

June 8, 2021

Ms. Stacie Dabbs  
Merced County Department of Public Works  
7040 N. Highway 59  
Merced, CA 95348

**Re: Notice of Final Action - Title V Permit**  
**Facility Number: N-5018**  
**Project Number: N-1192955**

Dear Ms. Dabbs:

The District has issued the Final Title V Permit for Merced County Department of Public Works. The preliminary decision for this project was made on March 24, 2021. No comments were received subsequent to the District preliminary decision.

The public notice for issuance of the Final Title V Permit will be posted on the District's website ([www.valleyair.org](http://www.valleyair.org)).

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Nick Peirce, Permit Services Manager, at (209) 557-6400.

Sincerely,



Brian Clements  
Director of Permit Services

Enclosures

cc: Courtney Graham, CARB (w/enclosure) via email  
Laura Yannayon, EPA (w/enclosure) via EPS  
John Cadrett, Compliance Manager

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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**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) 230-8000 FAX: (559) 230-6061

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

# *San Joaquin Valley*

## *Air Pollution Control District*

**FACILITY:** N-5018-0-1

**EXPIRATION DATE:** 04/30/2026

### **FACILITY-WIDE REQUIREMENTS**

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1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.13.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: MERCED COUNTY DEPARTMENT OF PUBLIC WORKS  
Location: SOLID WASTE DIVISION, 17173 S BILLY WRIGHT RD, LOS BANOS, CA  
N-5018-0-1 : Jun 9 2021 9:03AM -- KAHLOJ

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee 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 permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (02/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and County Rules 401 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

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

23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit
30. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit
31. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit
32. Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit
33. Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit
34. Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit
35. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE  
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36. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), and Rule 202 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601 (12/17/09); 8021 (8/19/2004); 8031 (8/19/2004); 8041 (8/19/2004); 8051 (8/19/2004); 8061 (8/19/2004); and 8071 (9/16/2004). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
41. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
42. On June 30, 2021, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit

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

# *San Joaquin Valley*

## *Air Pollution Control District*

**PERMIT UNIT:** N-5018-5-1

**EXPIRATION DATE:** 04/30/2026

**SECTION:** 27 **TOWNSHIP:** 9S **RANGE:** 9E

**EQUIPMENT DESCRIPTION:**

MUNICIPAL SOLID WASTE LANDFILL, 14.8 MILLION CUBIC YARD CAPACITY (101.8 ACRES OF 172.7 ACRES FOR DISPOSAL)

### **PERMIT UNIT REQUIREMENTS**

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1. The owner or operator shall calculate the NMOC emission rate from the landfill using the procedures in 40 CFR 60.764(a)(1). The NMOC emission rate must be recalculated annually, except as provided in 40 CFR 60.767(b)(1)(ii). [40 CFR 60.752(b)] Federally Enforceable Through Title V Permit
2. If the calculated NMOC emission rate is less than 34 megagrams per year, the owner or operator must: (A) Submit an annual NMOC emission rate emission report to the District, except as provided for in section 60.767(b)(1)(ii); and (B) Recalculate the NMOC emission rate annually using the procedures specified in §60.764(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, or the landfill is closed. [40 CFR 60.752(b)(1)] Federally Enforceable Through Title V Permit
3. If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either: Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year as specified in 40 CFR 60.767(c); calculate NMOC emissions using the next higher tier in 40 CFR 60.764; or conduct a surface emission monitoring demonstration using the procedures specified in 40 CFR 60.764(a)(6). The collection and control system must meet the requirements in paragraphs 40 CFR 60.762(b)(2)(ii) and (iii). [40 CFR 60.752(b)(2)] Federally Enforceable Through Title V Permit
4. NMOC emission rate shall be calculated using the Equation 1 in 40 CFR 60.764(a)(1)(i)(A), if the actual year-to-year solid waste acceptance rate is known or the Equation 2 in 40 CFR 60.764(a)(1)(ii)(A), if the actual year-to-year solid waste acceptance rate is unknown. The values for k, Lo, and CNMOC for both equations shall be taken from 40 CFR 60.764(a)(1), as appropriate. Both equations may be used if the actual year-to-year acceptance rate is known for a part of the landfill life, but unknown for another part of the landfill life. The mass of nondegradable solid waste may be subtracted from the average annual acceptance rate when calculating Mi or R, as appropriate, if documentation of the nature and amount of such wastes is maintained. [40 CFR 60.764(a)(1)] Federally Enforceable Through Title V Permit
5. If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year, then the landfill owner or operator must either: (A) Submit a collection and control design plan within 1 year as specified in 40 CFR 60.767(c) and install and operate a gas collection and control system within 30 months of the determination in accordance with 40 CFR 60.762(b)(2)(ii) and (iii); (B) Determine a site-specific NMOC concentration and recalculate the NMOC emission rate using Tier 2 procedures provided in 40 CFR 60.764(a)(3); or (C) Determine site-specific methane generation rate constant and re-calculate the NMOC emission rate using the Tier 3 procedures provided in specifications 40 CFR 60.764(a)(4). [40 CFR 60.764(a)(2)(ii)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

6. Tier 2 procedure to determine the site-specific NMOC concentration shall include the following sampling procedure:
  - 1) The landfill owner or operator must install at least two sample probes per hectare, evenly distributed over the landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The probes should be evenly distributed across the sample area. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator must collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration, using EPA Method 25 or 25C of Appendix A to 40 CFR Part 60, or any other alternative method as long as the method has been approved by the District and EPA. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of Appendix A of 40 CFR Part 60 by six to convert from CNMOC as carbon to CNMOC as hexane.
  - 2) If the landfill has an active or passive gas removal system in place, Method 25 or 25C, or alternative approved method samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe. The sample location on the common header pipe must be before any gas moving, condensate removal, or treatment system equipment. For active collection systems, a minimum of three samples must be collected from the header pipe. [40 CFR 60.764(a)(3) and 40 CFR 60.764(a)(5)] Federally Enforceable Through Title V Permit
7. For Tier 2 procedure, the owner or operator shall submit the results within 60 days after the date of completing each performance test. [40 CFR 60.764(a)(3)(i) and 40 CFR 60.767(i)(1)] Federally Enforceable Through Title V Permit
8. For Tier 2 procedure, the owner or operator must recalculate the NMOC mass emission rate using Equation 1 or Equation 2 provided in 40 CFR 60.764(a)(1)(i) or (a)(1)(ii) of this section and using the average site-specific NMOC concentration from the collected samples instead of the default value provided in 40 CFR 60.764(a)(1). [40 CFR 60.764(a)(3)(ii)] Federally Enforceable Through Title V Permit
9. For Tier 2 procedure, if the resulting NMOC mass emission rate is less than 34 megagrams per year, then the owner or operator must submit a periodic estimate of NMOC emissions in an NMOC emission rate report according to 40 CFR 60.767(b)(1), and must recalculate the NMOC mass emission rate annually as required under 40 CFR 60.762(b), except as provided in 40 CFR 60.767(b)(1)(ii). The site-specific NMOC concentration must be retested every 5 years using the methods specified in 40 CFR 60.764(a)(3). [40 CFR 60.764(a)(3)(iii)] Federally Enforceable Through Title V Permit
10. If the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration is equal to or greater than 34 megagrams per year, the landfill owner or operator must either: (A) Submit a gas collection and control system design plan within 1 year as specified in 40 CFR 60.767(c) and install and operate a gas collection and control system within 30 months of the determination in accordance with 40 CFR 60.762(b)(2)(ii) and (iii); (B) Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the Tier 3 procedures specified in paragraph (a)(4) of this section; or (C) Conduct a surface emission monitoring demonstration using the Tier 4 procedures specified in 40 CFR 60.764(a)(6). [40 CFR 60.764(a)(3)(iv)] Federally Enforceable Through Title V Permit
11. For Tier 3 procedure, the site-specific methane generation rate constant must be determined using the procedures provided in Method 2E of Appendix A of 40 CFR Part 60 or any other alternative method as long as the method has been approved by the District and EPA. [40 CFR 60.764(a)(4) and 40 CFR 60.764(a)(5)] Federally Enforceable Through Title V Permit
12. For Tier 3 procedure, the landfill owner or operator must estimate the NMOC mass emission rate using Equation 1 or Equation 2 in paragraph 40 CFR 60.764(a)(1)(i) or (ii) and using a site-specific methane generation rate constant, and the site-specific NMOC concentration as determined in paragraph 40 CFR 60.764(a)(3) of instead of the default values provided in paragraph 40 CFR 60.764(a)(1). [40 CFR 60.764(a)(4)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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

13. For Tier 3 procedure, if the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration and Tier 3 site-specific methane generation rate is equal to or greater than 34 megagrams per year, the owner or operator must either: (A) Submit a gas collection and control system design plan within 1 year as specified in 40CFR60.767(c) and install and operate a gas collection and control system within 30 months of that determination in accordance with 40 CFR 60.762(b)(2)(ii) and (iii); or (B) Conduct a surface emission monitoring demonstration using the Tier 4 procedures specified in 40 CFR 60.764(a)(6) of this section. [40 CFR 60.764(a)(4)(i)] Federally Enforceable Through Title V Permit
14. For Tier 3 procedure, if the NMOC mass emission rate is less than 34 megagrams per year, then the owner or operator must recalculate the NMOC mass emission rate annually using Equation 1 or Equation 2 in paragraph 40 CFR 60.764(a)(1) and using the site-specific Tier 2 NMOC concentration and Tier 3 methane generation rate constant and submit a periodic NMOC emission rate report as provided in 40 CFR 60.767(b)(1). The calculation of the methane generation rate constant is performed only once, and the value obtained from this test must be used in all subsequent annual NMOC emission rate calculations. [40 CFR 60.764(a)(4)(ii)] Federally Enforceable Through Title V Permit
15. For Tier 4, the landfill owner or operator must demonstrate surface methane emissions are below 500 parts per million. Surface emission monitoring must be conducted on a quarterly basis using the procedures in 40 CFR 60.764(a)(6). Tier 4 is allowed only if the landfill owner or operator can demonstrate that NMOC emissions are greater than or equal to 34 Mg/yr but less than 50 Mg/yr using Tier 1 or Tier 2. If both Tier 1 and Tier 2 indicate NMOC emissions are 50 Mg/yr or greater, then Tier 4 cannot be used. In addition, the landfill must meet the criteria in 40 CFR 60.764(a)(6)(viii). [40 CFR 60.764(a)(6)] Federally Enforceable Through Title V Permit
16. For Tier 4, surface emission monitoring must be conducted on a quarterly basis using the following procedures: (i) The owner or operator must measure surface concentrations of methane along the entire perimeter of the landfill and along a pattern that traverses the landfill at no more than 30-meter intervals using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in section 60.765(d); (ii) The background concentration must be determined by moving the probe inlet upwind and downwind at least 30 meters from the waste mass boundary of the landfill; (iii) Surface emission monitoring must be performed in accordance with section 8.3.1 of Method 21 of Appendix A of 40 CFR Part 60, except that the probe inlet must be placed no more than 5 centimeters above the landfill surface; the constant measurement of distance above the surface should be based on a mechanical device such as with a wheel on a pole, except as described in paragraph 40 CFR 60.764 (a)(6)(iii)(A). (A) The owner or operator must use a wind barrier, similar to a funnel, when onsite average wind speed exceeds 4 miles per hour or 2 meters per second or gust exceeding 10 miles per hour. Average on-site wind speed must also be determined in an open area at 5-minute intervals using an on-site anemometer with a continuous recorder and data logger for the entire duration of the monitoring event. The wind barrier must surround the surface emission monitor, and must be placed on the ground, to ensure wind turbulence is blocked. Surface emission monitor cannot be conducted if average wind speed exceeds 25 miles per hour. (B) Landfill surface areas where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover, and all cover penetrations must also be monitored using a device meeting the specifications provided in section 60.765(d). [40 CFR 60.764(a)(6)(i), (ii) and (iii)] Federally Enforceable Through Title V Permit
17. For Tier 4, the owner or operator seeking to comply with the Tier 4 provisions in paragraph 40 CFR 60.764(a)(6) must maintain records of surface emission monitoring as provided in 40 CFR 60.768(g) and submit a Tier 4 surface emissions report as provided in 40 CFR 60.767(c)(4)(iii). [40 CFR 60.764(a)(6)(iv)] Federally Enforceable Through Title V Permit
18. For Tier 4, if there is any measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must submit a gas collection and control system design plan within 1 year of the first measured concentration of methane of 500 parts per million or greater from the surface of the landfill according to 40 CFR 60.767(c) and install and operate a gas collection and control system according to 40 CFR 60.762(b)(2)(ii) and (iii) within 30 months of the most recent NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year based on Tier 2. [40 CFR 60.764(a)(6)(v)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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19. For Tier 4, if after four consecutive quarterly monitoring periods at a landfill, other than a closed landfill, there is no measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must continue quarterly surface emission monitoring using the methods specified in 40 CFR 60.764(a)(6). [40 CFR 60.764(a)(6)(vi)] Federally Enforceable Through Title V Permit
20. For Tier 4, if after four consecutive quarterly monitoring periods at a closed landfill there is no measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the owner or operator must conduct annual surface emission monitoring using 40 CFR 60.764(a)(6). [40 CFR 60.764(a)(6)(vii)] Federally Enforceable Through Title V Permit
21. For Tier 4, if a landfill has installed and operates a collection and control system that is not required by this subpart, then the collection and control system must meet the following criteria: (A) The gas collection and control system must have operated for 6,570 out of 8,760 hours preceding the Tier 4 surface emissions monitoring demonstration; (B) During the Tier 4 surface emissions monitoring demonstration, the gas collection and control system must operate as it normally would to collect and control as much landfill gas as possible. [40 CFR 60.764(a)(6)(viii)] Federally Enforceable Through Title V Permit
22. The owner or operator seeking to comply with Tier 4 provisions in 40 CFR 60.764(a)(6) must comply with the following instrumentation specifications and procedures for surface emission monitoring devices: (1) The portable analyzer must meet the instrument specifications provided in section 6 of Method 21 of Appendix A of 40 CFR Part 60, except that "methane" replaces all references to "VOC"; (2) The calibration gas must be methane, diluted to a nominal concentration of 500 parts per million in air; (3) To meet the performance evaluation requirements in section 8.1 of Method 21 of Appendix A of 40 CFR Part 60, the instrument evaluation procedures of section 8.1 of Method 21 of Appendix A of 40 CFR Part 60 must be used; and (4) The calibration procedures provided in sections 8 and 10 of Method 21 of Appendix A of 40 CFR Part 60 must be followed immediately before commencing a surface monitoring survey. [40 CFR 60.764(d)] Federally Enforceable Through Title V Permit
23. The owner or operator shall submit NMOC emission rate annually except as provided for in 40 CFR 60.767 (b)(1)(ii). The District may request additional information as may be necessary to verify the reported NMOC emission rate. [40 CFR 60.767 (b)] Federally Enforceable Through Title V Permit
24. The NMOC emission rate report must contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.764(a) or (b), as applicable. The initial NMOC emission rate report may be combined with the initial design capacity report and must be submitted no later than 90 days after the date of commenced construction. [40 CFR 60.767 (b)(1)(i)] Federally Enforceable Through Title V Permit
25. If the estimated NMOC emission rate as reported in the annual report to the District is less than 34 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit, an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate must include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based must be provided to the District. This estimate must be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate must be submitted to the District. The revised estimate must cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. [40 CFR 60.767 (b)(1)(ii)] Federally Enforceable Through Title V Permit
26. If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in 40 CFR 60.764(a)(3) and the resulting rate is less than 34 megagrams per year, annual periodic reporting must be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 34 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, must be submitted within 180 days of the first calculated exceedance of 34 megagrams per year. [40 CFR 60.767(c)(4)(i)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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27. If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant  $k$ , as provided in Tier 3 in 40 CFR 60.764(a)(4), and the resulting NMOC emission rate is less than 34 Mg/yr, annual periodic reporting must be resumed. The resulting site-specific methane generation rate constant  $k$  must be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of 40 CFR 60.764(a)(4) and the resulting site-specific methane generation rate constant  $k$  must be submitted to the District within 1 year of the first calculated emission rate equaling or exceeding 34 megagrams per year. [40 CFR 60.767(c)(4)(ii)] Federally Enforceable Through Title V Permit
28. If the owner or operator elects to demonstrate that site-specific surface methane emissions are below 500 parts per million methane, based on the provisions of 40 CFR 60.764(a)(6), then the owner or operator must submit annually a Tier 4 surface emissions report until a surface emissions readings of 500 parts per million methane or greater is found. If the Tier 4 surface emissions report shows no surface emissions readings of 500 parts per million methane or greater for four consecutive quarters at a closed landfill, then the landfill owner or operator may reduce Tier 4 monitoring from a quarterly to an annual frequency. The District may request such additional information as may be necessary to verify the reported instantaneous surface emission readings. The Tier 4 surface emissions report must clearly identify the location, date and time (to nearest second), average wind speeds including wind gusts, and reading (in parts per million) of any value 500 parts per million methane or greater, other than non-repeatable, momentary readings. For location, you must determine the latitude and longitude coordinates using an instrument with an accuracy of at least 4 meters. The coordinates must be in decimal degrees with at least five decimal places. The Tier 4 surface emission report must also include the results of the most recent Tier 1 and Tier 2 results in order to verify that the landfill does not exceed 50 Mg/yr of NMOC. [40 CFR 60.767(c)(4)(iii)] Federally Enforceable Through Title V Permit
29. The initial Tier 4 surface emissions report must be submitted to the District annually, starting within 30 days of completing the fourth quarter of Tier 4 surface emissions monitoring that demonstrates that site-specific surface methane emissions are below 500 parts per million methane. [40 CFR 60.767(c)(4)(iii)(A)] Federally Enforceable Through Title V Permit
30. The Tier 4 surface emissions report must be submitted to the District within 1 year of the first measured surface exceedance of 500 parts per million methane. [40 CFR 60.767(c)(4)(iii)(B)] Federally Enforceable Through Title V Permit
31. The owner or operator of an affected landfill with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must provide a notification of the date(s) upon which it intends to demonstrate site-specific surface methane emissions are below 500 parts per million methane, based on the Tier 4 provisions of 40 CFR 60.764(a)(6). The landfill must also include a description of the wind barrier to be used during the surface emission monitoring (SEM) in the notification. Notification must be postmarked not less than 30 days prior to such date. [40 CFR 60.767(l)(1)] Federally Enforceable Through Title V Permit
32. If there is a delay to the scheduled Tier 4 SEM date due to weather conditions, including not meeting the wind requirements in §60.764(a)(6)(iii)(A), the owner or operator of a landfill shall notify the Administrator by email or telephone no later than 48 hours before any delay or cancellation in the original test date, and arrange an updated date with the District or EPA by mutual agreement. [40 CFR 60.767(l)(2)] Federally Enforceable Through Title V Permit
33. Each owner or operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [40 CFR 60.768(a)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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34. Landfill owners or operators seeking to demonstrate that site-specific surface methane emissions are below 500 parts per million by conducting surface emission monitoring under the Tier 4 procedures specified in 40 CFR 60.764(a)(6) must keep for at least 5 years up-to-date, readily accessible records of all surface emissions monitoring and information related to monitoring instrument calibrations conducted according to sections 8 and 10 of Method 21 of appendix A of this part, including all of the following items: (1) Calibration records: (i) Date of calibration and initials of operator performing the calibration. (ii) Calibration gas cylinder identification, certification date, and certified concentration. (iii) Instrument scale(s) used. (iv) A description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value. (v) If an owner or operator makes their own calibration gas, a description of the procedure used. (2) Digital photographs of the instrument setup, including the wind barrier. The photographs must be time and date-stamped and taken at the first sampling location prior to sampling and at the last sampling location after sampling at the end of each sampling day, for the duration of the Tier 4 monitoring demonstration. (3) Timestamp of each surface scan reading: (i) Timestamp should be detailed to the nearest second, based on when the sample collection begins. (ii) A log for the length of time each sample was taken using a stopwatch (e.g., the time the probe was held over the area). (4) Location of each surface scan reading. The owner or operator must determine the coordinates using an instrument with an accuracy of at least 4 meters. Coordinates must be in decimal degrees with at least five decimal places. (5) Monitored methane concentration (parts per million) of each reading. (6) Background methane concentration (parts per million) after each instrument calibration test. (7) Adjusted methane concentration using most recent calibration (parts per million). (8) For readings taken at each surface penetration, the unique identification location label matching the label specified in paragraph (d) of this section; and (9) Records of the operating hours of the gas collection system for each destruction device. [40 CFR 60.768(g)] Federally Enforceable Through Title V Permit
35. Permittee shall recalculate the landfill gas heat input capacity annually until the landfill submits a closure notification report. [17 CCR 95463]
36. Permittee shall keep records of the annual solid waste acceptance rate and the current amount of waste-in-place. [17 CCR 95470]
37. Permittee shall keep records of delays encountered during repair of surface emission leaks. Documentation of delays shall be submitted with the annual report. [17 CCR 95468]
38. Permittee shall identify areas which are dangerous and unable to be inspected. Areas shall be clearly identified on a map of the facility. A copy of the map shall be kept onsite as well as submitted with the annual report. [17 CCR 95468]
39. Permittee shall conduct monitoring of the landfill surface within 3 inches of the surface. The facility may monitor surface emissions with the probe tip at the height of the vegetation if there is vegetation and it is impractical to monitor at 3 inches from the landfill surface. [17 CCR 95468]
40. Permittee shall terminate surface emission testing when the measured average wind speed is over 10 mph or the instantaneous wind speed is over 20 mph. [17 CCR 95468, 17 CCR 95471]
41. Permittee shall only conduct surface emission testing when precipitation has met the following requirements. It has been 24 hours since measured precipitation of 0.01 to 0.15 inches. It has been 48 hours since measured precipitation of 0.16 to 0.24 inches. It has been 72 hours since measured precipitation of 0.25 or more inches. [17 CCR 95468]
42. Instantaneous landfill surface emissions measurements shall be done annually. [17 CCR 95468]
43. Instantaneous landfill surface methane emissions shall not exceed 500 ppmv as methane. [17 CCR 95465]
44. Permittee shall submit the following reports as required in section 95470(b): Closure notification, Waste in place report and Landfill gas heat input capacity report. All reports must be accompanied by a certification of truth, accuracy, and completeness signed by a responsible official. [17 CCR 95470]
45. Permittee may comply with the CARB regulation for landfill methane control measures by using approved alternative compliance options. The permittee shall obtain written District approval for the use of any alternative compliance options not specifically approved by this permit. Changes to the approved alternate compliance options must be made and approved in writing. Documentation of approved alternative compliance options shall be available for inspection upon request. [17 CCR 95468]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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46. All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]

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