



APR 20 2011

Mike Tollstrup, Chief
Project Assessment Branch
Stationary Source Division
California Air Resources Board
PO Box 2815
Sacramento, CA 95812-2815

RE: Notice of Final Action - Authority to Construct
Project Number: N-1103238

Dear Mr. Tollstrup:

The Air Pollution Control Officer has issued Authority to Construct permits to Miller Brooks Environmental, Inc. for a landfill gas collection and control system served by a flare, at 3242 S. El Dorado St., in Stockton. Enclosed are copies of the Authority to Construct permits and a copy of the notice of final action to be published approximately three days from the date of this letter.

Notice of the District's preliminary decision to issue this Authority to Construct was published on March 9, 2011. The District's analysis of the proposal was also sent to CARB on March 4, 2011. All comments received following the District's preliminary decision on this project were considered.

Comments received by the District during the public notice period resulted in revisions to the flare source testing requirements as provided for in District Rule 4642 (Solid Waste Disposal Sites). These changes were minor and did not trigger additional public notification requirements, nor did they have any impact upon the Best Available Control Technology determination or on the amount of offsets required for project approval.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney at (559) 230-5900.

Sincerely,

David Warner
Director of Permit Services

DW: fgd

Enclosures

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

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



APR 20 2011

Jeffrey Bennett
Miller Brooks Environmental, Inc.
2124 Main St., Suite 200
Huntington Beach, CA 92648

**RE: Notice of Final Action - Authority to Construct
Project Number: N-1103238**

Dear Mr. Bennett:

The Air Pollution Control Officer has issued Authority to Construct permits to Miller Brooks Environmental, Inc. for a landfill gas collection and control system served by a flare, at 3242 S. El Dorado St., in Stockton. Enclosed are copies of the Authority to Construct permits and a copy of the notice of final action to be published approximately three days from the date of this letter.

Notice of the District's preliminary decision to issue this Authority to Construct was published on March 9, 2011. The District's analysis of the proposal was also sent to CARB on March 4, 2011. All comments received following the District's preliminary decision on this project were considered.

Comments received by the District during the public notice period resulted in revisions to the flare source testing requirements as provided for in District Rule 4642 (Solid Waste Disposal Sites). A summary of these comments, and the District's responses, is enclosed. These changes were minor and did not trigger additional public notification requirements, nor did they have any impact upon the Best Available Control Technology determination or on the amount of offsets required for project approval.

Also enclosed is an invoice for the engineering evaluation fees pursuant to District Rule 3010. Please remit the amount owed, along with a copy of the attached invoice, within 60 days.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Jim Swaney at (559) 230-5900.

Sincerely,



David Warner
Director of Permit Services

DW: fgd

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Stockton Record

**NOTICE OF FINAL ACTION
FOR THE ISSUANCE OF AUTHORITY
TO CONSTRUCT PERMITS**

NOTICE IS HEREBY GIVEN that the Air Pollution Control Officer has issued Authority to Construct permits to Miller Brooks Environmental, Inc. for a landfill gas collection and control system served by a flare, at 3242 S. El Dorado St., in Stockton.

All comments received following the District's preliminary decision on this project were considered.

Comments received by the District during the public notice period resulted in revisions to the flare source testing requirements as provided for in District Rule 4642 (Solid Waste Disposal Sites). These changes were minor and did not trigger additional public notification requirements, nor did they have any impact upon the Best Available Control Technology determination or on the amount of offsets required for project approval.

The application review for Project #N-1103238 is available for public inspection at http://www.valleyair.org/notices/public_notices_idx.htm and the **SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, 1990 EAST GETTYSBURG AVENUE, FRESNO, CA 93726.**



AUTHORITY TO CONSTRUCT

PERMIT NO: N-7986-2-0

ISSUANCE DATE: 04/15/2011

LEGAL OWNER OR OPERATOR: COVE CONTRACTORS, INC.
MAILING ADDRESS: 379 COSTA MESA STREET
COSTA MESA, CA 92627

LOCATION: 3242 SOUTH EL DORADO ST
STOCKTON, CA

EQUIPMENT DESCRIPTION:
LANDFILL GAS COLLECTION SYSTEM SERVED BY A 107 MMBTU/HR JOHN ZINK MODEL U-16 OPEN FLARE

CONDITIONS

1. No modification to this unit shall be performed without an Authority to Construct for such modification(s), except for the change specified in condition 2. [District Rule 2010]
2. The construction of additional landfill gas extraction wells and connection of such wells to the landfill gas extraction system shall not constitute a modification of this permit provided there is no change in landfill gas extraction rate or in the flare. [District Rule 2010]
3. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
4. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
5. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
6. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
7. A non-resettable, totalizing mass or volumetric gas flow meter to measure the amount of landfill gas combusted in the flare shall be installed, utilized and maintained. [District Rule 2201]
8. Landfill gas combustion in the flare shall not exceed 0.18 MMscf/hr and 493 MMscf/yr. [District Rule 2201]
9. NOx Emissions from the flare serving the LFG collection system shall not exceed 0.068 lb-NOx/MMBtu. [District Rule 2201]

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 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

DAVID WARNER, Director of Permit Services

11-066-2-0: Apr 15 2011 10:16AM - DEMARISF : Joint Inspection NOT Required

10. PM10 emissions from the flare serving the LFG collection system shall not exceed 0.042 lb/MMBtu [District Rule 2201]
11. CO emissions from the flare serving the LFG collection system shall not exceed 0.37 lb/MMBtu. [District Rule 2201]
12. Either the VOC control efficiency shall be not less than 98% or VOC emissions from the LFG collection system served by a flare shall not exceed 20 ppmv (as methane) @ 3% O₂. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rules 2201 and 4642]
13. Sulfur content of LFG shall not exceed 0.1 ppmv as H₂S. [District Rule 2201]
14. The gas collection system shall be operated in such a manner that the surface emissions testing of the landfill shows the concentration of the total organic compounds, measured as methane, do not exceed 1,000 ppmv at any point on the surface of the solid waste disposal site or along the gas transfer path of the gas collection system. [District Rule 4642]
15. The gas collection system shall be operated in such a manner to prevent overdraw that can cause fires or damage to the gas collection system. [District Rule 4642]
16. Permittee shall install, maintain, and operate the landfill gas collection system and flare in accordance with the manufacturer's specifications and in accordance with Section 5.2.4 of District Rule 4642 (Solid Waste Disposal Sites). [District Rule 4642]
17. The flare shall be equipped with: 1) a heat sensing device to indicate the continuous presence of a flame, and; 2) either a device to record landfill gas flow to the flare at least once every 15 minutes, or a locking device to secure the flare bypass line valve in a closed position. [District Rule 4642]
18. Whenever buried solid waste is brought to the surface, permittee shall cover the excavated solid waste using fresh soil, plastic sheeting, or vapor retarding foam as necessary in order to prevent odorous emissions and minimize the release of landfill gas. [District Rule 4642]
19. Owner/operator shall notify the APCO by telephone at least 24 hours before performing any maintenance that requires the system to be shutdown. The notification shall include a description of the maintenance, the date maintenance will be performed and the amount of time needed to complete the maintenance. [District Rule 4642]
20. The gas collection system and/or control device shall not be shut down for more than 144 cumulative hours in any calendar year. [District Rule 4642]
21. Surface emission testing shall be conducted semiannually as required by District Rule 4642 unless the facility currently qualifies to conduct surface emission monitoring annually. [District Rule 4642]
22. The permittee shall demonstrate that the flare is in compliance with the requirements of 40 CFR 60.18(b) through (f) within 60 days of initial startup of the collection and control system. [District Rule 4642 and 40 CFR 60.18(c)(4)(i)]
23. The permittee shall maintain records of surface emissions testing, parameters demonstrating compliance with 40 CFR 60.18, and maintenance-related or other collection system and control device downtime, including the shutdown of individual well(s). [District Rules 1070 and 4642]
24. All records shall be retained on site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4642]

The District received no comments from the public, the applicant, or from the California Air Resources Board. However, the District's Compliance Division made the following comment:

Comment #1:

The draft ATC clearly describes the proposed flare as an open flare and requires source testing to demonstrate compliance with the VOC emission limit or destruction efficiency requirement. To our knowledge it is not feasible to conduct source testing on an open flare.

District Response to Comment #1:

District staff consulted with the manufacturer of the proposed flare and confirmed that the unit is, in fact, an open flare. Staff further explored the possibility of source testing an open flare and concluded that such testing remains infeasible at this time. In particular, safety concerns associated with trying to obtain a valid source test sample from an open flare are a grave concern.

Pursuant to Section 5.2.4 of District Rule 4642, an open flare may be used as a control device, not subject to the testing requirements of 6.1.4 and 6.3.2, provided it complies with the applicable provisions of 40 CFR 60.756(c) and 40 CFR 60.18. The following changes have been made to the ATC:

1. Conditions 23, 24, and 25 from the draft ATC have been deleted.
2. Condition 12 from the draft ATC has been amended to read as follows:
 - *Either the VOC control efficiency shall be not less than 98% or VOC emissions from the LFG collection system served by a flare shall not exceed 20 ppmv (as methane) @ 3% O₂. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rules 2201 and 4642]*
3. Condition 22 from the draft ATC has been amended to read as follows:
 - *The permittee shall demonstrate that the flare is in compliance with the requirements of 40 CFR 60.18(b) through (f) within 60 days of initial startup of the collection and control system. [District Rule 4642 and 40 CFR 60.18(c)(4)(i)]*
4. Condition 26 from the draft ATC has been amended to read as follows:
 - *The permittee shall maintain records of surface emissions testing, parameters demonstrating compliance with 40 CFR 60.18, and maintenance-related or other collection system and control device downtime, including the shutdown of individual well(s). [District Rules 1070 and 4642]*

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: N-7986-2-0

LEGAL OWNER OR OPERATOR: COVE CONTRACTORS, INC.
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2. The construction of additional landfill gas extraction wells and connection of such wells to the landfill gas extraction system shall not constitute a modification of this permit provided there is no change in landfill gas extraction rate or in the flare. [District Rule 2010]
3. {15} No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
4. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
5. {14} Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
6. {1407} All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201]
7. A non-resettable, totalizing mass or volumetric gas flow meter to measure the amount of landfill gas combusted in the flare shall be installed, utilized and maintained. [District Rule 2201]
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Seyed Sadredin, Executive Director, APCO

DRAFT

DAVID WARNER, Director of Permit Services
N-7986-2-0: Apr 12 2011 1:49PM -- DEMARISF : Joint Inspection NOT Required

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