

PLACER COUNTY AIR POLLUTION CONTROL DISTRICT

**Proposed
TITLE V OPERATING PERMIT**

Permit Number: WR-001

Issued To:

Western Placer Waste
Management Authority
11476 C Avenue
Auburn, CA 95603

Plant Site Location :

Western Regional
Sanitary Landfill
3195 Athens Avenue
Lincoln, CA 94568

Issued By:

Thomas J. Christofk , APCO

Date

Effective Date: March xx, 2004

Expiration Date: March xx, 2008

Nature of Business: Type II/III solid waste disposal site - Landfill

SIC Code: 4953

Responsible Official:

Thomas Miller
Executive Director
Phone: (530) 886-4950

Facility Contact:

Walter Schwall, P.E.
Associate Civil Engineer
Phone: (916) 645-5180 ext. 7

Western Regional Sanitary Landfill (WRSL)

Proposed Title V Operating Permit

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1. Facility Description and Source Lists

1.A. Facility Description

Western Regional Sanitary Landfill (WRSL) is a regional class II/III solid waste disposal site. WRSL has a design capacity greater than 2.5 million megagrams and 2.5 million cubic meters and is subject to the provisions of 40 CFR § 60.750 (New Source Performance Standards for Sanitary Landfills). Although WRSL's potential emissions are below District Title V permit trigger levels, the provisions of 40 CFR § 60.752(b) make WRSL subject to District Title V permit requirements.

1.B. Source Lists

1. Significant Sources

ID #	Description	Model	Capacity
Flare	Enclosed landfill gas flare Retention time: > 0.6 sec Turndown: 5:1	Linklater, Model GF 4000 F	75.9 MMbtu/hr 2,500 scfm inlet gas

2. Fugitive Emissions

ID #	Description	Model	Capacity
Fugitive Emissions	Fugitive dust from daily operations and fugitive Non-Methane Organic Compounds (NMOC) not captured by installed collection system	Not Applicable	Not Applicable

3. Exempt Equipment

Source ID	Description	Capacity	Basis
EX-1	Used oil storage tank	240 gallons	Rule 501
EX-2	Diesel fuel storage tank	8000 gallons	Rule 501

4. Insignificant Sources and Activities

a. Insignificant Sources

Description	Control
Space Heaters	N/A
Misc. Welding Equipment	N/A
Propane Tank(s)	N/A
Hydraulic Oil Reservoir	N/A
Lubricants and Associated Equipment	N/A

b. Insignificant Activities

The following types of activities are exempted from the Title V permit requirements based on EPA's guidelines of Trivial Activities.

1. Plant maintenance and upkeep activities, such as painting.
2. The repair and maintenance shop activities not related to the source's primary business activities.
3. Combustion emissions from propulsion of mobile sources.
4. Portable generator, portable steam cleaner, and water heaters/steam cleaners.
5. Unheated cleaning equipment and office janitorial activities and equipment and consumer use of janitorial products and consumer use of office equipment and products.

2. Specific Unit Conditions

2.A. Emissions Limits

1. Flare Emissions

a. The WRSL shall not discharge sulfur compounds, calculated as sulfur dioxide (SO₂) in excess of 0.2 percent by volume from the flare stack.

Origin: Rule 210, Specific Contaminants [last amended 10-19-93]

Authority: Rule 210, Specific Contaminants [last amended 10-19-93]

b. The WRSL shall not discharge combustion contaminants (particulate matter) in excess of 0.1 grains per standard cubic foot of gas at 12 percent carbon dioxide (CO₂) from the flare stack.

Origin: Rule 210, Specific Contaminants [last amended 10-19-93]

Authority: Rule 210, Specific Contaminants [last amended 10-19-93]

c. Stack emission opacity which is as dark or darker than Ringelmann No. 1 (20% opacity) for a period or periods aggregating more than three (3) minutes in any one (1) hour is prohibited and is in violation of District Rule 202, Visible Emissions.

Origin: Rule 202, Visible Emissions [last amended 05-20-85]

Authority: Rule 202, Visible Emissions [last amended 05-20-85]

d. The emissions from the flare shall not exceed the following rates:

a. NOx limits:	0.06 lbs/MMBtu	4.6 lbs/hr	109 lb/day
b. CO limits:	0.2 lbs/MMBtu	15.2 lbs/hr	364 lb/day

Origin: PLWR-01-01 (PTO-10-1-02) Condition 8.B.

Authority: Rule 502, New Source Review [last amended 11-03-94]

2.B. Operating Requirements

1. Flare Operations

The flare shall be equipped with an alarm and automatic blower and landfill gas supply shutoff valve system to isolate the flare from the landfill gas supply line in the event of a failure.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 3.

Authority: Rule 502, New Source Review [last amended 11-03-94]

3. Facility-Wide Conditions

3.A. Opacity Rule 202

Emission opacity as dark or darker than Ringelmann No. 1 (20% opacity) for a period or periods aggregating more than three (3) minutes in any one hour is prohibited and is in violation of District Rule 202, Visible Emissions except visible emissions resulting from the startup or shutdown of the flare are exempt for a period or periods of time aggregating not more than 30 minutes in any 24-hour period per Rule 203, Exemptions to Rule 202. This exemption shall not apply to emissions which result from the failure to operate and maintain in good working order any emission control equipment.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 8.B.

Authority: Rule 202, Visible Emissions [amended 05-20-85]

3.B. Nuisance Rule 205

1. General

No emissions are permitted, from any source, which are a nuisance per District Rule 205, Nuisance.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 8.A.

Authority: Rule 205, Nuisance [amended 05-24-77]

District Only

2. Road Dust

All service roads and landfill working surfaces shall be maintained in a manner that effectively controls fugitive dust and prevents the violations of the California Health and Safety Code Section 41700 and District Rule 205, Nuisance, and District Rule 228, Fugitive Dust.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 8.A., and Rule 228, Fugitive Dust [amended April 10, 2003]

Authority: Rule 205, Nuisance [amended 05-24-77], and Rule 228, Fugitive Dust [amended April 10, 2003]

District Only

3.C. PM Limit Rule 207

In accordance with District Rule 207, Particulate Matter, WRSL shall not release or discharge from any source or single processing unit, exclusive of sources emitting combustion contaminants only (i.e. does not apply to the flare), particulate matter in excess of 0.1 gr/dscf at standard conditions.

Origin: Rule 207, Particulate Matter [amended 10-19-93]

Authority: Rule 207, Particulate Matter [amended 10-19-93]

District Only

3.D. Specific Contaminant Limit Rule 210

WRSL shall not discharge into the atmosphere from any source of emissions:

1. Combustion contaminants (particulate matter) exceeding 0.1 gr/dscf at 12 percent carbon dioxide (CO₂) at standard conditions.
2. Sulfur compounds, calculated as sulfur dioxide, exceeding 0.2 percent by volume.
Origin: ATC 95-09 Condition 14.
Authority: Rule 210, Specific Contaminants [amended 10-19-93]

3.E. Process PM Limit Rule 211

WRSL shall not discharge in any one hour from any single source of emissions, solid particulate matter in excess of the amount calculated using the following equations:

For Process rates less than 30 tons per hour;

$$E = 3.59 P^{0.62}$$

For Process weight > 30 tons per hour;

$$E = 17.31 P^{0.16}$$

Where:

E = Emission limit in pounds per hour

P = Process weight rate in tons per hour

Origin: Rule 211, Process Weight [amended 10-19-93]

Authority: Rule 211, Process Weight [amended 10-19-93]

3.F. Fugitive Dust Rule 228

a. A person shall not cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area (including disturbance as a result of the raising and/or keeping of animals or by vehicle use), such that the presence of such dust remains visible in the atmosphere beyond the boundary line of the emission source.

Origin: Rule 228, Fugitive Dust, Section 301 [amended 04-10-03]

Authority: Rule 228, Fugitive Dust, Section 301 [amended 04-10-03]

District Only

b. In addition to the requirements of Rule 202, Visible Emissions, a person shall not cause or allow fugitive dust generated by active operations, an open storage pile, or a disturbed surface area, such that the fugitive dust is of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke as dark or darker in shade as that designated as No. 2 on the Ringelmann Chart (i.e. 40% opacity), as published by the United States Bureau of Mines.

Origin: Rule 228, Fugitive Dust, Section 301 [amended 04-10-03]

Authority: Rule 228, Fugitive Dust, Section 302 [amended 04-10-03]

District Only

3.G. Report Upsets Rule 404

The landfill manager or designee shall notify the District (per Rule 404) within two hours of any upset conditions, breakdown or scheduled maintenance which cause emissions in excess of limits established by District Rules and Regulations.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 10.

Authority: Rule 404, Upset Conditions, Breakdown, or Scheduled Maintenance § B.1 [amended 06-19-79]

District Only

3.H. Source Record Keeping and Reporting Rule 408

Upon notification from the District, WRS� shall maintain records of the nature and amounts of emissions from any source and/or any other information as may be deemed necessary by the District to determine whether such source is in compliance with applicable emission limitations or other control measures. The Air Pollution Control Officer may require that such records be certified by a professional engineer, registered in the State of California. Such studies shall be at the expense of the person causing the emissions. The information recorded shall be summarized and reported to the District, on forms or formats as furnished by the District, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 - June 30 and July 1 - December 31, except that the initial report period shall commence on the date the District issues notification of the record keeping requirements. Information reported by WRS� and copies of the summarizing reports submitted to the District shall be retained by WRS� for 5 years after the date on which the pertinent report is submitted

Origin: Rule 408, Source Record Keeping and Reporting [amended 05-24-77]
Authority: Rule 408, Source Record Keeping and Reporting [amended 05-24-77]

3.I. General District Permit Requirements Rule 501

1. ATC Required Rule 501

a. An Authority to Construct application shall be filed with the District before the modification or replacement of any equipment for which a Permit to Operate has been granted, and before the installation and operation of any equipment for which an Authority to Construct is required pursuant to Health and Safety Code, Section 42300, and District Rule 501, General Permit Requirements, section 300.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 14.

Authority: Rule 501, General Permit Requirements § 300 [amended 11-03-94]

b. Any alteration of the subject equipment, including a change in the method of operation, shall be reported to the District. Such alterations may require an Authority to Construct permit.

Origin: Rule 501, General Permit Requirements § 300 [amended 11-03-94]

Authority: Rule 501, General Permit Requirements § 300 [amended 11-03-94]

2. Limit Exceedance Prohibited Rule 501

a. The exceedance of any emission limitation established by this permit or the rules and regulations of the District is prohibited, unless specifically allowed by a granted variance, or due to an upset, breakdown, or scheduled maintenance per District Rule 404.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 13.

Authority: Rule 501, General Permit Requirements § 303 [amended 11-03-94]

District Only

b. Exceeding any limiting condition is prohibited without prior application for, and the subsequent granting of a permit modification pursuant to District Rule 501, General Permit Requirements, District Rule 507, Title V Permit to Operate, and, if necessary, a Prevention of Significant Deterioration (PSD) permit.

Origin: Rule 501, General Permit Requirements § 400 [amended 11-03-94] and Rule 507 § 302.6 and § 302.7 [amended 04-17-01]

Authority: Rule 501, General Permit Requirements § 400 [amended 11-03-94] and Rule 507 § 302.6 and § 302.7 [amended 04-17-01]

3. Maintain Equipment In Good Working Condition Rule 501

All equipment, facilities and systems installed or used to achieve compliance with the terms and conditions of this Title V Permit to Operate shall be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 16.

Authority: Rule 501, General Permit Requirements § 304.3 [amended 11-03-94]

4. Toxics Hot Spots Compliance Rule 501

WRSL shall comply the provisions of the "Air Toxics 'Hot Spots' Information and Assessment Act" of 1987 (Health and Safety Code Sections 44300 et seq.).

Origin: PLWR-01-01 (PTO-10-1-02) Condition 19.

Authority: Rule 501, General Permit Requirements § 303.1 and California Health and Safety Code Sections 44300 et seq.

District Only

5. Change of Ownership Rule 501

a. In the event of a change of ownership, an application must be submitted to the District.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 15.

Authority: Rule 501, General Permit Requirements § 303 [amended 11-03-94]

b. Upon any change in control or ownership of facilities constructed, operated, or modified under authority of this Title V Permit to Operate; the requirements contained in this Permit to Operate shall be binding on all subsequent owners and operators.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 15.

Authority: Rule 501, General Permit Requirements § 303.1 [amended 11-03-94]

6. Permit Revision Rules 501 and 507

Revisions to this Title V Permit to Operate may be requested pursuant to District Rule 501, General Permit Requirements, Section 400 and District Rule 507, Title V Permit to Operate, Sections 302.6 and 302.7.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 12.

Authority: Rule 501, General Permit Requirements § 400 [amended 11-03-94]; Rule 507 § 302.6 and § 302.7 [amended 04-17-01]

7. Permit Posting Rule 501

This permit shall be maintained on the premises of the subject equipment.

Origin: Rule 501, General Permit Requirements § 401 [amended 11-03-94]

Authority: Rule 501, General Permit Requirements § 401 [amended 11-03-94]

8. Permit Not Permission to Violate Laws Rule 501

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26, Part 4, of the Health and Safety Code of the State of California or the Rules and Regulations of the Air Pollution Control District. The permit(s) cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other governmental agencies.

Origin: ATC 95-09 Proviso 5.

Authority: Rule 501, General Permit Requirements § 303.6 [amended 11-03-94]

9. Equipment Must Operate as Specified Rule 501

a. Operation of equipment must be conducted in compliance with all data and specifications submitted with the application under which this permit is issued unless otherwise prescribed by conditions. Any operation of equipment or discharge of emissions to the atmosphere not identified by application submittals made to the District or exceeding the limits of the operation pursuant to which a permit is granted, shall be deemed a violation.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 9.

Authority: Rule 501, General Permit Requirements § 303.3 [amended 11-03-94]

b. Operation of permitted equipment shall be limited to the maximum rates and schedules of operation, and the specified process materials of approved plans and specifications submitted to the District in application submittals unless otherwise prescribed in the conditions.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 18.

Authority: Rule 501, General Permit Requirements § 303.3 [amended 11-03-94]

10. Portable Equipment

Any equipment, including portable equipment, shall comply with all applicable requirements while operating at the facility, including District Permit and Prohibitory Regulations, or be State-registered portable equipment. State-registered portable equipment shall comply with State registration requirements. A copy of the State registration shall be readily available whenever the State-registered portable equipment is at the facility.

Origin: Rule 501, General Permit Requirements and Health and Safety Code Section 41753

Authority: Rule 501, General Permit Requirements and Health and Safety Code Section 41753

3.J. End Violations Rule 502

1. In the event of any violation of the District Rules and Regulations, WRSL shall take action to end such violation.

Origin: Rule 502, New Source Review [amended 08-09-01]

Authority: Rule 502, New Source Review [amended 08-09-01]

2. Pursuant to District Rule 502, New Source Review, Section 227, the plant manager, or designee, shall report to the District immediately any changes in production rates or operation schedules, changes in operation methods or fuel characteristics, the addition to or removal of permitted equipment, and changes of any facilities or systems installed or used to achieve compliance with the District Rules and Regulations in addition to the terms and conditions of this Permit to Operate.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 11.

Authority: Rule 502, New Source Review [amended 08-09-01]

3.K. Emission Statement Rule 503

WRSL shall provide the District with a written emission statement showing actual emissions of volatile organic compounds and oxides of nitrogen. Pursuant to District Rule 503, WRSL shall submit this emission statement on a form or in a format specified by the Air Pollution Control Officer. The statement shall contain the following information:

1. Information contained in the California Air Resources Board's Emission Inventory Turn Around Document as described in Instructions for the Emission Data System Review and Update Report; and
2. Actual emissions of volatile organic compounds and oxides of nitrogen, in tons per year, for the calendar year prior to the preparation of the emission statement; and
3. Information regarding seasonal or diurnal peaks in the emission of affected pollutants; and
4. Certification by a responsible official of the company that the information contained in the emission statement is accurate to the best knowledge of the individual certifying the emission statement.

Origin: Rule 503, Emission Statement [amended 9-21-93]

Authority: Rule 503, Emission Statement [amended 9-21-93]

District Only

3.L. Federal Operating Permit Program Rule 507

Prior to the transfers of ownership or operational control of a stationary source, the Air Pollution Control Officer must receive a written agreement which specifies a date for the transfer of permit responsibility, coverage, and liability from the current to the prospective owner.

Origin: Rule 507, Federal Operating Permit Program § 202.4 305 Transfer [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 202.4 Transfer [amended 04-17-01]

3.M. Miscellaneous Federal Requirements

1. Protection of Stratospheric Ozone

WRSL shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82.

Origin: 40 CFR Part 82, Protection of Stratospheric Ozone

Authority: 40 CFR Part 82, Protection of Stratospheric Ozone

2. Chemical Accident Prevention Provisions

If , as defined in 40 CFR Part 68.3, WRSL becomes subject to 40 CFR Part 68, then WRSL shall submit a risk management plan (RMP) by the date specified in 40 CFR Part 68.10. A certification of compliance with this condition shall be included as part of the annual certification required by this Title V permit to operate.

Origin: 40 CFR Part 68, Chemical Accident Prevention Provisions

Authority: 40 CFR Part 68, Chemical Accident Prevention Provisions

3. National Emission Standards for Hazardous Air Pollutants, Asbestos

For demolition and renovation projects involving material containing asbestos, WRSL shall comply with the requirements of 40 CFR 61, National Emission Standards for Hazardous Pollutants, Sections 60.145 through 61.147.

Origin: 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants, Subpart M

Authority: 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants, Subpart M

4. New Source Performance Standards for Municipal Solid Waste Landfills

A. WRSL shall calculate annual NMOC emission rate as specified in 40 CFR § 60.754. WRSL shall recalculate the NMOC mass emission rate annually as required under §60.752(b)(1).

B. WRSL shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year.

1. If the NMOC emission rate calculated is less than 50 megagrams per year, then WRSL shall submit an emission rate report to U.S. EPA as provided in 40 CFR § 60.757(b)(1) and forward a copy of the report to the District.

2. If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then WRSL comply with the requirements of 40 CFR § 60.752(b)(2).

Origin: 40 CFR § 60.750 (Subpart WWW)

Authority: 40 CFR § 60.750 (Subpart WWW)

4. Standard Terms and Conditions

4.A. Permit Life/Term

This permit to operate shall expire five years from the time of issuance. Permit expiration terminates WRSL's right to operate unless a timely renewal application is submitted.

Origin: Rule 507, Federal Operating Permit Program § 402.2.p [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.p [amended 04-17-01]

4.B. Payment of Fees

WRSL shall pay all District fees including any supplemental annual fee, as calculated the procedures specified in Section 403 of District Rule 507, on a timely basis. Failure to remit fees on a timely basis shall result in the forfeiture of this permit to operate. Operation without a permit subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to § 502(a) of the Clean Air Act.

Origin: Rule 507, Federal Operating Permit Program § 402.2.o [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.o [amended 04-17-01]

4.C. Right of Entry

The Regional Administrator, the Executive Officer of the California Air Resources Board, the APCO, or their authorized representatives, upon the presentation of credentials, shall be permitted:

1. To enter upon the premises where the source is located or in which any records are required to be kept under the terms and conditions of this Permit to Operate; and
2. At reasonable times to have access to, inspect and copy any records required to be kept under the terms and conditions of this Permit to Operate; and
3. To inspect any equipment at the stationary source, operation, work practices, emission-related activities or method required in this Permit to Operate; and
4. To sample emissions from the source or other monitoring activities.

Origin: Rule 507, Federal Operating Permit Program § 402.2.j [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.j [amended 04-17-01]

4.D. Severability

The provisions of this Permit to Operate are severable, and, if any provision of this Permit to Operate is held invalid, the remainder of this Permit to Operate shall not be affected thereby.

Origin: Rule 507, Federal Operating Permit Program § 402.2.m [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.m [amended 04-17-01]

4.E. Need to Halt or Reduce Activity Not a Defense

WRSL shall not use the "need to halt or reduce a permitted activity in order to maintain compliance" as a defense for non-compliance with any permit condition.

Origin: Rule 507, Federal Operating Permit Program § 402.2.k.4 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.k.4 [amended 04-17-01]

4.F. Modification, Revocation, Reopening for Cause

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by WRSL for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated non-compliance does not stay any permit condition.

Origin: Rule 507, Federal Operating Permit Program § 401.7, 401.8, and 402.2 k.5 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 401.7, 401.8, and 402.2 k.5 [amended 04-17-01]

4.G. Submit Information and Records

Within a reasonable time period, WRSL shall furnish any information requested by the air pollution control officer (APCO) of Placer County Air Pollution Control District, in writing, for the purpose of determining:

1. Compliance with the permit, or
2. Whether or not cause exists for a permit or enforcement action.

For information claimed to be confidential, WRSL may furnish such information directly to the APCO along with a claim of confidentiality.

Origin: Rule 507, Federal Operating Permit Program § 402.2.k.6 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.k.6 [amended 04-17-01]

4.H. Duty to Comply

WRSL shall comply with provisions of this permit. Any permit noncompliance constitutes grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial for a permit renewal application.

Origin: Rule 507, Federal Operating Permit Program § 402.2 k.1 and 402.2.k.3 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2 k.1 and 402.2.k.3 [amended 04-17-01]

4.I. Property Rights

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

Origin: Rule 507, Federal Operating Permit Program § 402.2.k.2 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.k.2 [amended 04-17-01]

4.J. Duty to Apply for Renewal

WRSL shall apply for renewal of this permit no earlier than 18 months before the date of expiration nor later than 6 months before the date of expiration.

Origin: Rule 507, Federal Operating Permit Program § 302.4 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 302.4 [amended 04-17-01]

4.K. Emergency Provisions

1. Emergency Definition

An "emergency" is any situation arising from a sudden and reasonably unforeseeable event beyond the control of a WRSL (e.g., an act of God) which causes the exceedance of a technology-based emission limitation under a permit and requires immediate corrective action to restore compliance. An "emergency" shall not include noncompliance as a result of improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

Origin: Rule 507, Federal Operating Permit Program § 212 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 212 [amended 04-17-01]

2. Effect of an Emergency

An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the reporting requirements have been met.

Origin: 40 CFR § 70.6(g)(2)

Authority: 40 CFR § 70.6(g)(2)

3. Affirmative Defense

The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. WRSL complied with the requirements of Rule 404, Upset conditions, Breakdown and Scheduled Maintenance, and the emergency provisions contained in all applicable federal requirements; and
- b. That within two weeks of an emergency event, the responsible official submitted to the District a properly signed, contemporaneous log or other relevant evidence which demonstrates that:
 - i. An emergency occurred;
 - ii. WRSL can identify the cause(s) of the emergency;
 - iii. The facility was being properly operated at the time of the emergency;
 - iv. All steps were taken to minimize the emissions resulting from the emergency; and
 - v. Within two working days of the emergency event, WRSL provided the District with a description of the emergency and any mitigating or corrective actions taken.

Origin: District Rule 507, Federal Operating Permit Program § 402.2.l [amended 04-17-01]

Authority: District Rule 507, Federal Operating Permit Program § 402.2.l [amended 04-17-01]

4. Burden of Proof

In any enforcement proceeding, WRSL has the burden of proof for establishing that an emergency occurred.

Origin: Rule 507, Federal Operating Permit Program § 402.2.l.3 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.l.3 [amended 04-17-01]

4.L. Voluntary Emissions Caps

To the extent applicable federal requirements provide for averaging emissions increases and decreases within a stationary source without case-by-case approval, a responsible official may request, subject to approval by the Air Pollution Control Officer, to permit one or more emissions unit(s) under a voluntary emissions cap. The permit for each emissions unit shall include federally-enforceable conditions requiring that:

1. All applicable federal requirements, including those authorizing emissions averaging, are complied with;
2. No individual emissions unit shall exceed any emissions limitation, standard, or other requirement;
3. Any emissions limitation, standard, or other requirement shall be enforced through continuous emission monitoring, where applicable; and
4. All affected emissions units under a voluntary emissions cap shall be considered to be operating in violation of the permit, if the voluntary emissions cap is exceeded.

Origin: Rule 507, Federal Operating Permit Program § 402.2.r [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.r [amended 04-17-01]

4.M. Agency Addresses

Notifications or correspondence as required by this Title V Permit To Operate shall be forwarded to the following addresses:

1. Director, Air Division (Attn: AIR-3)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105
2. Air Pollution Control Officer
Placer County Air Pollution Control District
11464 "B" Avenue
Auburn, CA 20530

Origin: General Information

Authority: General Information

4.N. Reopening Permit for Cause

This permit shall be reopened and revised under any of the following circumstances including, but are not limited to, the following:

- a. The need to correct a material mistake or inaccurate statement;
- b. The need to revise or revoke a permit to operate to assure compliance with applicable federal requirements;
- c. The need to incorporate any new, revised, or additional applicable federal requirements, if the remaining authorized life of the permit is 3 years or greater, no later than 18 months after the promulgation of such requirement (where less than 3 years remain in the authorized life of the permit, the Air Pollution Control Officer shall incorporate these requirements into the permit to operate upon renewal).

Origin: Rule 507, Federal Operating Permit Program § 401.8 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 401.8 [amended 04-17-01]

4.O. Permit Revision Exemption

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

Origin: Rule 507, Federal Operating Permit Program § 402.2.u [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.u [amended 04-17-01]

4.P. Permit Shield

1. Shield:

Compliance with the conditions of this Title V Permit to Operate shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- a. Such applicable requirements are included and are specifically identified in this Title V Permit to Operate; or
- b. In acting on this Title V Permit to Operate application or revision, the District determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

2. Exceptions:

Nothing in this section or in any part of this permit shall alter or affect the following:

- a. The provisions of section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section;

- b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- c. The applicable requirements of the acid rain program, consistent with section 408(a) of the Clean Air Act; or
- d. The ability of EPA to obtain information from a source pursuant to section 114 of the Clean Air Act.

Origin: 40 CFR § 70.6(f)

Authority: 40 CFR § 70.6(f)

5. Alternative Scenarios

5.A. Upset Conditions

The following alternative operating scenario is for equipment experiencing an unforeseen breakdown that may result in excess emissions for a short period of time (i.e. less than 48 hours).

There may be periods when WRSL facility will be operated pursuant to the requirements of the Rule 404 (Upset Conditions, Breakdown or Scheduled Maintenance) and/or the Emergency Provisions under 40 CFR 70.6(g). During these times, WRSL will comply with all the relevant notification, monitoring, reporting and record keeping requirements contained in Rule 404 and 40 CFR 70.6(g).

Origin: Rule 507, Federal Operating Permit Program § 402.2.q [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.q [amended 04-17-01]

6. MONITORING, TESTING, AND RECORD KEEPING

6.A. General Monitoring Frequency, Record Keeping and Reporting and Testing Requirements

All monitoring, analytical methods, compliance certification, test methods, equipment management, and statistical procedures shall be consistent with any applicable federal requirement, including those pursuant to Sections 114(a)(3) and 504(b) of the Federal Clean Air Act, and 40 CFR Part 64.

1. Monitoring Frequency

Monitoring (sampling, testing, recording) shall be performed at a frequency sufficient to yield accurate, reliable, and representative data with which the source's compliance with applicable limits or conditions can be demonstrated.

2. Record Keeping

a. WRSL shall:

1. Maintain records of all required monitoring data and support information associated with any applicable federal requirement in form suitable for inspection including:
 - a. Date, place, and time of sampling;
 - b. Operating conditions at the time of sampling;
 - c. Date, place, and method of analysis; and
 - d. The company or entity that performed the analyses;
 - e. Results of the analysis;
 - f. Copies of all reports as required by applicable federal requirements; and

2. Comply with all record keeping requirements deemed necessary by the Air Pollution Control Officer to ensure compliance with all applicable federal requirements; and

Note: Support information includes information on Continuous Monitoring Equipment operations including:

1. All calibration and maintenance records; and
2. All original recordings for continuous monitoring instrumentation; and
3. Performance and all other information required by 40 CFR 60.

Origin: Rule 507, Federal Operating Permit Program § 402.2.g [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.g [amended 04-17-01]

b. All records shall be made available to the District's inspector upon request.

Origin: Rule 501, General Permit Requirements § 503.1 [amended 11/03/94]

Authority: Rule 501, General Permit Requirements § 503.1 [amended 11/03/94]

c. All required monitoring data and support information shall be retained for a period of at least 5 years.

Origin: Rule 507, Federal Operating Permit Program § 402.2.f.3 [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.f.3 [amended 04-17-01]

3. Reporting

WRSL shall:

- a. Promptly report to the Air Pollution Control Officer any deviation from permit requirements, including that attributable to upset conditions (as defined in District Rule 404). All reports of a deviation from permit requirements shall include the probable cause of the deviation and any preventative or corrective action taken.

- b. Submit monitoring reports at least every six months identifying deviation from permit requirements, including those previously reported to the Air Pollution Control Officer in accordance with Subsection 6.A.3.a. Monitoring reports shall be submitted within 45 days of the end of the reporting period (Reporting periods are January 1 - June 30 and July 1 - December 31). Each monitoring report shall be accompanied by a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.

- c. Submit compliance schedule progress reports on any compliance schedule at least semi-annually. Progress schedule reports shall include;
 1. The date when compliance will be achieved,
 2. An explanation of why compliance was not, or will not be, achieved by the scheduled date, and
 3. A log of any preventative or corrective action taken.

Origin: Rule 507, Federal Operating Permit Program § 402.2.g [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.g [amended 04-17-01]

- d. Submit annual NMOC emissions report to U.S. EPA as specified in 40 CFR 60.757(b) and forward a copy of this report to the District.

Origin: 40 CFR § 60.750 (Subpart WWW)

Authority: 40 CFR § 60.750 (Subpart WWW)

- e. Submit amended capacity reports to U.S. EPA as specified in 40 CFR 60.757(a)(3) and forward a copy to the District.

Origin: 40 CFR § 60.750 (Subpart WWW)

Authority: 40 CFR § 60.750 (Subpart WWW)

4. Testing

- a. The District may require the conduct of any emissions testing or analysis deemed necessary to demonstrate compliance with applicable requirements. If the District determines that tests are required, a written notice will be provided to WRSL.

Origin: Rule 501, General Permit Requirements § 303 [amended 11-03-94]

Authority: Rule 501, General Permit Requirements § 303 [amended 11-03-94]

- b. Except as otherwise specified in District rules, regulations, or permit conditions the test methods used for determining compliance with emission limits shall be from:

1. Methods adopted by the California Air Resources Board and cited in Title 17, California Code of Regulations, Division 3, Subchapter 8, Compliance with Non-vehicular Emission Standards; or
2. Methods identified in 40 CFR part 50, Appendix M, Recommended Test Methods for State Implementation Plans; or
3. Methods identified in 40 CFR part 60, Appendix A, Test Methods; or
4. Any alternative method approved by the Air Pollution Control Officer.

Note: The Air Pollution Control Officer shall request the review of the alternate test methods by the U.S. Environmental Protection Agency and the California Air Resources Board.

Origin: Rule 501, General Permit Requirements § 501.1 [amended 11-03-94]

Authority: Rule 501, General Permit Requirements § 501.1 [amended 11-03-94]

c. All required testing shall be subject to the following:

1. At least thirty (30) days prior to the actual testing, a written test plan shall be submitted to the Air Pollution Control Officer detailing the sampling methods, analytical methods or detection principles to be used. The prior written approval of the Air Pollution Control Officer is required for the use of alternate test methods.
2. Independent testing contractors and analytical laboratories shall be Air Resources Board certified to perform the test or analysis conducted.
3. Testing shall be conducted as close as achievable to the maximum process rates or the permitted rates resulting in maximized air pollutant emission rates.
4. The conditions and equipment in operation during testing shall be recorded. Installed instrumentation readings for parameters affecting emission character or extent shall be recorded.
5. The test evaluation results shall be reported to the District within sixty (60) days of testing.

Origin: Rule 501, General Permit Requirements § 501.1 [amended 11-03-94]

Authority: Rule 501, General Permit Requirements § 501.1 [amended 11-03-94]

6.B. Specific Monitoring

1. Flare Sampling Port, Platforms, and Access

The WRSL shall maintain four sampling ports in the flare stack at least two feet above flame zone and at least three feet below the top of the flare shroud or half the diameter of the flare whichever is greater. The ports shall be spaced at 90 degrees. Adequate and safe access to all ports shall be maintained.

Origin: PTO 10-1-02 Condition 1.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

2. For performance test purposes, sampling ports, platforms, and access shall be provided by WRSL on the flare exhaust system in accordance with 40 CFR § 60.8(e).

Origin: 40 CFR § 60.8(e)

Authority: 40 CFR § 60.8(e)

6.C. Logs

WRSL shall establish and maintain a log book or other record detailing the performance and date of preventive maintenance, corrective maintenance, and inspections, as well as reporting breakdowns (per District Rule 404, Upset, Breakdown and Scheduled Maintenance).

Origin: PTO 10-1-02 Condition 5.

Authority: Rule 501, General Permit Requirements § 503.1.a [amended 11-03-94]

6.D. Compliance Assurance

1. The WRSL shall calibrate, maintain, and operate a device that records flow to or bypass of the flare.

Origin: PTO 10-1-02 Condition 4.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

2. The flare shall be equipped with a temperature sensor located at least three feet below the top of the flare shroud and 0.6 seconds downstream of the burner.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 2.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

3. The landfill gas flow rate to the flare shall be monitored at least every 15 minutes and recorded once per hour.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 4.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

4. The following performance tests shall be completed every two years:

a. Non-Methane Organic Compounds (NMOC) shall be measured at the inlet of the flare and the exhaust using the EPA method 25 modified to delete the condensate trap from the sampling train.

b. The inlet flowrate shall be measured using U.S. EPA Method 2 or the continuous flow measuring system.

c. The exhaust flow shall be determined by U.S. EPA Method 2 or the "F" factor method in the Code of Federal Regulations Part 60.45(f)(5).

d. Nitrogen oxides emissions in pounds per million Btu shall be determined using U.S. EPA Method 7.

e. Carbon Monoxide emissions in pounds per million Btu shall be determined using U.S. EPA Method 10.

f. Oxygen concentrate shall be determined using U.S. EPA Method 3A.

g. Gross Calorific Value of the landfill gas shall be measured using ASTM D 1826-77.

Origin: ATC 95-09 Condition 21.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

5. The performance tests shall be subject to the following restrictions:

a. At least thirty (30) days prior to the actual testing, a written test plan shall be submitted to the Air Pollution Control Officer detailing the sampling methods, analytical methods or detection principles to be used. The prior written approval of the Air Pollution Control Officer is required for the use of alternate test methods.

b. Testing shall be conducted in accordance with 40 CFR § 60, Appendix A, Methods, or equivalent methods approved by the State of California Air Resources Board (ARB) by reference in Title 17 of the California Administrative Code, or other methods specified by Placer County Department of Public Works and approved in writing by the Air Pollution Control Officer. Independent testing contractors and analytical laboratories shall be Air Resources Board certified for the test or analysis conducted.

c. Testing shall be conducted as close as achievable to the maximum process rates or the permitted rates resulting in maximized air pollutant emission rates.

d. The evolutions conducted and plant equipment in operation shall be recorded. Installed instrumentation readings for parameters affecting emission character or extent shall be recorded.

e. The performance test evaluation results shall be reported to the District within sixty (60) days of testing.

Origin: PLWR-01-01 (PTO-10-1-02) Condition 7.

Authority: Rule 502, New Source Review § 227 [last amended 11-03-94]

7. Compliance Plan and Certification

7.A. Compliance Plan

WRSL shall follow the compliance plan as submitted with the Title V Permit application. A copy of this compliance plan shall be attached and posted along with this permit.

Origin: Rule 507, Federal Operating Permit Program § 402.2.h [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.h [amended 04-17-01]

7.B. Compliance Certification

WRSL shall submit compliance certification reports to the U.S. EPA and the APCO every twelve (12) months. The certification report shall:

1. Identify all permit terms or conditions and the means of monitoring each term or condition.
2. Include the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period of each term or condition.
3. Include any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to Sections 114(a) and 504(b) of the Federal Clean Air Act between reports.
4. Be submitted on District approved forms for the compliance certification.
5. Be submitted within 45 days after the end of the reporting period of January 1-December 31.

The responsible official will certify in writing the truth, accuracy, and completeness of the certification report.

Origin: Rule 507, Federal Operating Permit Program § 402.2.n [amended 04-17-01]

Authority: Rule 507, Federal Operating Permit Program § 402.2.n [amended 04-17-01]

7.C. Compliance Schedules

1. Should any emissions unit in compliance with applicable federal requirements become non-compliant during the certification period, WRSL shall develop and submit to the District a compliance schedule. The compliance schedule shall:

- a. Resemble and be at least as stringent as that contained in any judicial consent decree, administrative order, or schedule approved by the District hearing board.
- b. Include:
 - i. A statement that the emissions unit will continue to comply with those federal requirements with which it is still in compliance;
 - ii. A statement that the emissions unit will comply, on a timely basis, with any applicable federal requirement that may become effective during the remaining term of this permit.
 - iii. A list of all preventative or corrective actions or activities taken or proposed to be taken, and the dates when these activities have or will be performed and completed.

The compliance schedule, once approved by the District, shall be incorporated into the compliance certification plan and the revised plan affixed to this permit.

2. WRSL shall submit progress reports consistent with the applicable compliance schedule at least semiannually, or more frequently if specified in the applicable schedule requirements or requested by the District. Progress reports shall include:

- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and; and The date when compliance will be achieved;
- b. A log or record of dates when such activities, milestones or compliance were achieved; and
- c. An explanation of why any dates in the schedule of compliance were not or will not be

met, and any preventive or corrective measures adopted or taken.
Origin: Rule 507, Federal Operating Permit Program § 402.2.i [amended 04-17-01]
Authority: Rule 507, Federal Operating Permit Program § 402.2.i [amended 04-17-01]