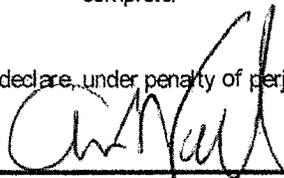
- SIGNIFICANT PERMIT MODIFICATION ADMINISTRATIVE AMENDMENT
 MINOR PERMIT MODIFICATION

COMPANY NAME:	FACILITY ID: S - 2996
1. Type of Organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Government <input type="checkbox"/> Partnership <input type="checkbox"/> Utility	
2. Owner's Name: NEO Tulare LLC	
3. Agent to the Owner:	

II. COMPLIANCE CERTIFICATION (Read each statement carefully and initial all circles for confirmation):

- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will continue to comply with the applicable federal requirement(s).
- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will comply with applicable federal requirement(s) that will become effective during the permit term, on a timely basis.
- Corrected information will be provided to the District when I become aware that incorrect or incomplete information has been submitted.
- Based on information and belief formed after reasonable inquiry, information and statements in the submitted application package, including all accompanying reports, and required certifications are true accurate and complete.

I declare, under penalty of perjury under the laws of the state of California, that the forgoing is correct and true:



 Signature of Responsible Official

11-12-14

 Date

ANTHONY J. FALBO

 Name of Responsible Official (please print)
 Senior Vice President - Operations

 Title of Responsible Official (please print)