MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT
PROPOSED TITLE V OPERATING PERMIT TV59-01

24580 Silver Cloud Court
Monterey, CA 93940
Telephone: (831) 647-9411

ISSUED TO:

Monterey Regional Waste Management District
P.O. Box 1670
Marina, CA 93933-1670

PLANT SITE LOCATION:

14201 Del Monte Blvd.
Marina, California

ISSUED BY:

Richard Stedman, Air Pollution Control Officer	November 1, 2011 Effective Date

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Nature of Business: Municipal Solid Waste Landfill

SIC Code: 4953 - Refuse Systems

RESPONSIBLE OFFICIAL:

Name: Mr. William Merry
Title: General Manager
Phone: (831) 384-5313

ALTERNATIVE RESPONSIBLE OFFICIAL:

Name: Mr. Tim Flanagan
Title: Assistant General Manager
Phone: (831) 384-5313

FACILITY CONTACT PERSON:

Name: Mr. Rick Shedden
Title: Senior Engineer
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FACILITY DESCRIPTION

The Monterey Regional Waste Management District's Marina Landfill is a Municipal Solid Waste (MSW) Landfill permitted by the California Integrated Waste Management Board to receive a maximum of 1,200 tons per day of MSW. This landfill site has been accepting waste since the site opened in 1966.

The landfill utilizes a landfill gas collection and destruction system. The collected landfill gas is combusted in four landfill gas engine-generator sets producing approximately 5.0 Mw and/or a portable candlestick flare.

The Marina Landfill is subject to Title V permitting as the facility is subject to District Rule 437 due to the design capacity of the landfill being greater than 2.5 million cubic meters. Rule 437 was adopted on October 16, 1996 and submitted to EPA as part of the California State Plan to control emissions from existing MSW Landfills as required by 40 CFR Part 60, Subpart Cc. District Rule 437 adopted by reference the standards established in the New Source Performance Standards for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart WWW). EPA approved the California State Plan on November 22, 1999 which established the effective date for this facility.

EQUIPMENT DESCRIPTION

MUNICIPAL SOLID WASTE LANDFILL CONSISTING OF:

1. 475 Acre Landfill Site Of Which 315 Acres Are Permitted For Waste Disposal.

2. Landfill Gas Collection Systems, Vertical Wells, Lateral Collector Pipes, Header Pipe, And Gas Movers To Collect And Route Landfill Gas To The Landfill Gas Destruction Systems.

3. Landfill Gas Destruction Systems:

   A) One Landfill Gas Engine-Generator Set, Nominally Rated At 2,233 Bhp And 1.6 Mw Output.

   B) One Landfill Gas Engine-Generator Set, Nominally Rated At 1,986 Bhp And 1.4 Mw Output.

   C) Two Landfill Gas Engine-Generator Sets, Each Nominally Rated At 1,400 Bhp And 1 Mw Output.

   D) Portable Candlestick Flare, Rated At 500 CFM Gas Capacity.

4. Ancillary Equipment:

   Gasoline Storage Tank.

   Wood Processing Facility.

FEDERALLY ENFORCEABLE EMISSION LIMITS AND STANDARDS

1. The amount of landfill gas vented to the flare shall not exceed 500 SCFM. [District Rule 207]

2. NO_x and VOC emissions discharged from the flare shall each be less than 25 pounds per day. This condition supersedes Condition 1. [District Rule 207]

3. The emissions from engine-generator set 3B shall not exceed the following concentration limits [District Rule 207 & 40 CFR Part 60, Subpart JJJJ]:

Pollutant	ppm_v @ 15% O_2
NO_x	52
VOC	50
CO	433

4. The combined emissions from the engine-generator sets shall not exceed the following limits: [District Rule 207]

Pollutant	Lbs/hour	Lbs/day
NO_x	12.37	296.8
VOC	6.61	158.6
CO	55.59	1,334.2
SO_2	6.25	150.0

5. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three (3) minutes in any one (1) hour which is as dark or darker than Ringelmann 1, or equivalent 20% opacity. [District Rule 400 Adopted 12/15/04]

6. Particulate matter shall not exceed 0.15 grains per standard dry cubic foot in the exhaust stream of the flare. [District Rule 403 Adopted 2/16/05]

7. Sulfur compounds calculated as sulfur dioxide (SO_2) shall not exceed 0.2 percent by volume in the exhaust stream of the landfill gas destruction device(s). [District Rule 404 Adopted 12/15/04]

8. The landfill gas combusted shall contain no more than 50 grains of sulfur compounds (calculated as hydrogen sulfide) per 100 cubic feet of gas. [District Rule 412 Adopted 8/21/02]

9. The Monterey Regional Waste Management District's gasoline storage tank shall be equipped with a permanent submerged fill pipe. [District Rule 418]

10. The Monterey Regional Waste Management District shall operate a Phase I vapor recovery system during

the filling of the storage tank at the gasoline dispensing facility which has been certified by the California Air Resources Board. [District Rule 418]

11. The Monterey Regional Waste Management District shall operate a Phase II vapor recovery system on the gasoline storage tank which has been certified by the California Air Resources Board. [District Rule 1002]

12. The Monterey Regional Waste Management District shall limit emissions of volatile organic compounds by the use of architectural coatings which comply with the requirements of District Rule 426. [District Rule 426]

13. The Monterey Regional Waste Management District shall limit emissions of volatile organic compounds during solvent cleaning and degreasing operations pursuant to the requirements of District Rule 433. [District Rule 433]

14. No later than 1 year after the first report required by Condition 43 in which the Non-Methane Organic Compound (NMOC) emission rate equals or exceeds 50 megagrams per year, the Monterey Regional Waste Management District shall submit to the District a collection and control system design plan prepared by a professional engineer. This plan shall meet the design requirements specified in §60.752(b)(2)(ii) [restated in Condition 15] and must include the information required by §60.752(b)(2)(i). District Rule 437 Adopted 10/16/96]

15. No later than 30 months after the first report required by Condition 43 in which the NMOC emission rate equals or exceeds 50 megagrams per year, the Monterey Regional Waste Management District shall cause to be operated a landfill gas collection system that effectively captures the gas generated such that [District Rule 437 Adopted 10/16/96]:

    A) the system is 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 collection system; and

    B) landfill gas is collected from each area, cell or group of cells in which non-asbestos degradable solid waste has been placed for a period of 5 years or more for active areas or 2 years or more for closed areas; and

    C) offsite migration of subsurface gas is minimized; and

    D) each wellhead is under negative pressure except under the following conditions:

        i) a fire or increased well temperature. The Monterey Regional Waste Management District shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in Condition 46; or

        ii) use of a geomembrane or synthetic cover. Acceptable pressure limits shall be submitted by the Monterey Regional Waste Management District in their design plan; or

iii) a decommissioned well.

E) the collected landfill gas temperature is less than 55°C at each operating well with a nitrogen level less than or equal to 20 percent or an oxygen level less than or equal to 5 percent; and

F) the surface methane concentration over the landfill shall not exceed 500 ppm above background.

16. No later than 30 months after the first report required by Condition 43 in which the NMOC emission rate equals or exceeds 50 megagrams per year, the landfill gas destruction device(s) shall either reduce non-methane organic compounds (NMOC) by 98 weight-percent or reduce the NMOC outlet concentration to less than 20 ppmv, dry basis as hexane at 3% oxygen. [District Rule 437 Adopted 10/16/96]

17. The Monterey Regional Waste Management District shall cause the landfill gas destruction device(s) to be operated at all times that the collected landfill gas is routed to the system. In the event that the gas collection system or the Landfill gas destruction device(s) is inoperable, the gas mover system shall be shut down and all valves in the collection system and the landfill gas destruction device(s) contributing to venting of the gas to the atmosphere shall be closed within 1 hour. [District Rule 437 Adopted 10/16/96]

18. Conditions 15 and 16 do not apply to the landfill gas destruction device(s) during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 1 hour. [District Rule 437 Adopted 10/16/96]

19. The Monterey Regional Waste Management District shall cause the landfill gas destruction device(s) to be equipped with exhaust gas temperature monitoring devices equipped with continuous recorders having an accuracy of ±1 percent of the temperature being measured expressed in degrees Celsius or ±0.5 °C, whichever is greater. [District Rule 437 Adopted 10/16/96]

20. The Monterey Regional Waste Management District shall cause the operation of gas flow measuring devices that provide measurements of gas flow to the landfill gas destruction device(s) or to the bypass valves if so equipped. [District Rule 437 Adopted 10/16/96]

21. If the gas collection system is equipped with valves to bypass the landfill gas destruction device(s), these bypass valves must be in a closed position with a car-seal or a lock-and-key type configuration. [District Rule 437 Adopted 10/16/96]

22. The Monterey Regional Waste Management District shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis. [District Rule 437 Adopted 10/16/96]

23. The Monterey Regional Waste Management District shall operate and maintain the landfill gas engines in accordance with manufacturer specifications and procedures, and shall implement the following engine management practice standards [40 CFR Part 63, Subpart ZZZZ]:

a) Change oil and filter every 1,440 hours of operation or annually, whichever comes first;

b) Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and,

c) Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.

The specified oil change-out frequency above may be extended provided an optional oil analysis program is instituted with prior District approval as follows:

i) The oil analysis program must be performed at the same frequency as the oil change-out timelines.

ii) The oil analysis program must, at a minimum, analyze the Total Acid Number, Viscosity, and Percent Water Content of the present engine oil. Should the Total Acid Number increase no more than 3.0 milligrams of potassium hydroxide per gram from the Total Acid Number for new oil, viscosity change no more than 20 percent from the viscosity for new oil, and water content by volume be no more than 0.5 percent, the present engine oil does not need to be changed. If any of the limits are exceeded, the oil must be changed within two (2) days of receiving the results of the analysis, or before recommencing operation if the engine is out of service.

iii) Records of the oil analysis results and oil changes shall be retained with the maintenance records as required by this permit.

24. Should the facility, as defined in 40 CFR §68.3 become subject to Part 68, then the Monterey Regional Waste Management District shall submit a risk management plan (RMP) by the date specified in 40 CFR §68.10. Once subject to Part 68, the Monterey Regional Waste Management District shall certify compliance with these requirements as part of the annual compliance certification required by 40 CFR Part 70 and this permit [40 CFR Part 68]

25. The Monterey Regional Waste Management District shall comply with the requirements of 40 CFR Part 82 - Protection of Stratospheric Ozone. [40 CFR Part 82]

TESTING REQUIREMENTS AND PROCEDURES

26. Annual engine-generator performance tests shall be conducted during the month of March, April, or May each year, in accordance with the Monterey Bay Unified Air Pollution Control District test procedures to determine the concentration and mass emission rates of NO_x, CO, methane, and VOC, and the electrical

output during the test. A testing protocol shall be submitted to the District for approval at least 30 days prior to the scheduled testing date. The District must be notified at least ten days prior to the actual testing in order that a District representative may be present.

The performance test shall include, but will not be limited to, the determination of the following emissions [District Rule 207]:

a) Oxides of Nitrogen, as NO_2: ppmv at 15% O_2 dry and lb_m/hr.
b) Carbon Monoxide: ppmv at 15% O_2 dry and lb_m/hr.
c) Methane and non-methane hydrocarbons: ppm and lb_m/hr.

and the following process parameters:

d) Landfill gas consumption.
e) Stack flow rate (SDCFM), temperature, % O_2 and % H_2O.
f) Electricity generated, kW.

27. No testing is specified for the generic (Rule 400) opacity requirement from Condition 5. The landfill gas destruction device(s) are assumed to be in compliance with the opacity requirement due to the firing of gaseous fuel. If testing is conducted for Condition 5, the Monterey Regional Waste Management District should conduct testing in accordance with the methodology contained in EPA Method 9 and the averaging/aggregating period contained in District Rule 400. [District Rule 218 Adopted 3/26/97]

28. No testing is specified for the generic (Rule 403) particulate matter emission standard from Condition 6. The landfill gas destruction device(s) are assumed to be in compliance with the particulate matter emission standard due to the firing of gaseous fuel. If testing is conducted for Condition 6, the Monterey Regional Waste Management District should conduct testing in accordance with the methodology contained in EPA Method 5. [District Rule 218 Adopted 3/26/97]

29. No testing is specified for the generic (Rule 404) sulfur concentration limit in Condition 7. The landfill gas destruction device(s) are assumed to be in compliance with the sulfur concentration limit based upon the calculations contained in the engineering evaluation. If testing is conducted for Condition 7, the Monterey Regional Waste Management District should conduct testing in accordance with the methodology contained in EPA Method 20. [District Rule 218 Adopted 3/26/97]

30. Annual testing of the landfill gas from the gas collection system(s) to determine the sulfur content shall be completed. The Monterey Regional Waste Management District shall conduct testing in accordance with ASTM D 1072-80, ASTM D 3031-81, ASTM D 3246-81 or SCAQMD Method 307-91 to verify compliance with Condition 8. [District Rule 218 Adopted 3/26/97]

31. No later than 30 months after the first report required by Condition 43 in which the Non-Methane Organic Compound (NMOC) emission rate equals or exceeds 50 megagrams per year, the Monterey Regional Waste Management District shall cause monitoring or testing to be conducted to verify compliance with Conditions 15, 21 and 22 as follows [District Rule 437 Adopted 10/16/96]:

On a monthly basis:

A) Monitor the cover integrity, visually inspect the bypass valves to ensure that they are closed, and measure the gage pressure and monitor the temperature and nitrogen or oxygen content at each well head. The nitrogen level shall be determined using EPA Method 3C, or the oxygen level shall be determined using EPA Method 3A except that: 1) the span shall be set so the regulatory limit is between 20 and 50 percent of the span; 2) a data recorder is not required; 3) only two calibration gases are required, a zero and a span, and ambient air may be used as the span; 4) a calibration error check is not required; and 5) the allowable sample bias, zero drift, and calibration drift are ± 10 percent.

On a quarterly basis:

B) Monitor the surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern within the collection area at 30 meter intervals. This surface monitoring shall be performed in accordance with section 4.3.1 of EPA Method 21, except that the probe shall be placed within 5 to 10 centimeters of the ground. The portable analyzer shall meet the instrument specifications provided in section 3 of EPA Method 21 except that "methane" shall replace all references to VOC and the instrument evaluation procedures in section 4.4 of EPA Method 21 shall be used to meet the performance evaluation requirements of section 3.1.3. The calibration procedures provided in section 4.2 of EPA Method 21 shall be followed immediately before commencing a surface monitoring survey, and the calibration gas shall be methane diluted to a nominal concentration of 500 ppm.

Any reading of 500 ppm or greater above background shall be recorded as a monitored exceedance. The Background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells. A monitored exceedance is not a violation of the operational requirement contained in Condition 14(F) as long as the following specified actions are taken:

i) The location of each monitored exceedance shall be marked and the location recorded.

ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance; and

iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in section *v* of this condition shall be taken.

iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm above background at the 10-day re-monitoring specified in section *ii* or *iii* of this condition shall be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring shows a concentration less than 500 ppm above background, no further monitoring is required until the next

quarterly monitoring period. If the 1-month re-monitoring shows an exceedance, the actions specified in section *iii* or *v* of this condition shall be taken.

v) For any location where monitored methane concentration equals or exceeds 500 ppm above background three times within a quarterly period, a new well or other collection device hall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance and a corresponding time line for installation may be submitted to the District for approval.

32. No later than 30 months after the first report required by Condition 43 in which the NMOC emission rate equals or exceeds 50 megagrams per year, and on an annual basis thereafter, the Monterey Regional Waste Management District shall cause testing to be conducted to verify compliance with Condition 16. This testing shall be conducted in accordance with EPA test method 18 or 25. [District Rule 437 Adopted 10/16/96 and District Rule 218 Adopted 3/26/97]

RECORD KEEPING REQUIREMENTS

33. The Monterey Regional Waste Management District shall maintain records showing the quantity of all gasoline delivered to the gasoline storage tanks. [District Rule 418]

34. The Monterey Regional Waste Management District shall maintain a monthly log of the facility-wide total volume of make-up solvent used, and waste solvent disposed of or recycled, for all cleaning devices using volatile organic compounds for solvent cleaning and degreasing. [District Rule 433]

    The record keeping provisions of this condition do not apply to remote reservoir cold cleaners which are serviced by an independent contractor. For such remote cold cleaners, evidence of service shall be maintained.

35. The Monterey Regional Waste Management District shall maintain up-to-date records of the maximum design capacity, the current amount of solid waste in place, the year-by-year waste acceptance rate, and the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from gas collection as provided by §60.759(a)(3)(i) as well as any nonproductive areas excluded from gas collection as provided by §60.759(a)(3)(ii). These records shall be retained on-site or be available within 4 hours if stored off-site. [District Rule 437 Adopted 10/16/96]

36. The Monterey Regional Waste Management District shall maintain readily accessible records for the life of the control equipment, the control device vendor specifications, and the following data as measured during the initial performance test or compliance determination [District Rule 437 Adopted 10/16/96]:

    A) The maximum expected gas generation flow rate as calculated in §60.755(a)(1); and

    B) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §60.759(a)(1).

37. The Monterey Regional Waste Management District shall maintain records of all maintenance activities on each landfill gas engine pursuant to Condition 23. [40 CFR Part 63, Subpart ZZZZ]

38. The Monterey Regional Waste Management District shall keep for at least 5 years up-to-date, readily accessible continuous records of all data required by Condition 31. [District Rule 437 Adopted 10/16/96]

39. As applicable the Monterey Regional Waste Management District shall maintain the following general records of required monitoring information [District Rule 218 Adopted 3/26/97]:

    A) the date 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;

    F) the operating conditions existing at the time of sampling or measurement; and

    G) the records of quality assurance for continuous monitoring systems (including, but not limited to quality control activities, audits, and calibration drift checks) and source testing methods.

40. The Monterey Regional Waste Management District shall maintain records on the occurrence and duration of any start-up, shutdown, or malfunction in the operation of the control equipment under this permit. [District Rule 218 Adopted 3/26/97]

41. The Monterey Regional Waste Management District 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 collection, measurement, report, and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [District Rule 218 Adopted 3/26/97]

REPORTING REQUIREMENTS

42. The Monterey Regional Waste Management District shall report all breakdowns to the Air Pollution Control Officer (APCO) within 1 hour of the occurrence. This one hour period may be extended up to six hours for good cause by the APCO.

    The estimated time for repair of the breakdown shall be supplied to the APCO within 24 hours of the occurrence and a written report shall be supplied to the APCO within 5 days after the occurrence has been

corrected. This report shall include at a minimum [District Rule 214]:

A) a statement that the condition or failure has been corrected and the date of the correction; and

B) a description of the reasons for the occurrence; and

C) a description of the corrective measures undertaken and/or to be undertaken to avoid such an occurrence in the future; and

D) an estimate of the emissions caused by the condition or failure.

43. The Monterey Regional Waste Management District shall submit an annual emission report to the District as specified in §60.752(b)(1)(ii) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed. [District Rule 437 Adopted 10/16/96]

44. The Monterey Regional Waste Management District shall submit semiannual monitoring reports to the District, in a District approved format, no later than August 15 for the period of January 1 through June 30 and no later than February 15 for the period of July 1 through December 31. [District Rule 218 Adopted 3/26/97]

These monitoring reports shall include at a minimum:

A) the time intervals, date and magnitude of excess emissions, nature and cause of the excess (if known), corrective actions and preventative measures adopted; and

B) the averaging period used for data reporting corresponding to the averaging period specified in the emission test period used to determine compliance with an emission standard for the pollutant in question; and

C) all information pertaining to any monitoring as required by the permit; and

D) a negative declaration specifying when no excess emissions occurred.

45. The Monterey Regional Waste Management District shall submit an annual report, with the initial report due no later than 30 months after the first report required by Condition 43 in which the NMOC emission rate equals or exceeds 50 megagrams per year, with the following required information [District Rule 437 Adopted 10/16/96]:

A) the value and length of time for exceedances of applicable parameters monitored as required in Condition 15; and

B) a description and the duration of all periods when the gas stream is diverted from the Landfill gas destruction device(s); and

C) a description and the duration of all periods when the landfill gas destruction device(s) was not operating for any period exceeding 1 hour and the length of time the landfill gas destruction device(s) was not operating; and

D) all periods when the landfill gas destruction device(s) was not operating in excess of five days; and

E) the location and concentration of each exceedance of Condition 15(F) as monitored by Condition 31(B); and

F) the date of installation and the location of each well or collection system expansion added pursuant to Condition 31(B)(*v*).

In addition to the above, the initial report shall include:

G) the initial performance test required under Condition 32; and

H) a diagram of the collection systems showing collection systems positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion; and

I) the data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based; and

J) the documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material; and

K) the sum of gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

L) the provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and

M) the provisions for the control of off-site migration.

46. The Monterey Regional Waste Management District shall submit an annual compliance certification report to the District and U.S. EPA, in a District approved format, no later than February 15 for the period of January 1 through December 31 of the preceding year. [District Rule 218 Adopted 3/26/97]

This report shall include a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report and shall include at a minimum:

A) identification of each term or condition of the permit that is the basis of the certification; and

B) the compliance status; and

C) whether compliance was continuous or intermittent; and

D) the method(s) used for determining the compliance status of the source, currently and over the reporting period.

47. The Monterey Regional Waste Management District shall submit a closure report to the District within 30 days of waste acceptance cessation. If a closure report has been submitted to the District, no additional wastes may be placed into the landfill without filing a notification of modification as described in 40 CFR §60.7(a)(4). [District Rule 437 Adopted 10/16/96]

48. The Monterey Regional Waste Management District shall submit an equipment removal report to the District 30 days prior to removal or cessation of operation of the landfill gas control equipment. The equipment removal report shall contain the following [District Rule 437 Adopted 10/16/96]:

A) A copy of the closure report submitted in accordance with Condition 48; and

B) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and

C) Dated copies of three successive annual NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

GENERAL CONDITIONS

49. The Monterey Regional Waste Management District shall comply with all conditions of this federal operating permit. Any noncompliance with a permit condition constitutes a violation of the Federal Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [District Rule 218 Adopted 3/26/97]

50. In an enforcement action, the fact that the Monterey Regional Waste Management District would have to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit is not a defense. [District Rule 218 Adopted 3/26/97]

51. This permit may be modified, revoked, reopened and reissued, or terminated for cause as determined by the District. The filing of a request by the Monterey Regional Waste Management District 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. [District Rule 218 Adopted 3/26/97]

52. This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. [District Rule 218 Adopted 3/26/97]

53. The Monterey Regional Waste Management District shall furnish to the District, within a reasonable time,

any information that the District 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 Monterey Regional Waste Management District shall also furnish to the District copies of records required to be retained by this permit. [District Rule 218 Adopted 3/26/97]

54. For applicable requirements that will become effective during the permit term, the Monterey Regional Waste Management District shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [District Rule 218 Adopted 3/26/97]

55. Any document submitted to the District pursuant to this permit shall contain certification by the responsible official of truth, accuracy and completeness. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. The Monterey Regional Waste Management District shall promptly, upon discovery, report to the District a material error or omission in these records, reports, plans, or other documents. [District Rule 218 Adopted 3/26/97]

56. The Monterey Regional Waste Management District shall report any violation of any requirement contained in this permit to the District within 96 hours after such occurrence. The violation report shall include the time intervals, date and magnitude of excess emissions; nature and cause of the excess (if known), corrective actions and preventive measures adopted. [District Rule 218 Adopted 3/26/97]

57. Upon any administrative or judicial challenge, all the emission limits, specific and general conditions, monitoring, record keeping, and reporting requirements of this permit, except those being challenged, remain valid and must be complied with. [District Rule 218 Adopted 3/26/97]

58. For this federal operating permit to remain valid through the permit term of five years from the date of issuance, the Monterey Regional Waste Management District shall pay an annual emission fee based upon the requirements of District Rule 308. [District Rule 218 Adopted 3/26/97]

59. The Monterey Regional Waste Management District shall have available at the facility at all times a copy of this federal operating permit. [District Rule 218 Adopted 3/26/97]

60. For protection from enforcement action based upon an emergency, as defined in District Rule 218, the responsible official for the Monterey Regional Waste Management District shall submit to the District relevant evidence which demonstrates [District Rule 218 Adopted 3/26/97]:

    A) an emergency occurred; and

    B) that the Monterey Regional Waste Management District can identify the cause(s) of the emergency; and

    C) that the facility was being properly operated at the time of the emergency; and

    D) that all steps were taken to minimize the emissions resulting from the emergency; and

E) within two working days of the emergency event, the Monterey Regional Waste Management District provided the District with a description of the emergency and any mitigating or corrective actions taken.

61. Upon presentation of credentials, the Monterey Regional Waste Management District shall allow the District, the ARB, the EPA, or an authorized representative, to perform the following [District Rule 218 Adopted 3/26/97]:

A) enter upon the premises where the federal operating permit source is located or in which any records are required to be kept under the terms and conditions of this federal operating permit;

B) to have access to and copy any records required to be kept under the terms and conditions of this federal operating permit;

C) to inspect any equipment, operation, or process described or required in this federal operating permit; and,

D) to sample emissions from the source.

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