PUBLIC NOTICE

BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill has applied to the Tennessee Department of Environment and Conservation, Division of Air Pollution Control for renewal of their major source (Title V) operating permit subject to the provisions of Tennessee Air Pollution Control Regulations 1200-03-09-.02(11) (Title V Regulations). A major source operating permit is required by both the Federal Clean Air Act and Tennessee's air pollution control regulations. However, it should be noted that this facility has a current major source operating permit.

The applicant is **BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill,** with a site address of 750 East Jefferson Pike, Murfreesboro, TN 37310. They have applied for renewal of their existing major source (Title V) operating permit for their landfill operation.

EPA has agreed to treat this draft Part 70 permit as a proposed Part 70 permit and to perform its 45-day review provided by the law concurrently with the public notice period. If any substantive comments are received, EPA's 45-day review period will cease to be performed concurrently with the public notice period. In this case, EPA's 45-day review period will start once the public notice period has been completed and EPA receives notification from the Tennessee Air Pollution Control Division that comments have been received and resolved. The status regarding EPA's 45-day review of these permits and the deadline for submitting a citizen's petition can be found at the following website address:

https://www.epa.gov/caa-permitting/tennessee-proposed-title-v-permits

Copies of the application materials and draft permit(s) are available for public inspection during normal business hours at the following locations:

Nashville Environmental Field Office
Division of Air Pollution Control
711 R.S. Gass Blvd
Nashville, TN 37216

and

Tennessee Department of Environment and Conservation
Division of Air Pollution Control
Davy Crockett Tower, 7th Floor
500 James Robertson Parkway
Nashville, TN 37243

Electronic copies of the draft permits are available by accessing the TDEC internet site located at:

https://www.tn.gov/environment/ppo-public-participation/ppo-public-participation/ppo-air.html

Questions concerning the source(s) may be addressed to Eric King at (615) 428-9193 or by e-mail at eric.king@tn.gov.

Interested parties are invited to review these materials and comment. In addition, a public hearing may be requested at which written or oral presentations may be made. To be considered, written comments or requests for a public hearing must be received no later than 4:30 PM on August 10, 2025. To assure that written comments are received and addressed in a timely manner, written comments must be submitted using one of the following methods:

1. **Mail, private carrier, or hand delivery:** Address written comments to Ms. Michelle W. Owenby, Director, Division of Air Pollution Control, Davy Crockett Tower, 500 James Robertson Parkway, Nashville, Tennessee 37243.

2. **E-mail**: Submit electronic comments to air.pollution.control@tn.gov.

A final determination will be made after weighing all relevant comments.

Individuals with disabilities who wish to review information maintained at the above-mentioned depositories should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such review. Such contact may be in person, by writing, telephone, or other means, and should be made no less than ten days prior to the end of the public comment period to allow time to provide such aid or services. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, Davy Crockett Tower, 6th Floor, 500 James Robertson Parkway, Nashville, TN 37243, (615)-532-0200. Hearing impaired callers may use the Tennessee Relay Service, 1-(800)-848-0298.

Air Pollution Control DATE: July 9, 2025
Assigned to – E. King

STATE OF TENNESSEE
AIR POLLUTION CONTROL BOARD
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243

OPERATING PERMIT (TITLE V) Issued Pursuant to Tennessee Air Quality Act

This permit fulfills the requirements of Title V of the Federal Clean Air Act (42 U.S.C. 7661a-7661e) and the federal regulations promulgated thereunder at 40 CFR Part 70. (FR Vol. 57, No. 140, Tuesday, July 21, 1992 p.32295-32312). This permit is issued in accordance with the provisions of paragraph 1200-03-09-.02(11) of the Tennessee Air Pollution Control Regulations (TAPCR). The permittee has been granted permission to operate an air contaminant source in accordance with emissions limitations and monitoring requirements set forth herein.

Date Issued: TBD, 2025

Draft Permit Number:
582631

Date Expires: TBD, 2030

Issued To:
BFI Waste Systems of Tennessee, LLC
dba Middle Point Landfill

Installation Address:
750 East Jefferson Pike
Murfreesboro

Installation Description:
75-0381-01: Municipal Solid Waste Landfill with Landfill Gas Collection and Control System
75-0381-04: Gasoline Dispensing Facility (1,000 gallons capacity)

Part 62 Subpart OOO
NESHAP Subpart AAAA
NESHAP Subpart CCCCCC
NESHAP Subpart M

Facility ID: 75-0381

Renewal Application Due Date:
Between May 4, 2024, and August 2, 2024

Primary SIC: 4953

Information Relied Upon:
Permit Application dated August 1, 2024
Email dated March 20, 2025, to update Compliance Alternatives
Contact Change Letter dated February 20, 2025

(continued on the next page)

TECHNICAL SECRETARY

No Authority is Granted by this Permit to Operate, Construct, or Maintain any Installation in Violation of any Law, Statute, Code, Ordinance, Rule, or Regulation of the State of Tennessee or any of its Political Subdivisions.

POST AT INSTALLATION ADDRESS

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END OF PERMIT NUMBER 582631

ATTACHMENTS

ATTACHMENT 1	Opacity Matrix Decision Tree for Visible Emission Evaluation Method 9 Dated June 18, 1996
ATTACHMENT 2	NSPS Compliance Alternatives for BFI
ATTACHMENT 3	Applicable Parts from Code of Federal Regulations, Title 40, Part 61, Subpart M, National Emission Standards for Asbestos
ATTACHMENT 4	Applicability of NESHAP General Provisions to Subpart AAAA
ATTACHMENT 5	Emission Statement for VOC AND NOX
ATTACHMENT 6	Title V Fee Selection
ATTACHMENT 7	Alternative CO Test Methods

SECTION A

GENERAL PERMIT CONDITIONS

A permit issued under the provisions of Tennessee Air Pollution Control Regulations (TAPCR) paragraph 1200-03-09-.02(11) is a permit issued pursuant to the requirements of Title V of the Federal Act and its implementing Federal regulations promulgated at 40 CFR, Part 70.

A1. **Definitions.** Terms not otherwise defined in the permit shall have the meaning assigned to such terms in the referenced regulations.

TAPCR 1200-03 and 0400-30

A2. **Compliance requirement.** All terms and conditions in a permit issued pursuant to TAPCR paragraph 1200-03-09-.02(11), including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act. The permittee shall comply with all conditions of its permit. Except for requirements specifically designated herein as not being federally enforceable (State Only), non-compliance with the permit requirements is a violation of the Federal Act and the Tennessee Air Quality Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Non-compliance with permit conditions specifically designated herein as not being federally enforceable (State Only) is a violation of the Tennessee Air Quality Act and may be grounds for these actions.

TAPCR 1200-03-09-.02(11)(e)2(i) and 1200-03-09-.02(11)(e)1(vi)(I)

A3. **Need to halt or reduce activity.** The need to halt or reduce activity is not a defense for noncompliance. 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. However, nothing in this item shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations.

TAPCR 1200-03-09-.02(11)(e)1(vi)(II)

A4. **The permit.** 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 of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

TAPCR 1200-03-09-.02(11)(e)1(vi)(III)

A5. **Property rights.** The permit does not convey any property rights of any sort, or any exclusive privilege.

TAPCR 1200-03-09-.02(11)(e)1(vi)(IV)

A6. **Submittal of requested information.** The permittee shall furnish to the Technical Secretary, within a reasonable time, any information that the Technical Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or termination of the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Technical Secretary copies of records required to be kept by the permit. If the permittee claims that such information is confidential, the Technical Secretary may review that claim and hold the information in protected status until such time that the Board can hear any contested proceedings regarding confidentiality disputes. If the information is desired by EPA, the permittee may mail the information directly to EPA. Any claims of confidentiality for federal purposes will be determined by EPA.

TAPCR 1200-03-09-.02(11)(e)1(vi)(V)

A7. **Severability clause.** The requirements of this permit are severable. A dispute regarding one or more requirements of this permit does not invalidate or otherwise excuse the permittee from their duty to comply with the remaining portion of the permit.

TAPCR 1200-03-09.02(11)(e)1(v)

A8. Fee payment.

(a) The permittee shall pay an annual Title V fee in accordance with TAPCR 1200-03-26-.02(9) based upon the applicable base fee; the applicable permit modification fee(s); the responsible official's choice of actual emissions, allowable emissions, or a combination of actual and allowable emissions; and on the responsible official's choice of annual accounting period. An emission cap of 4,000 tons per year per regulated pollutant per major source SIC Code shall apply to actual or allowable based emission fees. A Title V annual emission fee will not be charged for emissions in excess of the cap. Title V annual emission fees will not be charged for carbon monoxide or for greenhouse gas pollutants solely because they are greenhouse gases.

(b) Title V sources shall pay allowable based emission fees until the beginning of the next annual accounting period following receipt of their initial Title V operating permit. At that time, the permittee shall begin paying their Title V fee based upon the applicable base fee; the applicable permit modification fee(s); and their choice of actual or allowable based fees, or mixed actual and allowable based fees. Once permitted, the Responsible Official may revise their existing fee choice by submitting a written request to the Division no later than December 31 of the annual accounting period for which the fee is due.

(c) When paying annual Title V emission fees, the permittee shall comply with all provisions of TAPCR Rule 1200-03-26-.02 and paragraph 1200-03-09-.02(11) applicable to such fees.

(d) Where more than one allowable emission limit is applicable to a regulated pollutant, the allowable emissions for the regulated pollutants shall not be double counted. Major sources subject to the provisions of TAPCR paragraph 1200-03-26-.02(9) shall apportion their emissions as follows to ensure that their fees are not double counted.

1. Emissions of hazardous air pollutants (HAP) that are included in the particulate matter (including PM_{10}) category or the volatile organic compound category shall be included in those categories.

2. HAP that are not included in either the particulate matter category or volatile organic compound category shall be included in the category of Hazardous Air Pollutants Not Included Above.

3. Each individual HAP is subject to the 4,000 ton cap provisions of TAPCR subparagraph 1200-03-26-.02(2)(i).

4. Major sources that wish to pay annual emission fees for PM_{10} on an allowable emission basis may do so if they have a specific PM_{10} allowable emission standard. If a major source has a total particulate emission standard, but wishes to pay annual emission fees on an actual PM_{10} emission basis, it may do so if the PM_{10} actual emission levels are proven to the satisfaction of the Technical Secretary. The method to demonstrate the actual PM_{10} emission levels must be made as part of the source's major source operating permit in advance in order to exercise this option. The PM_{10} emissions reported under these options shall not be subject to fees under the family of particulate emissions. The 4,000 ton cap provisions of TAPCR subparagraph 1200-03-26-.02(2)(i) shall also apply to PM_{10} emissions.

(e) Emissions of pollutants that do not fall in one of the listed categories shall be included in the category of Miscellaneous Pollutants Not Listed Above. Each miscellaneous pollutant is subject to the 4,000-ton cap provisions.

TAPCR 1200-03-26-.02 and 1200-03-09-.02(11)(e)1(vii)

A9. **Permit revision not required.** A permit revision will not be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or process for changes that are provided for in the permit.

TAPCR 1200-03-09-.02(11)(e)1(viii)

A10. **Inspection and entry.** Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Technical Secretary or an authorized representative to perform the following for the purposes of determining compliance with the permit applicable requirements:

(a) Enter upon, at reasonable times, the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(d) As authorized by the Clean Air Act and Chapter 1200-03-10 of the TAPCR, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(e) "Reasonable times" shall be considered to be customary business hours unless reasonable cause exists to suspect noncompliance with the Act, TAPCR Division 1200-03 or any permit issued pursuant thereto and the Technical Secretary specifically authorizes an inspector to inspect a facility at any other time.

TAPCR 1200-03-09-.02(11)(e)3(ii)

A11. Permit shield.

(a) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date of permit issuance, provided that:

1. Such applicable requirements are included and are specifically identified in the permit; or

2. The Technical Secretary, in acting on the permit application or revision, 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.

(b) Nothing in this permit shall alter or affect the following:

1. The provisions of section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section. Similarly, the provisions of T.C.A. §68-201-109 (emergency orders) including the authority of the Governor under the section;

2. 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;

3. The applicable requirements of the acid rain program, consistent with section 408(a) of the Federal Act; or

4. The ability of EPA to obtain information from a source pursuant to section 114 of the Federal Act.

(c) Permit shield is granted to the permittee.

(d) The permit shield does not apply to permit changes made under the minor permit modification procedures of TAPCR subpart 1200-03-09-.02(11)(f)5(ii) nor the administrative permit amendment procedures of TAPCR part 1200-03-09-.02(11)(f)4, except that the permit shield may be extended for administrative permit amendments that meet the relevant requirements of TAPCR subparagraph 1200-03-09-.02(11)(e), subparagraph 1200-03-09-.02(11)(f) and subparagraph 1200-03-09-.02(11)(g) for significant permit modifications.

(e) The permit shield does not apply to off-permit changes made under the operational flexibility provisions of TAPCR part 1200-03-09-.02(11)(a)4.

TAPCR 1200-03-09-.02(11)(e)6 and 1200-03-09-.02(11)(f)4(iv)

A12. Permit renewal and expiration.

(a) An application for permit renewal must be submitted at least 180 days, but no more than 270 days, prior to the expiration of this permit. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

(b) If the permittee submits a timely and complete application for permit renewal the source will not be considered to be operating without a permit until the Technical Secretary takes final action on the permit application, except as otherwise noted in TAPCR paragraph 1200-03-09-.02(11).

(c) This permit, its shield provided in Condition A11, and its conditions will be extended and effective after its expiration date provided that the source has submitted a timely, complete renewal application to the Technical Secretary.

TAPCR 1200-03-09-.02(11)(f)2 and 3, 1200-03-09-.02(11)(d)1(i)(III), and 1200-03-09-.02(11)(a)2

A13. Reopening for cause.

(a) A permit shall be reopened and revised prior to the expiration of the permit under any of the circumstances listed below:

1. Additional applicable requirements under the Federal Act become applicable to the sources contained in this permit provided the permit has a remaining term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the permit expiration date of this permit, unless the original has been extended pursuant to TAPCR part 1200-03-09-.02(11)(a)2.

2. Additional requirements become applicable to an affected source under the acid rain program.

3. The Technical Secretary or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

4. The Technical Secretary or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(b) Proceedings to reopen and issue a permit shall follow the same proceedings as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists, and not the entire permit. Such reopening shall be made as expeditiously as practicable.

(c) Reopenings for cause shall not be initiated before a notice of such intent is provided to the permittee by the Technical Secretary at least 30 days in advance of the date that the permit is to be reopened except that the Technical Secretary may provide a shorter time period in the case of an emergency. An emergency shall be established by the criteria of T.C.A. 68-201-109 or other

compelling reasons that public welfare is being adversely affected by the operation of a source that is in compliance with its permit requirements.

(d) If the Administrator finds that cause exists to terminate, modify, or revoke and reissue a permit as identified in A13, he is required under federal rules to notify the Technical Secretary and the permittee of such findings in writing. Upon receipt of such notification, the Technical Secretary shall investigate the matter in order to determine if he agrees or disagrees with the Administrator's findings. If he agrees with the Administrator's findings, the Technical Secretary shall conduct the reopening in the following manner:

1. The Technical Secretary shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the Administrator grants additional time to secure permit applications or additional information from the permittee, the Technical Secretary shall have the additional time period added to the standard 90-day time period.

2. EPA will evaluate the Technical Secretary's proposed revisions and respond as to their evaluation.

3. If EPA agrees with the proposed revisions, the Technical Secretary shall proceed with the reopening in the same manner prescribed under Condition A13(b) and Condition A13(c).

4. If the Technical Secretary disagrees with either the findings or the Administrator that a permit should be reopened or an objection of the Administrator to a proposed revision to a permit submitted pursuant to Condition A13(d), he shall bring the matter to the Board at its next regularly scheduled meeting for instructions as to how he should proceed. The permittee shall be required to file a written brief expressing their position relative to the Administrator's objection and have a responsible official present at the meeting to answer questions for the Board. If the Board agrees that EPA is wrong in their demand for a permit revision, they shall instruct the Technical Secretary to conform to EPA's demand, but to issue the permit under protest preserving all rights available for litigation against EPA.

TAPCR 1200-03-09-.02(11)(f)6 and 7

A14. **Permit transference.** An administrative permit amendment allows for a change of ownership or operational control of a source where the Technical Secretary determines that no other change in the permit is necessary, provided that the following requirements are met:

(a) Transfer of ownership permit application is filed consistent with the provisions of TAPCR paragraph 1200-03-09-.03(6), and

(b) written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Technical Secretary.

TAPCR 1200-03-09-.02(11)(f)4(i)(IV) and 1200-03-09-.03(6)

A15. **Air pollution alert.** When the Technical Secretary has declared that an air pollution alert, an air pollution warning, or an air pollution emergency exists, the permittee must follow the requirements for that episode level as outlined in TAPCR paragraph 1200-03-09-.03(1) and TAPCR Rule 1200-03-15-.03.

A16. **Construction permit required.** Except as exempted in TAPCR 1200-03-09-.04 or excluded in subparagraph TAPCR 1200-03-02-.01(1)(aa) or subparagraph TAPCR 1200-03-02-.01(1)(cc), this facility shall not begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit for the construction or modification of such air contaminant source. The construction and operation of landfill waste disposal cells and landfill gas flares are exempt from the permitting requirements of this condition, except as the landfill operation may be regulated by the applicable requirements of 40 CFR 60 Subpart XXX, 40 CFR 60 Subpart Cf, 40 CFR 62 Subpart OOO, or 40 CFR 63 Subpart AAAA.

TAPCR 1200-03-09-.01(1)(a)

A17. **Notification of changes.** The permittee shall notify the Technical Secretary 30 days prior to commencement of any of the following changes to an air contaminant source which would not be a modification requiring a construction permit.

(a) change in air pollution control equipment

(b) change in stack height or diameter

(c) change in exit velocity of more than 25 percent or exit temperature of more than 15 percent based on absolute temperature.

TAPCR 1200-03-09-.02(7)

A18. **Schedule of compliance.** The permittee will comply with any applicable requirement that becomes effective during the permit term on a timely basis and no later than required by the provisions of the new applicable requirement. If the permittee is not in compliance the permittee must submit a schedule for coming into compliance which must include a schedule of remedial measure(s), including an enforceable set of deadlines for specific actions.

TAPCR 1200-03-09-.02(11)(d)3, 1200-03-09-.03(8), 0400-30-38, 0400-30-39, and 40 CFR Part 70.5(c)

A19. **Title VI.**

(a) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR, Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to Section 82.156.

2. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to Section 82.158.

3. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to Section 82.161.

(b) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR, Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

(c) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR, Part 82, Subpart G, Significant New Alternatives Policy Program.

TAPCR 1200-03-09-.03(8)

A20. **112 (r).** Sources which are subject to the provisions of Section 112(r) of the federal Clean Air Act or any federal regulations promulgated thereunder, shall annually certify in writing to the Technical Secretary that they are properly following their accidental release plan. The annual certification is due in the office of the Technical Secretary no later than January 31 of each year. Said certification will be for the preceding calendar year.

TAPCR 1200-03-32-.03(3)

SECTION B

GENERAL CONDITIONS for MONITORING, REPORTING, and ENFORCEMENT

B1. **Recordkeeping.** Monitoring and related record keeping shall be performed in accordance with the requirements specified in the permit conditions for each individual permit unit. In no case shall reports of any required monitoring and record keeping be submitted less frequently than every six months.

(a) Where applicable, records of required monitoring information include the following:

1. The date, place as defined in the permit, and time of sampling or measurements;
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 analyses; and
6. The operating conditions as existing at the time of sampling or measurement.

(b) Digital data accumulation which utilizes valid data compression techniques shall be acceptable for compliance determination as long as such compression does not violate an applicable requirement and its use has been approved in advance by the Technical Secretary.

TAPCR 1200-03-09-.02(11)(e)1(iii)

B2. **Retention of monitoring data.** The permittee 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, report, or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

TAPCR 1200-03-09-.02(11)(e)1(iii)(II)II

B3. **Reporting.** Reports of any required monitoring and record keeping shall be submitted to the Technical Secretary in accordance with the frequencies specified in the permit conditions for each individual permit unit. Reports shall be submitted within 60 days of the close of the reporting period unless otherwise noted. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. Reports required under "State only requirements" are not required to be certified by a responsible official.

TAPCR 1200-03-09-.02(11)(e)1(iii)

B4. **Certification.** Except for reports required under “State Only” requirements, any application form, report or compliance certification submitted pursuant to the requirements of this permit shall contain certification by a responsible official of truth, accuracy and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

TAPCR 1200-03-09-.02(11)(d)4

B5. **Annual compliance certification.** The permittee shall submit annually compliance certifications with terms and conditions contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(a) The identification of each term or condition of the permit that is the basis of the certification;

(b) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period; such methods and other means shall include, at a minimum, the methods and means required by this permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;

(c) The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in B5(b) above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion* or exceedance** as defined below occurred; and

(d) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

40 CFR Part 70.6(c)(5)(iii) as amended in the Federal Register Vol. 79, No.144, July 28, 2014, pages 43661 through 43667

B6. Submission of compliance certification. The compliance certification shall be submitted to:

The Tennessee Department of Environment and Conservation Environmental Field Office specified in Section E of this permit	and	Air Enforcement Branch US EPA Region IV 61 Forsyth Street, SW Atlanta, Georgia 30303

TAPCR 1200-03-09-.02(11)(e)3(v)(IV)

B7. Reserved

B8. Excess emissions reporting.

(a) The permittee shall promptly notify the Technical Secretary when any emission source, air pollution control equipment, or related facility breaks down in such a manner to cause the emission of air contaminants in excess of the applicable emission standards contained in TAPCR Division 1200-03 or any permit issued thereto, or of sufficient duration to cause damage to property or public health. The permittee must provide the Technical Secretary with a statement giving all pertinent facts, including the estimated duration of the breakdown, the probable cause of the deviation, and any corrective actions or preventative measures taken. Violations of the visible emission standard which occur for less than 20 minutes in one day (midnight to midnight) need not be reported. Prompt notification will be within 24 hours of the malfunction and shall be provided by telephone to the Division's Nashville office. The Technical Secretary shall be notified when the condition causing the failure or breakdown has been corrected. In attainment and unclassified areas if emissions other than from sources designated as significantly impacting on a nonattainment area in excess of the standards will not and do not occur over more than a 24-hour period (or will not recur over more than a 24-hour period) and no damage to property and or public health is anticipated, notification is not required.

(b) Any malfunction that creates an imminent hazard to health must be reported by telephone immediately to the Division's Nashville office at (615) 532-0554 and to the State Civil Defense.

(c) A log of all malfunctions, startups, and shutdowns resulting in emissions in excess of the standards in TAPCR Division 1200-03 or any permit issued thereto must be kept at the plant. All information shall be entered in the log no later than twenty-four (24) hours after the startup or shutdown is complete, or the malfunction has ceased or has been corrected. Any later discovered corrections can be added in the log as footnotes with the reason given for the change. This log must record at least the following:

1. Stack or emission point involved
2. Time malfunction, startup, or shutdown began and/or when first noticed
3. Type of malfunction and/or reason for shutdown
4. Time startup or shutdown was complete or time the air contaminant source returned to normal operation
5. The company employee making entry on the log must sign, date, and indicate the time of each log entry

The information under items 1. and 2. must be entered into the log by the end of the shift during which the malfunction or startup began. For any source utilizing continuous emission(s) monitoring, continuous emission(s) monitoring collection satisfies the above log keeping requirement.

TAPCR 1200-03-20-.03 and .04

B9. **Malfunctions, startups and shutdowns - reasonable measures required.** The permittee must take all reasonable measures to keep emissions to a minimum during startups, shutdowns, and malfunctions. These measures may include installation and use of alternate control systems, changes in operating methods or procedures, cessation of operation until the process equipment and/or air pollution control equipment is repaired, maintaining sufficient spare parts, use of overtime labor, use of outside consultants and contractors, and other appropriate means. Failures that are caused by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions. This provision does not apply to standards found in 40 CFR, Parts 60(Standards of performance for new stationary sources), 61(National emission standards for hazardous air pollutants) and 63(National emission standards for hazardous air pollutants for source categories).

TAPCR 1200-03-20-.02

B10. Reserved.

B11. **Report required upon the issuance of a notice of violation for excess emissions.** The permittee must submit, within twenty days after receipt of the notice of violation, the data required below. If this data has been made available to the Technical Secretary prior to the issuance of the notice of violation no further action is required of the violating source. However, if the source desires to submit additional information, then this must be submitted within the same 20-day time period. The minimum data requirements are:

(a) The identity of the stack and/or other emission point where the excess emission(s) occurred;

(b) The magnitude of the excess emissions expressed in pounds per hour and the units of the applicable emission limitation(s) and the operating data and calculations used in determining the magnitude of the excess emissions;

(c) The time and duration of the emissions;

(d) The nature and cause of such emissions;

(e) For malfunctions, the steps taken to correct the situation and the action taken or planned to prevent the recurrence of such malfunctions;

(f) The steps taken to limit the excess emissions during the occurrence reported, and

(g) If applicable, documentation that the air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good operating practices for minimizing emissions.

Failure to submit the required report within the 20-day period specified shall preclude the admissibility of the data for determination of potential enforcement action.

TAPCR 1200-03-20-.06(2), (3) and (4)

SECTION C
PERMIT CHANGES

C1. **Operational flexibility changes.** The source may make operational flexibility changes that are not addressed or prohibited by the permit without a permit revision subject to the following requirements:

(a) The change cannot be subject to a requirement of Title IV of the Federal Act or TAPCR Chapter 1200-03-30.

(b) The change cannot be a modification under any provision of Title I of the federal Act or TAPCR Division 1200-03.

(c) Each change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(d) The source must provide contemporaneous written notice to the Technical Secretary and EPA of each such change, except for changes that are below the threshold of levels that are specified in TAPCR Rule 1200-03-09-.04.

(e) Each change shall be described in the notice including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.

(f) The change shall not qualify for a permit shield under the provisions of TAPCR part 1200-03-09-.02(11)(e)6.

(g) The permittee shall keep a record describing the changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. The records shall be retained until the changes are incorporated into subsequently issued permits.

TAPCR 1200-03-09-.02(11)(a)4(ii)

C2. Section 502(b)(10) changes.

(a) The permittee can make certain changes without requiring a permit revision, if the changes are not modifications under Title I of the Federal Act or TAPCR Division 1200-03 and the changes do not exceed the emissions allowable under the permit. The permittee must, however, provide the Administrator and Technical Secretary with written notification within a minimum of 7 days in advance of the proposed changes. The Technical Secretary may waive the 7-day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of TAPCR part 1200-03-09-.02(11)(e)7 and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The Technical Secretary and EPA shall attach each such notice to their copy of the relevant permit.

(b) The written notification must be signed by a facility Title V responsible official and include the following:

1. a brief description of the change within the permitted facility;

2. the date on which the change will occur;

3. a declaration and quantification of any change in emissions;

4. a declaration of any permit term or condition that is no longer applicable as a result of the change; and

5. a declaration that the requested change is not a Title I modification and will not exceed allowable emissions under the permit.

(c) The permit shield provisions of TAPCR part 1200-03-09-.02(11)(e)6 shall not apply to Section 502(b)(10) changes.

TAPCR 1200-03-09-.02(11)(a)4(i)

C3. Administrative amendment.

(a) Administrative permit amendments to this permit shall be in accordance with TAPCR part 1200-03-09-.02(11)(f)4. The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

(b) The permit shield shall be extended as part of an administrative permit amendment revision consistent with the provisions of TAPCR part 1200-03-09-.02(11)(e)6 for such revisions made pursuant to item (c) of this condition which meet the relevant requirements of TAPCR subparagraph 1200-03-09-.02(11)(e), TAPCR subparagraph 1200-03-09-.02(11)(f) and TAPCR subparagraph 1200-03-09-.02(11)(g) for significant permit modifications.

(c) Proceedings to review and grant administrative permit amendments shall be limited to only those parts of the permit for which cause to amend exists, and not the entire permit.

TAPCR 1200-03-09-.02(11)(f)4

C4. Minor permit modifications.

(a) The permittee may submit an application for a minor permit modification in accordance with TAPCR subpart 1200-03-09-.02(11)(f)5(ii).

(b) The permittee may make the change proposed in its minor permit modification immediately after an application is filed with the Technical Secretary.

(c) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.
(d) Minor permit modifications do not qualify for a permit shield.

TAPCR 1200-03-09-.02(11)(f)5(ii)

C5. Significant permit modifications.

(a) The permittee may submit an application for a significant modification in accordance with TAPCR subpart 1200-03-09-.02(11)(f)5(iv).
(b) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.

TAPCR 1200-03-09-.02(11)(f)5(iv)

C6. New construction or modifications.

Future construction at this facility that is subject to the provisions of TAPCR Rule 1200-03-09-.01 shall be governed by the following:
(a) The permittee shall designate in their construction permit application the route that they desire to follow for the purposes of incorporating the newly constructed or modified sources into their existing operating permit. The Technical Secretary shall use that information to prepare the operating permit application submittal deadlines in their construction permit.
(b) Sources desiring the permit shield shall choose the administrative amendment route of TAPCR part 1200-03-09-.02(11)(f)4 or the significant modification route of TAPCR subpart 1200-03-09-.02(11)(f)5(iv).
(c) Sources desiring expediency instead of the permit shield shall choose the minor permit modification procedure route of TAPCR subpart 1200-03-09-.02(11)(f)5(ii) or group processing of minor modifications under the provisions of TAPCR subpart 1200-03-09-.02(11)(f)5(iii) as applicable to the magnitude of their construction.

TAPCR 1200-03-09-.02(11)(d)1(i)(V)

SECTION D

GENERAL APPLICABLE REQUIREMENTS

D1. **Visible emissions.**

(a) With the exception of air emission sources exempt from the requirements of TAPCR Chapter 1200-03-05 and air emission sources for which a different opacity standard is specifically provided elsewhere in this permit, the permittee shall not cause, suffer, allow or permit discharge of a visible emission from any air contaminant source with an opacity in excess of twenty (20) percent for an aggregate of more than five (5) minutes in any one (1)hour or more than 20 minutes in any twenty-four (24) hour period; provided, however, that for fuel burning installations with fuel burning equipment of input capacity greater than 600 million btu per hour, the permittee shall not cause, suffer, allow, or permit discharge of a visible emission from any fuel burning installation with an opacity in excess of 20 percent (6-minute average) except for one six minute period per one hour of not more than 40 percent opacity. Sources constructed or modified after July 7, 1992, shall utilize 6-minute averaging.

(b) Consistent with the requirements of TAPCR Chapter 1200-03-20, due allowance may be made for visible emissions in excess of that permitted under TAPCR Chapter 1200-03-05 which are necessary or unavoidable due to routine startup and shutdown conditions. The facility shall maintain a continuous, current log of all excess visible emissions showing the time at which such conditions began and ended and that such record shall be available to the Technical Secretary or an authorized representative upon request.

TAPCR 1200-03-05-.01(1), TAPCR 1200-03-05-.03(6) and TAPCR 1200-03-05-.02(1)

D2. **General provisions and applicability for non-process gaseous emissions.** Any person constructing or otherwise establishing a non-portable air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize the best equipment and technology currently available for controlling such gaseous emissions.

TAPCR 1200-03-06-.03(2)

D3. **Non-process emission standards.** The permittee shall not cause, suffer, allow, or permit particulate emissions from non-process sources in excess of the standards in TAPCR Chapter 1200-03-06.

D4. **General provisions and applicability for process gaseous emissions.** Any person constructing or otherwise establishing an air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize equipment and technology which is deemed reasonable and proper by the Technical Secretary.

TAPCR 1200-03-07-.07(2)

D5. **Particulate emissions from process emission sources.** The permittee shall not cause, suffer, allow, or permit particulate emissions from process sources in excess of the standards in TAPCR part 1200-03-07.

D6. **Sulfur dioxide emission standards.** The permittee shall not cause, suffer, allow, or permit sulfur dioxide emissions from process and non-process sources in excess of the standards in TAPCR Chapter 1200-03-14. Regardless of the specific emission standard, new process sources shall utilize the best available control technology as deemed appropriate by the Technical Secretary of the Tennessee Air Pollution Control Board.

D7. **Fugitive Dust.**

(a) The permittee shall not cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in demolition of existing buildings or structures, construction operations, grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which can create airborne dusts;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.

(b) The permittee shall not cause, suffer, allow, or permit fugitive dust to be emitted in such manner to exceed five (5) minutes per hour or 20 minutes per day as to produce a visible emission beyond the property line of the property on which the emission originates, excluding malfunction of equipment as provided in TAPCR Chapter 1200-03-20.

TAPCR 1200-03-08

D8. **Open burning.** The permittee shall comply with the TAPCR Chapter 1200-03-04 for all open burning activities at the facility.

TAPCR 1200-03-04

D9. **Asbestos.** Where applicable, the permittee shall comply with the requirements of 40 CFR Part 61 when conducting any renovation or demolition activities at the facility.

TAPCR 0400-30-38-.01(2) and 40 CFR, Part 61

D10. **Annual certification of compliance.** The generally applicable requirements set forth in Section D of this permit are intended to apply to activities and sources that are insignificant emission units or activities. By annual certification of compliance with the conditions in this Section the permittee shall be considered to meet the monitoring and related record keeping and reporting requirements of TAPCR subpart 1200-03-09-.02(11)(e)1(iii) and part 1200-03-10-.04(2)(b)1 and the compliance requirements of TAPCR subpart 1200-03-09-.02(11)(e)3(i). The permittee shall submit compliance certification for these conditions annually.

D11. **Emission Standards for Hazardous Air Pollutants.** The permittee shall comply with all applicable requirements of TAPCR Chapter 0400-30-38 for all emission sources subject to a requirement contained therein.

D12. **Standards of Performance for New Stationary Sources.** The permittee shall comply with all applicable requirements of TAPCR chapters 0400-30-39 for all emission sources subject to a requirement contained therein.

D13. **Gasoline Dispensing Facilities.** The permittee shall comply with all applicable requirements of TAPCR Rule 1200-03-18-.24 for all emission sources subject to a requirement contained therein.

D14. **Internal Combustion Engines.**

(a) All stationary reciprocating internal combustion engines, including engines deemed insignificant activities and insignificant emission units, shall comply with the applicable provisions of TAPCR Rule 0400-30-38-.01.
(b) All stationary compression ignition internal combustion engines, including engines deemed insignificant activities and insignificant emission units, shall comply with the applicable provisions of TAPCR Chapter 0400-30-39.
(c) All stationary spark ignition internal combustion engines, including engines deemed insignificant activities and insignificant emission units, shall comply with the applicable provisions of TAPCR Chapter 0400-30-39.

TAPCR 0400-30-38 and 39

D15. The permittee shall maintain and repair each emission source, associated air pollution control device(s), and compliance assurance monitoring equipment as required to maintain and assure compliance with the specified emission limits.

TAPCR 1200-03-09-.03(8)

SECTION E

SOURCE SPECIFIC EMISSION STANDARDS, OPERATING LIMITATIONS, and MONITORING, RECORDKEEPING and REPORTING REQUIREMENTS

75-0381	**Facility Description:**	BFI Waste Systems of Tennessee, LLC - Middle Point Landfill is a municipal solid waste landfill located in Murfreesboro. The facility is subject to the federal plan requirements of 40 CFR Part 62, Subpart OOO for Municipal Solid Waste Landfills. This facility is also subject to the NESHAP requirements 40 CFR 61 Subpart M – National Emission Standard for Asbestos, 40 CFR 63 Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, and 40 CFR 63 Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities. The landfill began receiving waste in April of 1988. The facility operates a gas collection and control system with two enclosed flares for gas combustion.

Conditions E1, E3, and E3 apply to this facility for fee payment, reporting, and other general requirements.

E1. Fee payment

FEE EMISSIONS SUMMARY TABLE FOR MAJOR SOURCE 75-0381

REGULATED POLLUTANTS	ALLOWABLE EMISSIONS (tons per AAP)	ACTUAL EMISSIONS (tons per AAP)	COMMENTS
PARTICULATE MATTER (PM)	20.59	AEAR	
SO_2	242.13	AEAR	
VOC	22.59	AEAR	
NO_X	74.11	AEAR	
Facility-Wide Total HAP Limit	23.75	AEAR	Fee emissions are not included in VOC nor PM above.
Facility-Wide Individual HAP Limit	N/A	N/A	
HAZARDOUS AIR POLLUTANTS (HAPs) NOT INCLUDED ABOVE*			
	N/A	AEAR	
	N/A	AEAR	
	N/A	AEAR	
MISCELLANEOUS POLLUTANTS NOT LISTED ABOVE**			
EACH MISC POLLUTANT NOT LISTED ABOVE			
	N/A	AEAR	
	N/A	AEAR	
	N/A	AEAR	
	N/A	AEAR	

NOTES

AAP The **Annual Accounting Period** (**AAP**) is a 12 consecutive month period that **either (a) begins each July 1st and ends June 30th of the following year when fees are paid on a fiscal year basis, or (b) begins January 1st and ends December 31st of the same year when paying on a calendar year basis.** The **AAP** at the time of permit renewal issuance **began January 1, 2025 and ends December 31, 2025.** The next AAP begins **January 1, 2026 and ends December 31, 2026,** unless a request to change the annual accounting period is submitted by the responsible official as required by subparagraph 1200-03-26-.02(9)(b) of the TAPCR and approved by the Technical Secretary**.** If the permittee wishes to revise their annual accounting period or their annual emission fee basis as allowed by subparagraph 1200-03-26-.02(9)(b) of the TAPCR, the responsible official must submit the request to the Division in writing on or before December 31 of the annual accounting period for which the fee is due. If a change in fee basis from allowable emissions

to actual emissions for any pollutant is requested, the request from the responsible official must include the methods that will be used to determine actual emissions. **Changes in fee bases must be made using the Title V Fee Selection form, form number APC 36 (CN-1583), included as Attachment 6 to this permit and available on the Division of Air Pollution Control's website**.

N/A **N/A** indicates that no emissions are specified for fee computation.

AEAR If the permittee is paying annual emission fees on an actual emissions basis, **AEAR** indicates that an **A**ctual **E**missions **A**nalysis is **R**equired to determine the actual emissions of:

(1) **each regulated pollutant** (Particulate matter [PM], SO_2, VOC, NO_X and so forth. See TAPCR 1200-03-26-.02(2)(i) for the definition of a regulated pollutant.),

(2) the "**HAP Not Included Above" Category (non-VOC and non-PM HAP not included in a facility-wide limit)**, and

(3) the **Miscellaneous Category**

under consideration during the **Annual Accounting Period**.

***** **Hazardous Air Pollutants Not Included Above:** This category is made-up of hazardous air pollutants that are not included in the VOC or PM category, such as HCl and HF, and are not included in a facility-wide HAP emission limitation. **For fee computation**, each individual hazardous air pollutant is subject to the 4,000-ton cap provisions of subparagraph 1200-03-26-.02(2)(i) of the TAPCR.

****** **Miscellaneous Pollutants Not Listed Above:** This category is for pollutants that are not included in one of the other categories but for which an emission limitation has been established in this permit (including NSPS pollutants). **For fee computation**, each pollutant in this category is subject to the 4,000-ton cap provisions of subparagraph 1200-03-26-.02(2)(i).

END NOTES

The permittee shall:

(1) Pay Title V **annual fees** (including the emissions fee, base fee, significant modification fee, & minor modification fee), on the emissions and year bases requested by the responsible official and approved by the Technical Secretary, for each annual accounting period (AAP) by the payment deadline(s) established in TAPCR 1200-03-26-.02(9)(a). Fees may be paid on an **actual**, **allowable**, or **mixed** emissions basis, and on either a **state fiscal year** or a **calendar year**, provided the requirements of TAPCR 1200-03-26-.02(9)(b) are met. If any part of any fee imposed under TAPCR 1200-03-26-.02 is not paid within 15 days of the due date, penalties shall at once accrue as specified in TAPCR 1200-03-26-.02(8).

(2) Sources paying annual fees on an allowable emissions basis: pay annual fees for each AAP no later than April 1 of each year pursuant to TAPCR 1200-03-26-.02(9)(d).
TAPCR 1200-03-26-.02(9)(a)2(i)

(3) Sources paying annual fees on a calendar year basis and an actual or mixed emissions basis: pay annual allowable based emission fees for each AAP no later than April 1 of each year pursuant to TAPCR 1200-03-26-.02(9)(d), except as allowed by TAPCR 1200-03-26-.02(9)(g)3.
TAPCR 1200-03-26-.02(9)(a)2(ii)

(4) Sources paying annual fees on a fiscal year basis and an actual or mixed emissions basis: for each AAP, pay an estimated 65% of the fee due no later than April 1 of the current fiscal year. The remainder of the fee for each annual accounting period is due no later than August 1 of each year pursuant to TAPCR 1200-03-26-.02(9)(d), except as allowed by TAPCR 1200-03-26-.02(9)(g)3.
TAPCR 1200-03-26-.02(9)(a)2(iii)

(5) Sources paying annual fees on an actual emissions basis: prepare an **actual emissions analysis** for each AAP and pay **actual based emission fees** pursuant to TAPCR 1200-03-26-.02(9)(d). The **actual emissions analysis** shall include:
(a) the completed **Fee Emissions Summary Table**,
(b) each **actual emissions analysis** required**,** and

(c) the actual emission records for each pollutant and each source as required for actual emission fee determination, or a summary of the actual emission records required for fee determination, as specified by the Technical Secretary or the Technical Secretary's representative. The summary must include sufficient information for the Technical Secretary to determine the accuracy of the calculations. These calculations must be based on the Fee Year basis approved by the Technical Secretary (a state fiscal year [July 1 through June 30] or a calendar year [January 1 through December 31]). These records shall be used to complete the **actual emissions analyses** required by the above **Fee Emissions Summary Table**.

TAPCR 1200-03-26-.02(9)(g)2

(6) Sources paying annual fees on a Fee Choice of a mixed emissions basis: for all pollutants and all sources for which the permittee has chosen an actual emissions basis, prepare an **actual emissions analysis** for each AAP and pay **actual based emission fees** pursuant to TAPCR 1200-03-26-.02(9)(d). The **actual emissions analysis** shall include:

(a) the completed **Fee Emissions Summary Table**,

(b) each **actual emissions analysis** required**,** and

(c) the actual emission records for each pollutant and each source as required for actual emission fee determination, or a summary of the actual emission records required for fee determination, as specified by the Technical Secretary or the Technical Secretary's representative. The summary must include sufficient information for the Technical Secretary to determine the accuracy of the calculations. These calculations must be based on the Fee Year basis approved by the Technical Secretary (a state fiscal year [July 1 through June 30] or a calendar year [January 1 through December 31]). These records shall be used to complete the **actual emissions analysis**.

For all pollutants and all sources for which the permittee has chosen an allowable emissions basis, pay allowable based emission fees pursuant to TAPCR 1200-03-26-.02(9)(d).

TAPCR 1200-03-26-.02(9)(g)2

(7) When paying on an actual or mixed emissions basis, submit the **actual emissions analyses** at the time the fees are paid in full or earlier.

TAPCR 1200-03-26-.02(9)(g)2

(8) Include with each required AEAR report the following statement signed by the Responsible Official: *"I have reviewed this document in its entirety, and to the best of my knowledge, based on information and belief formed after reasonable inquiry, the statements and information contained in this document are true, accurate, and complete."*

TAPCR 1200-03-09-.02(11)(d)4

The annual fee due dates are specified in TAPCR 1200-03-26-.02(9)(a) and are dependent on the Responsible Official's choice of fee bases as described above. If any part of any fee imposed under TAPCR 1200-03-26-.02 is not paid within 15 days of the due date, penalties shall at once accrue as specified in TAPCR 1200-03-26-.02(8). Emissions for regulated pollutants shall not be double counted as specified in Condition A8(d) of this permit.

Payment of the fee due and the actual emissions analysis (if required) shall be submitted to the Technical Secretary at the following address:

Payment of Fee to:
Tennessee Department of Environment and Conservation
Division of Fiscal Services
Consolidated Fee Section – APC: 75-0381
Davy Crockett Tower, 6th Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

and

Actual Emissions Analyses to:
A "Title V Emissions Summary Form" and the AEAR must be submitted electronically as directed by the Division. Additional information can be found at https://www.tn.gov/environment/air/inventory.html

TAPCR 1200-03-26-.02(3), (8), and (9), and TAPCR 1200-03-09-.02(11)(e)1(vii)

E2. Reporting requirements.

(a) **Annual compliance certification.** The permittee shall submit annually compliance certifications with each term or condition contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(1) The identification of each term or condition of the permit that is the basis of the certification;

(2) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period; Such methods and other means shall include, at a minimum, the methods and means required by this permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;

(3) The status of compliance with each term or condition of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in E2(b)2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion* or exceedance** as defined below occurred; and

(4) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

Annual compliance certifications shall cover the 12-month period from January 1 to December 31 and shall be submitted within 60 days after the end of each 12-month period. The first annual compliance certification following issuance of this permit shall cover the following permits and reporting periods:

Permit Number	Reporting Period Begins	Reporting Period Ends
Old permit #574840	January 1, 2025	TBD
New Permit #582631	TBD	December 31, 2025

These certifications shall be submitted to: **TN APCD** and **EPA**

Division of Air Pollution Control
Nashville Environmental Field Office
711 R.S. Gass Blvd
Nashville, Tennessee 37216
or
Email Address
Electronic copy (PDF) to:
APC.NashEFO@tn.gov

and

Air Enforcement Branch
US EPA Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303
or
EPA CDX CEDRI
Electronic copy (PDF)

40 CFR Part 70.6(c)(5)(iii) as amended in the Federal Register Vol. 79, No.144, July 28, 2014, pages 43661 through 43667
TAPCR 1200-03-09-.02(11)(e)3.(v)

(b) **40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA reports.** The permittee shall submit 40 CFR 62 Subpart OOO annual reports and 40 CFR 63 Subpart AAAA semiannual reports of the recorded information outlined below. Alternatively, the permittee may submit the annual Subpart OOO report on a semi-annual basis with the Subpart AAAA report. The reports shall be due within 60 days after the end of each period from **January 1** to **December 31**

for Subpart OOO reports and **January 1** to **June 30** and **July 1** to **December 31** for Subpart AAAA reports. Subsequent reports shall be submitted within 60 days after the end of each reporting period. These reports must be certified by a responsible official consistent with **Condition B4** of this permit and shall be submitted to The Technical Secretary at the address in **Condition E2(a).**

(1) NSPS Report under **Conditions E4-30**
(2) MACT Report under **Condition E4-30**

(c) **Retention of Records** All records required by any condition in Section E of this permit must be retained for a period of not less than five years. Additionally, these records shall be kept available for inspection by the Technical Secretary or a Division representative.

TAPCR 1200-03-09-.02(11)(e)1.(iii)(II)II

E3. General Permit Conditions

E3-1. Identification of Responsible Official, Technical Contact, and Billing Contact of the permitted facility

a) The application that was utilized in the preparation of this permit is dated August 1, 2024, and signed by Responsible Official Mike Classen, General Manager, of the permitted facility. A letter dated February 20, 2025, designates Lindsey Turtle, General Manager, as the new Responsible Official of the permitted facility. If Lindsey Turtle terminates employment or is assigned different duties and is no longer a Responsible Official for this facility as defined in part 1200-03-09-.02(11)(b)21 of the Tennessee Air Pollution Control Regulations, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within 30 days of the change. The notification shall include the name and title of the new Responsible Official and certification of truth and accuracy. All representations, agreement to terms and conditions, and covenants made by the former Responsible Official that were used in the establishment of the permit terms and conditions will continue to be binding on the facility until such time that a revision to this permit is obtained that would change said representations, agreements, and/or covenants.

(b) The application that was utilized in the preparation of this permit is dated August 1, 2024, and identifies William McWhorter, as the Principal Technical Contact for the permitted facility. A letter dated June 17, 2025, designates Holly Van Kirk, Environmental Manager, as the new Technical Contact for the permitted facility. If Holly Van Kirk terminates employment or is assigned different duties and is no longer the Principal Technical Contact for this facility, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within 30 days of the change. The notification shall include the name and title of the new Principal Technical Contact and certification of truth and accuracy.

(c) The application that was utilized in the preparation of this permit is dated August 1, 2024, and identifies William McWhorter, as the Billing Contact for the permitted facility. A letter dated February 20, 2025, designates Laura Stanford as the new Billing Contact for the permitted facility. If Laura Stanford terminates employment or is assigned different duties and is no longer the Billing Contact for this facility, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification must be in writing and must be submitted within 30 days of the change. The notification shall include the name and title of the new Billing Contact and certification of truth and accuracy.

TAPCR 1200-03-09-.03(8)

E3-2. The permittee listed various insignificant and exempt activities in their Title V Application per TAPCR 1200-03-09-.04(5). Additional insignificant activities may be added and operated at any time with the provision that a written notification shall be submitted to the Technical Secretary including an updated APC V.2 application form along with a truth, accuracy, and completeness statement signed by a responsible official. Emergency engines and gas dispensing facilities may be deemed insignificant if they meet the definition in TAPCR 1200-03-09-.04(2)(a). The engines and/or gas dispensing facility may be subject to a federal standard as identified in **Conditions D11, D12, D13, and D14.**

TAPCR 1200-03-09-03(8)

E3-3. This facility is currently not subject to regulations under 40 CFR part 64 (Compliance Assurance Monitoring).

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.03(8) and 40 CFR Part 64

E3-4. The permittee shall comply with all applicable federal and state regulations concerning the operation of the sources in this permit unless specifically allowed by the Conditions of this permit. This includes, but is no limited to, federal regulations published under 40 CFR part 63 for sources of hazardous air pollutants and 40 CFR part 60, New Source Performance Standards.

E3-5. Recordkeeping: Data Entry Requirements

(a) For monthly recordkeeping, all data, including results of all calculations, must be entered into the log no later than thirty (30) days from the end of the month for which the data is required.

(b) For weekly recordkeeping, all data, including results of all calculations, must be entered into the log no later than thirty (30) days from the end of the week for which the data is required.

(c) For daily recordkeeping, all data, including results of all calculations, must be entered into the log no later than thirty (30) days from the end of the day for which the data is required.

TAPCR 1200-03-10-.02(1)(a)

E3-6. The issuance of this permit does not exempt the permittee from any requirements of the Environmental Protection Agency pertaining to emissions from the operation of this source.

TAPCR 1200-03-09-.03(8)

E3-7. **Asbestos:** This landfill receives, handles, and disposes of asbestos containing material. The handling and disposal of regulated-asbestos-containing material must be managed in accordance with those applicable requirements in the current **National Emission Standard for Asbestos of 40 CFR Part 61 Subpart M** listed in **Attachment 3** of this permit. Regulatory citations are included in this permit to explicitly specify the requirements. Upon receipt of asbestos at the landfill, the permittee is subject to the federal counterpart 40 CFR §61.154. Upon closure of an active disposal site, the permittee shall comply with the **Standard for Inactive Waste Disposal Sites for Asbestos Mills and Manufacturing and Fabricating Operations** (see 40 CFR §61.151).

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.03(8) and 40 CFR Part 61 Subpart M

E3-8. Unless otherwise specified, visible emissions from any stack at this facility shall not exhibit greater than twenty percent opacity, except for one six-minute period in any one hour period, and for no more than four six-minute periods in any twenty-four hour period. Visible emissions from this source shall be determined by EPA Method 9, as published in the current 40 CFR 60, Appendix A (six-minute average).

Compliance Method: The permittee shall assure compliance with the opacity standard by utilizing the opacity matrix dated June 18, 1996 and amended on September 11, 2013 that is enclosed as **Attachment 1**. Reports and certifications shall be submitted in accordance with **Condition E2** of this permit.

TAPCR 1200-03-05-.03(6), TAPCR 1200-03-05-.01(1), and TAPCR 1200-03-10-.02(1)(a)

E3-9. The sources in this permit shall operate in accordance with the terms of this permit and the information submitted in the approved application, and any documented agreements made with the Technical Secretary.

TAPCR 1200-03-09-.02(6), the application dated August 1, 2024

E3-10. The Permittee is not required to file an accidental release plan pursuant to Section 112(r) of the Clean Air Act and 1200-03-32.

TAPCR 1200-03-32

Compliance Method: Included with the requirement.

E3-11. The permittee shall maintain and repair the emission source, associated air pollution control device(s), and compliance assurance monitoring equipment as required to maintain and assure compliance with the specified emission limits.

TAPCR 1200-03-09-.03(8)

Compliance Method: Records of all repair and maintenance activities required above shall be recorded in a suitable permanent form and kept available for inspection by the Division. These records must be retained for a period of not less than five years. The date each maintenance and repair activity began shall be entered in the log no later than thirty (30) days following the start of the repair or maintenance activity, and the completion date shall be entered in the log no later than thirty (30) days from activity completion.

E3-12. The permittee shall comply with all applicable requirements of the general provisions of 40 CFR Part 61 and 40 CFR Part 63 as indicated in Attachments 3 and 4 as required in conditions D12 through D14. These requirements include, but are not limited to, the requirements specified in 40 CFR Part 61 Subpart M, 40 CFR Part 63 Subparts AAAA and CCCCCC.

TAPCR 1200-03-09-.03(8)

Compliance method: Annual certification of compliance as specified in **Condition E2(a)**.

E3-13. The owner or operator of any facility in Davidson, Rutherford, Shelby, Sumner, Knox, Blount, Anderson, Williamson, or Wilson County which has potential emissions from stationary sources of 25 tons or more of volatile organic compounds (VOCs) and/or nitrogen oxides (NO_x) during a calendar year shall report to the Technical Secretary the information and data concerning these emissions.

The data in Attachment 5 of this permit shall be submitted before March 31 of the year following the calendar year for which the information and data is reported. The first report since issuance of this permit shall be for the 2025 calendar year, and shall be submitted before March 31, 2026. If emissions of either or both pollutants are less than 25 tons, this shall be noted on the form.

TAPCR 1200-03-18-.02(8), 1200-03-27-.02(6), and 1200-03-09-.03(8)

E4. Source Specific Permit Requirements for the Landfill Operation

75-0381-01: This municipal solid waste landfill began accepting waste in 1988 and has a design capacity of greater than 2.5 million Mg or 2.5 million cubic meters (m^3). The facility is subject to the requirements of the United States Environmental Protection Agency's (EPA) Federal Plan Part 62, Subpart OOO (Federal Plan) and the National Emission Standards for Hazardous Pollutants Part 63, Subpart AAAA (NESHAP). According to Federal Plan Subpart OOO §62.16720, a site may choose to follow the provisions in §63.1960, §63.1958, and §63.1961 of the NESHAP AAAA in lieu of provisions in §62.16720, §62.16716, and §62.16722 of the Federal Plan Subpart OOO. Beginning on September 27, 2021, the site chose the option to use the NESHAP AAAA requirements to meet the compliance obligations of the Federal Plan Subpart OOO. The Site is required to install and operate a landfill gas collection and control system. The Site currently has an active landfill gas collection and control system (GCCS), which utilizes two 5,000 standard cubic feet per minute (scfm) landfill gas (LFG) enclosed flares to control landfill gas.

Condition E4-1 through E4-34 applies to Source 01.

E4-1. The existing landfill gas collection system is controlled by two enclosed flares. The permittee shall comply with to §62.16714(f) and §63.1957(a).

Compliance Method: Compliance with this condition shall be assured by a flare performance test as required by **Condition E4-3** (new or reconstructed flares only) and the operation and monitoring of control equipment required by **Condition E4-2**.

TAPCR 1200-03-09-.03(8), §62.16714(c), and §63.1957(a)

E4-2. The permittee shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment:

(a) The enclosed flares shall be operated with a temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ±1 percent (±1.8 percent in degrees Fahrenheit) of the temperature being measured expressed in degrees Celsius or ±0.5 degrees Celsius (±0.9 degrees Fahrenheit), whichever is greater;

(b) The enclosed flares used to control landfill gas emissions at this facility do not utilize a bypass line, and the Federal Plan/NESHAP requirement to record the bypass of the flare does not apply to this facility. Except as noted in **Condition E4-2(a) and (b)**, the permittee shall not modify the gas collection system to allow bypass of the flare.

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.03(8), §62.16722(b), and §63.1961(b)

E4-3. For all new or reconstructed flares installed at this source, an initial flare performance test shall be conducted in accordance with §62.16714(c). The performance test must be conducted no later than 180 days after the initial startup of a flare. The performance test shall include an initial visible emissions evaluation, and the test results shall be included in the report required by **Condition E2**. At least thirty (30) days prior to conducting the performance test, the Technical Secretary shall be given notice of the test date.

Compliance Method: Included with the requirement.

§62.16714(c), §63.1959(b), and TAPCR 1200-03-09-.03(8)

E4-4. The permittee shall operate the collection system with negative pressure at each wellhead except under the following conditions:

(a) A fire or increased well temperature. The permittee must record instances when positive pressure occurs in efforts to avoid a fire. These records must be submitted with the annual reports as provided in 40 CFR §62.16724(h)(1) and the semiannual reports as provided in 40 CFR §63.1981(h);
(b) Use of a geomembrane or synthetic cover. The permittee must develop acceptable pressure limits in the design plan;
(c) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes must be approved by the Technical Secretary as specified in 40 CFR §62.16724(d) and §63.1981(d)(2).

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Conditions E4-26 and E4-27.**

40 CFR 62.16716(b), 40 CFR 63.1958(b), and TAPCR 1200-03-09-.03(8)

E4-5. The permittee shall operate the gas collection and control system (GCCS) to comply with (a) through (c) of this condition:

(a) The permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 62.8 degrees Celsius (145 degrees Fahrenheit). The permittee may establish a higher operating temperature value at a particular well. A higher operating value demonstration must be submitted to the Technical Secretary for approval and must include supporting data demonstrating that the elevated parameter neither causes fires nor significantly inhibits anaerobic decomposition by killing methanogens. The demonstration must satisfy both criteria in order to be approved (i.e., neither causing fires nor killing methanogens is acceptable).

(b) Where an owner or operator subject to the provisions of 40 CFR 63 Subpart AAAA seeks to demonstrate compliance with the operational standard for temperature in §63.1958(c)(1), unless a higher operating temperature value has been approved by the Administrator under this subpart or under 40 CFR part 60, subpart WWW; 40 CFR part 60, subpart XXX; or a federal plan or EPA-approved and effective state plan or tribal plan that implements either 40 CFR part 60, subpart Cc or 40 CFR part 60, subpart Cf, the permittee must initiate enhanced monitoring at each well with a measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit) as follows:

(1) Visual observations for subsurface oxidation events (smoke, smoldering ash, damage to well) within the radius of influence of the well.

(2) Monitor oxygen concentration as provided in §63.1961(a)(2) and §62.16722;
(3) Monitor temperature of the landfill gas at the wellhead as provided in §63.1961(a)(4).
(4) Monitor temperature of the landfill gas every 10 vertical feet of the well as provided in §63.1961(a)(6).
(5) Monitor the methane concentration with a methane meter using EPA Method 3C of appendix A-6 to part 60, EPA Method 18 of appendix A-6 to part 60 of this chapter, or a portable gas composition analyzer to monitor the methane levels provided that the analyzer is calibrated and the analyzer meets all quality assurance and quality control requirements for EPA Method 3C or EPA Method 18.
(6) Monitor carbon monoxide concentrations, as follows:

(i) Collect the sample from the wellhead sampling port in a passivated canister or multi-layer foil gas sampling bag (such as the Cali-5-Bond Bag) and analyze that sample using EPA Method 10 of appendix A-4 to part 60 of this chapter, or an EPA approved equivalent method with a detection limit of at least 100 ppmv of carbon monoxide in high concentrations of methane; or
(ii) Collect and analyze the sample from the wellhead using EPA Method 10 of appendix A-4 to part 60, or an EPA approved equivalent method, to measure carbon monoxide concentrations. In a letter dated September 30, 2021, the EPA approved an alternative test method for carbon monoxide concentration. This alternative test method will be posted as ALT-144 on The EPA's website at http://www3.epa.gov/ttn/emc/approalt.html for use by facilities subject to these requirements.
(iii) In letters dated October 6, 2021 (see Attachment 7), the EPA approved alternative test methods to monitor carbon monoxide concentrations. The approved tests were due to comments from letters from the National Waste & Recycling Association, the Solid Waste Association of North America, Waste Management, and Republic Services (collectively, the Solid Waste Working Group or SWWG).

(7) The enhanced monitoring as provided in §63.1961(a)(5) must begin 7 days after the first measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit); and
(8) The enhanced monitoring as provided in §63.1961(a)(5) must be conducted on a weekly basis. If four consecutive weekly carbon monoxide readings are under 100 ppmv, then enhanced monitoring may be decreased to monthly. However, if carbon monoxide readings exceed 100 ppmv again, the landfill must return to weekly monitoring.
(9) The enhanced monitoring as provided in §63.1961(a)(5) can be stopped once a higher operating value is approved, at which time the monitoring provisions issued with the higher operating value should be followed, or once the measurement of landfill gas temperature at the wellhead is less than or equal to 62.8 degrees Celsius (145 degrees Fahrenheit).

(c) For each wellhead with a measurement of landfill gas temperature greater than or equal to 73.9 degrees Celsius (165 degrees Fahrenheit), the permittee must initiate temperature monitoring of the landfill gas every 10 vertical feet of the well annually. This temperature can be monitored either with a removable thermometer, or using temporary or permanent thermocouples installed in the well.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Conditions E4-14 and E4-30.**

40 CFR §63.1958(c), 40 CFR §63.1961(a)(5) and (6), 40 CFR §62.16722(a)(2), and TAPCR 1200-03-09-.02(11)(e)

E4-6. The permittee shall operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the permittee must conduct surface testing using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in 40 CFR §62.16720(d). The permittee must conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at no more than 30-meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover and all cover penetrations. Thus, the permittee must monitor any cover penetration that are within an area of the landfill where waste has been placed and a gas collection system is required. The permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan must be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30-meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-11.**

40 CFR 62.16716(d), 40 CFR 63.1958(d), and TAPCR 1200-03-09-.03(8)

E4-7. The permittee shall operate the system such that all collected gases are vented to a control system designed and operated in compliance with §62.16714(c) and §63.1959(b)(2)(iii). In the event the gas collection and control system (GCCS) is not operating, the gas mover system must be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the GCCS not operating. The permittee shall operate the GCCS at all times when the collected gas is routed to the system.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-24.**

40 CFR §§ 62.16716(e), and (f); 40 CFR §§63.1958 (e) and (f); and TAPCR 1200-03-09-.03(8)

E4-8. If monitoring demonstrates that the operational requirements in **Conditions E4-4, E4-5, and E4-6** are not met, corrective action must be taken as specified in §§62.16720(a)(3) and (5) or §62.16720(c), §63.1960(a)(3) and (5) or (c). If corrective actions are taken as specified in §62.16720 and §63.1960, the monitored exceedance is not a violation of the operational requirements.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Conditions E4-9, E4-21, E4-24, and E4-26.**

40 CFR 62.16716(g), 40 CFR 63.1958(g), and TAPCR 1200-03-09-.03(8)

E4-9. Except as provided in 40 CFR §62.16724(d)(2), §63.1981(d)(2), or as otherwise approved by the Technical Secretary pursuant to Attachment 2, the specified methods in (a) through (e) of this condition must be used to determine whether the gas collection system is in compliance with 40 CFR §62.16714(b)(2) and §63.1959(b)(2)(ii).

(a) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with §62.16714(b)(2)(i) and §63.1959(b)(2)(ii)(C)(1), either Equation 5 or Equation 6 must be used. The methane generation rate constant (k) and methane generation potential (Lo) kinetic factors should be those published in the most recent AP-42 or other site-specific values demonstrated to be appropriate and approved by the Administrator. If k has been determined as specified in §62.16718(a)(4) and §63.1959(a)(4), the value of k determined from the test must be used. A value of no more than 15 years must be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure. If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, Equation 5 or Equation 6 in §62.16720(a)(1)(i) or (ii) or §63.1960(a)(1)(i) or (ii). If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using Equation 5 or Equation 6 or other methods must be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

(b) For the purposes of determining sufficient density of gas collectors for compliance with §62.16714(b)(2)(ii) and §63.1959(b)(2)(ii)(B)(*2*), the permittee must design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Technical Secretary, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

(c) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with §62.16714(b)(2)(iii) and §§63.1959(b)(2)(ii)(B)(*3*), the permittee must measure gauge pressure in the gas collection header applied to each individual well monthly. If a positive pressure exists, action must be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under §62.16716(b) and §63.1958(b). Any attempted corrective measure must not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

(1) If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement of positive pressure, the permittee must conduct a root cause analysis and correct the exceedance as soon as practicable, but not later than 60 days after positive pressure was first measured. The permittee must keep records according to §62.16726(e)(3) and §63.1983(e)(3).

(2) If corrective actions cannot be fully implemented within 60 days following the positive pressure measurement for which the root cause analysis was required, the permittee must also conduct a corrective action analysis and develop an implementation schedule to complete the corrective action(s) as soon as practicable, but no more than 120 days

following the measurement of landfill gas positive pressure. The permittee must submit the items listed in §63.1981(h)(7) as part of the next semi-annual report. The permittee must keep records according to §63.1983(e)(4)

(3) If corrective action is expected to take longer than 120 days to complete after the initial exceedance, the permittee must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Administrator, within 75 days of the initial exceedance and in accordance to §63.1981(h)(7) and (j). The permittee must keep records according to §63.1983(e)(5)

(d) Once an owner or operator subject to the provisions of 40 CFR 63 Subpart AAAA seeks to demonstrate compliance with the operational standard for temperature in §63.1958(c)(1), the owner or operator must monitor each well monthly for temperature. If a well exceeds the operating parameter for temperature as provided in §63.1958(c)(1), action must be initiated to correct the exceedance within 5 days. Any attempted corrective measure must not cause exceedances of other operational or performance standards.

(1) If a landfill gas temperature less than 62.8 degrees Celsius (145 degrees Fahrenheit) cannot be achieved within 15 calendar days of the first measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit), the permittee must conduct a root cause analysis and correct the exceedance as soon as practicable, but no later than 60 days after a landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit) was first measured. The owner or operator must keep records according to §63.1983(e)(3)

(2) If corrective actions cannot be fully implemented within 60 days following the measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit) for which the root cause analysis was required, the permittee must also conduct a corrective action analysis and develop an implementation schedule to complete the corrective action(s) as soon as practicable, but no more than 120 days following the measurement of landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit). The owner or operator must submit the items listed in §63.1981(h)(7) as part of the next semi-annual report. The owner or operator must keep records according to §63.1983(e)(4).

(3) If corrective action is expected to take longer than 120 days to complete after the initial exceedance, the owner or operator must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Administrator, according to §63.1981(h)(7) and (j). The owner or operator must keep records according to §63.1983(e)(5).

(4) If a landfill gas temperature measured at either the wellhead or at any point in the well is greater than or equal to 76.7 degrees Celsius (170 degrees Fahrenheit) and the carbon monoxide concentration measured, according to the procedures in § 63.1961(a)(5)(vi) is greater than or equal to 1,000 ppmv the corrective action(s) for the wellhead temperature standard (62.8 degrees Celsius or 145 degrees Fahrenheit) must be completed within 15 days.

(e) An owner or operator seeking to demonstrate compliance with §63.1959(b)(2)(ii)(B)(4) through the use of a collection system not conforming to the specifications provided in §63.1962 must provide information satisfactory to the Administrator as specified in §63.1981(d)(3) demonstrating that off-site migration is being controlled.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Conditions E4-23 and E4-24.**

40 CFR §63.1958(b) and (c), 40 CFR §62.16720(a), 40 CFR §63.1960(a)(3) and (4), and TAPCR 1200-03-09-.03(8)

E4-10. For purposes of compliance with §62.16716(a), and §63.1958(a), the permittee of a controlled landfill must place each well or design component as specified in the approved design plan as provided in §62.16724(d), §63.1981(d), or the compliance alternatives in Attachment 2. Each well must be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

(a) Five years or more if active; or
(b) Two years or more if closed or at final grade.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Conditions E4-21, E4-22, E4-23, E4-24, and E4-25.**

40 CFR §62.16720(b), §63.1960(b), and TAPCR 1200-03-09-.03(8)

E4-11. The following procedures must be used for compliance with the surface methane operational standard as provided in 40 CFR §62.16716(d) and 63.1958(d):

(a) After installation and startup of the gas collection system, the permittee must monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in § 62.16720(d) and 63.1960(d).

(b) The background concentration must be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

(c) Surface emission monitoring must be performed in accordance with section 8.3.1 of EPA Method 21 of appendix A-7 of 40 CFR part 60, except that the probe inlet must be placed within 5 to 10 centimeters of the ground. Monitoring must be performed during typical meteorological conditions.

(d) Any reading of 500 parts per million or more above background at any location must be recorded as a monitored exceedance and the actions specified in (1) through (5) below must be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of §62.16716(d) and §63.1958(d).

(1) The location of each monitored exceedance must be marked, and the location and concentration recorded. For the 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.

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

(3) If the re-monitoring of the location shows a second exceedance, additional corrective action must be taken and the location must be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in **Condition E4-11(d)(5)** must be taken, and no further monitoring of that location is required until the action specified in **Condition E4-11(d)(5)** of this section has been taken.

(4) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in **Conditions E4-11(d)(2) or E4-11(d)(3)** must be re-monitored 1 month from the initial exceedance. If the 1-month re-monitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month re-monitoring shows an exceedance, the actions specified in **Condition E4-11(d)(3) or E4-11(d)(5)** must be taken.

(5) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device must be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Technical Secretary for approval.

(e) The permittee must implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

Compliance Method: Included with the requirement.

40 CFR §62.16720(c), §63.1960(c), and TAPCR 1200-03-09-.03(8)

E4-12. Each owner or operator seeking to comply with the provisions in **Condition E4-11** or 40 CFR §62.16718(a)(6) must comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

(a) The portable analyzer must meet the instrument specifications provided in section 6 of EPA Method 21 of appendix A-7 of 40 CFR part 60, except that "methane" replaces all references to "VOC."

(b) The calibration gas must be methane, diluted to a nominal concentration of 500 parts per million in air.

(c) To meet the performance evaluation requirements in section 8.1 of EPA Method 21 of appendix A-7 of 40 CFR part 60, the instrument evaluation procedures of section 8.1 of EPA Method 21 of appendix A-7 of 40 CFR part 60 must be used.

(d) The calibration procedures provided in sections 8 and 10 of EPA Method 21 of appendix A-7 of 40 CFR part 60 must be followed immediately before commencing a surface monitoring survey.

Compliance Method: Included with the requirement.

40 CFR §62.16720(d), §63.1960(d), and TAPCR 1200-03-09-.03(8)

E4-13. The provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA apply at all times, including periods of startup, shutdown, or malfunction. During periods of startup, shutdown, and malfunction, you must comply with the work practice specified in §62.16716(e) in lieu of the compliance provisions in §62.16720.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-24.**

40 CFR §62.16720(e), §63.1930(b) and TAPCR 1200-03-09-.03(8)

E4-14. Except as provided in §62.16724(d)(2), or the monitoring provisions in §63.1961. Once the permittee begins to comply with the provisions of §63.1961, the permittee must continue to operate the collection and control device according to those provisions and cannot return to the provisions of §62.16722. Except as provided in §63.1981(d)(2) each permittee seeking to comply with §63.1959(b)(2)(ii)(B) for an active gas collection system must install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

(a) Measure the gauge pressure in the gas collection header on a monthly basis as provided in §63.1960(a)(3); and
(b) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as follows:

(1) The nitrogen level must be determined using Method 3C, unless an alternative test method is established as allowed by 40 CFR §63.1981(d)(2).
(2) Unless an alternative test method is established as allowed by §63.1981(d)(2), the oxygen level must be determined by an oxygen meter using EPA Method 3A or 3C of appendix A-2 to part 60 of this chapter or ASTM D6522-11 (incorporated by reference, see §63.14). Determine the oxygen level by an oxygen meter using EPA Method 3A or 3C of appendix A-2 to part 60 or ASTM D6522-11 (if sample location is prior to combustion) except that:

(i) The span must be set between 10 and 12 percent oxygen;
(ii) A data recorder is not required;
(iii) Only two calibration gases are required, a zero and span;
(iv) A calibration error check is not required; and
(v) The allowable sample bias, zero drift, and calibration drift are ±10 percent.

(3) A portable gas composition analyzer may be used to monitor the oxygen levels provided:

(i) The analyzer is calibrated; and
(ii) The analyzer meets all quality assurance and quality control requirements for EPA Method 3A of appendix A-2 to part 60 of this chapter or ASTM D6522-11 (incorporated by reference, see §63.14).

(c) Monitor temperature of the landfill gas on a monthly basis as provided in §63.1960(a)(4). The temperature measuring device must be calibrated annually using the procedure in Section 10.3 of EPA Method 2 of appendix A-1 to part 60 of this chapter. Keep records specified in §63.1983(e).

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-24.**

40 CFR §63.1961(a), 40 CFR §62.16722(a) and TAPCR 1200-03-09-.03(8)

E4-15. Each owner or operator seeking to comply with §62.16714(c) and §63.1959(b)(2)(iii) using an enclosed flare must install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

(a) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ±1 percent of the temperature being measured expressed in degrees Celsius or ±0.5 degrees Celsius, whichever is greater.
(b) A device that records flow to the flare and bypass of the flare (if applicable). The permittee must:

(1) Install, calibrate, and maintain a gas flow rate measuring device that records the flow to the control device at least every 15 minutes; and
(2) If present, secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism must be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-24. Condition E4-15(b)(2)** does not apply if bypass to the flare is nonexistent.

40 CFR § 62.16722(b), §63.1961(b), and TAPCR 1200-03-09-.03(8)

E4-16. Each owner or operator seeking to demonstrate compliance with §62.16714(c) and §63.1959(b)(2)(iii) using a device other than a non-enclosed flare or an enclosed combustor or a treatment system must provide information satisfactory to the Administrator as provided in §62.16724(d)(2) and §63.1981(d)(2) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator must review the information and either approve it, or request that additional information be submitted. The Administrator may specify additional appropriate monitoring procedures.

Compliance Method: Included with the requirement.

40 CFR §62.16722(d), §63.1961(d), and TAPCR 1200-03-09-.03(8)

E4-17. Each owner or operator seeking to demonstrate compliance with the 500 parts-per-million surface methane operational standard in §62.16716(d) and §63.1958(d) must monitor surface concentrations of methane according to the procedures provided in §62.16720(c), §63.1960(c), and the instrument specifications in §62.16720(d) and §63.1960(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 parts-per-million or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping required by **Condition E4-11.**

40 CFR §62.16722(f), §63.1961(f), and TAPCR 1200-03-09-.03(8)

E4-18. The permittee who has already been required to submit a design plan as provided in §62.16724(d) and §63.1981(d), or under subpart GGG of this part; 40 CFR part 60, subpart WWW; or a state plan implementing subpart Cc of 40 CFR part 60, must submit a revised design plan to the Administrator for approval as follows:

(a) At least 90 days before expanding operations to an area not covered by the previously approved design plan.

(b) Prior to installing or expanding the gas collection system in a way that is not consistent with the design plan that was submitted to the Technical Secretary according to §62.16724(d).

Compliance Method: Included with the requirement.

40 CFR §62.16724(e), §63.1981(e), and TAPCR 1200-03-09-.03(8)

E4-19. Each owner or operator of a controlled landfill must submit a closure report to the Technical Secretary within 30 days of waste acceptance cessation. The Technical Secretary may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Technical Secretary, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR §60.7(a)(4) and §63.9(b).

Compliance Method: Included with the requirement.

40 CFR §62.16724(f), §63.1981(f), and TAPCR 1200-03-09-.03(8)

E4-20. Each owner or operator of a controlled landfill must submit an equipment removal report to the Technical Secretary 30 days prior to removal or cessation of operation of the control equipment.

(a) The equipment removal report must contain all of the following items:

(1) A copy of the closure report submitted in accordance with **Condition E4-19**

(2) A copy of the initial performance test report demonstrating that the 15-year minimum control period has expired, unless the report of the results of the performance test demonstrate that the GCCS will be unable to operate for 15 years due to declining gas flows. In the equipment removal report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted and

(3) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 34 megagrams or greater of NMOC per year.

(4) For the closed landfill subcategory, dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports.

(b) The Technical Secretary may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR §62.16714(f) and §63.1957(b) have been met.

Compliance Method: Included with the requirement.

40 CFR §62.16724(g), §63.1957(b), §63.1981(g), and TAPCR 1200-03-09-.03(8)

E4-21. The permittee must submit information regarding corrective actions according to (a) and (b) below:

(a) For corrective action that is required according to §63.1960(a)(3) or (4) and is not completed within 60 days after the initial exceedance, you must submit a notification to the Administrator as soon as practicable but no later than 75 days after the first measurement of positive pressure or temperature exceedance.

(b) For corrective action that is required according to §63.1960(a)(3) or (4) and is expected to take longer than 120 days after the initial exceedance to complete, you must submit the root cause analysis, corrective action analysis, and corresponding implementation timeline to the Administrator as soon as practicable but no later than 75 days after the first measurement of positive pressure or temperature monitoring value of 62.8 degrees Celsius (145 degrees Fahrenheit) or above unless a higher operating temperature value has been approved by the Administrator for the well under this subpart or under 40 CFR part 60, subpart WWW; 40 CFR part 60, subpart XXX; or a Federal plan or EPA approved and effective state plan or tribal plan that implements either 40 CFR part 60, subpart Cc or 40 CFR part 60, subpart Cf. The Administrator must approve the plan for corrective action and the corresponding timeline.

Compliance Method: Included with the requirement.

40 CFR §63.1981(j) and TAPCR 1200-03-09-.03(8)

E4-22. Except as provided in §62.16724(d)(2), and §63.1981(d)(2) each owner or operator of an MSW landfill subject to the provisions of § 62.16714(e) and §63.1959(b)(2)(ii) and (iii) must keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report that triggered §62.16714(e) and §63.1959(b), 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.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping as specified in this Condition**.**

40 CFR §62.16726(a), §63.1983(a), and TAPCR 1200-03-09-.03(8)

E4-23. Except as provided in §62.16724(d)(2) and §63.1981(d)(2), each owner or operator of a controlled landfill must keep up-to-date, readily accessible records for the life of the control system equipment of the data listed in (a) through (c) of this Condition as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring must be maintained for a minimum of 5 years. Records of the control device vendor specifications must be maintained until removal.

(a) Where an owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA seeks to demonstrate compliance with §62.16714(b) and §63.1959(b)(2)(ii):

(1) The maximum expected gas generation flow rate as calculated in §62.16720(a)(1) and §63.1960(a)(1). The permittee may use another method to determine the maximum gas generation flow rate if the method has been approved by the Administrator.

(2) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §62.16728(a)(1) and §63.1962(a)(1) and (2).

(b) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with § 62.16714(c) and 63.1959(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts:

(i) The average temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

(ii) The percent reduction of NMOC determined as specified in § 62.16714(c)(2) and § 63.1959(b)(2)(iii)(B) achieved by the control device.

(c) Where an owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA seeks to demonstrate compliance with §62.16714(c)(1) and §63.1959(b)(2)(iii)(A) through use of a non-enclosed flare, the flare type (i.e., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in 40 CFR 60.18 of this chapter; and continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame or the flare flame is absent.

(d) Where an owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA seeks to demonstrate compliance with §62.16714(c)(3) and §63.1959(b)(2)(iii)(C) through use of a landfill gas treatment system (LGTS). The owner or operator of the LGTS must:

(1) Keep records of the flow of landfill gas to, and bypass of, the treatment system.

(2) Develop a site-specific treatment monitoring plan, to include:

(i) Monitoring records of parameters that are identified in the treatment system monitoring plan and that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. At a minimum, records should include records of filtration, de-watering, and compression parameters that ensure the treatment system is operating properly for each intended end use of the treated landfill gas.

(ii) Monitoring methods, frequencies, and operating ranges for each monitored operating parameter based on manufacturer's recommendations or engineering analysis for each intended end use of the treated landfill gas.

(iii) Documentation of the monitoring methods and ranges, along with justification for their use.

(iv) Identify who is responsible (by job title) for data collection.

(v) Processes and methods used to collect the necessary data.

(vi) Description of the procedures and methods that are used for quality assurance, maintenance, and repair of all continuous monitoring systems.

Compliance Method: Included with the requirement.

40 CFR §62.16726(b), §63.1983(b), and TAPCR 1200-03-09-.03(8)

E4-24. Except as provided in §62.16724(d)(2) and §63.1981(d)(2), each permittee of a controlled landfill subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §62.16722 and §63.1961 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

(a) Each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep up-to-date, readily accessible continuous records of the indication of flow to the control system and the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under §62.16722, §63.1961(b)(2)(ii), (c)(2)(ii), and (g)(2).

(b) Each owner or operator seeking to comply with the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA by use of a non-enclosed flare must keep up-to-date, readily accessible continuous records of the flame or flare pilot flame

monitoring specified under §62.16722(c) and §63.1961(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

(c) Each owner or operator of a landfill seeking to comply with §62.16714(e) and §63.1959(b)(2) using an active collection system designed in accordance with §62.16714(b) and §63.1959(b)(2)(ii) must keep records of periods when the collection system or control device is not operating.

Compliance Method: Compliance shall be demonstrated by the monitoring and recordkeeping as specified in this Condition.

40 CFR §62.16726(c), 40 CFR §63.1983(c) and TAPCR 1200-03-09-.03(8)

E4-25. Except as provided in §62.16724(d)(2) and §63.1981(d)(2), each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label on each collector that matches the labeling on the plot map.

(a) Each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §62.16720(b) and §63.1960(b).

(b) Each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in §62.16728(a)(3)(i) and §63.1962(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in §62.16728(a)(3)(ii) and §63.1962(a)(3)(ii).

Compliance Method: Included with the requirement.

40 CFR §62.16726(d), §63.1983(d), and TAPCR 1200-03-09-.03(8)

E4-26. Except as provided in §62.16724(d)(2) §63.1981(d)(2), each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep for at least 5 years up-to-date, readily accessible records of the items in (a) through (f) of this Condition. Each owner or operator that chooses to comply with the provisions in §63.1958, §63.1960, and §63.1961, as allowed in §§62.16716, 62.16720, and 62.16722, must keep records as provided in **Condition E4-26(f)** and must keep records according to §63.1983(e)(1) through (5) in lieu of the (a) through (e) of this Condition:

(a) All collection and control system exceedances of the operational standards in §63.1958, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

(b) Each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must also keep records of each wellhead temperature monitoring value of 62.8 degrees Celsius (145 degrees Fahrenheit) or above, each wellhead nitrogen level at or above 20 percent, and each wellhead oxygen level at or above 5 percent.

(c) For any root cause analysis for which corrective actions are required in §§63.1960(a)(3)(i)(A) or (a)(4)(i)(A), keep a record of the root cause analysis conducted, including a description of the recommended corrective action(s) taken, and the date(s) the corrective action(s) were completed.

(d) For any root cause analysis for which corrective actions are required in §§63.1960(a)(3)(i)(B) or (a)(4)(i)(B), keep a record of the root cause analysis conducted, the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

(e) For any root cause analysis for which corrective actions are required in §63.1960(a)(3)(i)(C) or (a)(4)(i)(C), keep a record of the root cause analysis conducted, the corrective action analysis, the date for corrective action(s) already completed following the positive pressure reading or high temperature reading, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates, and a copy of any comments or final approval on the corrective action analysis or schedule from the regulatory agency.

(f) Each owner or operator that chooses to comply with the provisions in §63.1958, §63.1960, and §63.1961, as allowed in §§62.16716, 62.16720, and 62.16722, must keep records of the date upon which the permittee started complying with the provisions in §63.1958, §63.1960, and §63.196.

Compliance Method: Included with the requirement.

40 CFR §62.16726(e), §63.1983(e) and TAPCR 1200-03-09-.03(8)

E4-27. Except as provided in §62.16724(d)(2) and §63.1981(d)(2), each owner or operator subject to the provisions of 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA must keep for at least 5 years up-to-date, readily accessible records of all collection and control system monitoring data for parameters measured in §62.16722(a)(1), (2), and (3); §63.1961(a)(1) through (6).

Any records required to be maintained by 40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA that are submitted electronically via the EPA's CDX may be maintained in electronic format.

For each owner or operator reporting leachate or other liquids addition under § 62.16724(l), keep records of any engineering calculations or company records used to estimate the quantities of leachate or liquids added, the surface areas for which the leachate or liquids were applied, and the estimates of annual waste acceptance or total waste in place in the areas where leachate or liquids were applied.

Compliance Method: Included with the requirement.

40 CFR §62.16726(h), (i), and (j), §63.1983(g), and TAPCR 1200-03-09-.02(11)(e)1.(iii)

E4-28. Each owner or operator seeking to comply with §62.16714(b) and §63.1959(b)(2)(i) must site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Administrator.

(a) The collection devices within the interior must be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues must be addressed in the design: Depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandability, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, resistance to the refuse decomposition heat, and ability to isolate individual components or sections for repair or troubleshooting without shutting down entire collection system. Each owner or operator seeking to comply with §62.16714(b) and §63.1959(b)(2)(i) must keep for at least 5 years up-to-date, readily accessible records of all collection and control system design plans.

(b) The sufficient density of gas collection devices determined in **Condition E4-28(a)** must address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

(c) The placement of gas collection devices determined in **Condition E4-28(a)** must control all gas producing areas, except as provided in **(c)(1) and (2)** below.

(1) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under 40 CFR §62.16726(d) and §63.1983(d). The documentation must provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area and must be provided to the Technical Secretary upon request.

(2) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material must be documented and provided to the Technical Secretary upon request. A separate NMOC emissions estimate must be made for each section proposed for exclusion, and the sum of all such sections must be compared to the NMOC emissions estimate for the entire landfill.

(i) The NMOC emissions from each section proposed for exclusion must be computed using Equation 7:

$$Q_i = 2kL_oM_i\ (e^{-kti})\ (C_{NMOC})\ (3.6 \times 10^{-9}) \quad \text{(Eq. 7)}$$

Q = NMOC emission rate from the i^{th} section, megagrams per year.
k = Methane generation rate constant, $year^{-1}$.
L_o = Methane generation potential, cubic meters per megagram solid waste.
M_i = Mass of the degradable solid waste in the i^{th} section, megagram.
t_i = Age of the solid waste in the i^{th} section, years.
C_{NMOC} = Concentration of nonmethane organic compounds, parts per million by volume.

3.6×10^{-9} = Conversion factor.

(ii) If the permittee is proposing to exclude, or cease gas collection and control from, nonproductive physically separated (e.g., separately lined) closed areas that already have gas collection systems, NMOC emissions from each physically separated closed area must be computed using either Equation 3 in §62.16718 or Equation 7 above.

(3) The values for k and C_{NMOC} determined in field testing must be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (this distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k, L_o and C_{NMOC} provided in 40 CFR §62.16718and §63.1959(a)(1) or the alternative values from 40 CFR §62.16718/ §63.1959(a)(5) must be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in **Condition E4-28(c)(1)**.

Each owner or operator seeking to comply with § 62.16714(b) and § 63.1959(b) (2)(ii) must construct the gas collection devices using the following equipment or procedures:

(a) The landfill gas extraction components must be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: Convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system must extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors must be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations must be situated with regard to the need to prevent excessive air infiltration.

(b) Vertical wells must be placed so as not to endanger underlying liners and must address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors must be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices must be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

(c) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly must include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices must be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

Each owner or operator seeking to comply with § 62.16714(c) and § 63.1959(b)(2)(iii) must convey the landfill gas to a control system in compliance with § 62.16714(c) and § 63.1959(b)(2)(iii) through the collection header pipe(s). The gas mover equipment must be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

(a) For existing collection systems, the flow data must be used to project the maximum flow rate. If no flow data exist, the procedures in paragraph (c)(2) of this condition must be used.

(b) For new collection systems, the maximum flow rate must be in accordance with § 62.16720(a)(1) and §63.1960(a)(1).

Compliance Method: Included with the requirement.

§62.16728(a), (b), and (c), 40 CFR 63.1962(a), (b), and (c), and TAPCR 1200-03-09-.03(8)

E4-29. **MACT Requirements**. 40 CFR 63 Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

(a) The permittee shall comply with all applicable requirements of 40 CFR Part 63 Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills as required by 40 CFR §§ 63.1930 – 63.1990. Compliance with this condition does not relieve the permittee of the responsibility to comply with all applicable requirements of 40 CFR Part 63 Subpart AAAA.

(b) The permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if the requirements of this subpart have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(c) The SSM provisions of §63.6(e) of subpart A no longer apply to this subpart and the SSM plan developed under paragraph (a) of 40 CFR 63 Subpart AAAA no longer applies. Compliance with the emissions standards and the operating standards of §63.1958 of this subpart is required at all times.

Compliance Method: Included with the requirement.

40 CFR §63.1955, §63.1958, §63.1960, §63.1964, §63.1980 and TAPCR 1200-03-09-.03(8)

E4-30. **40 CFR 62 Subpart OOO and 40 CFR 63 Subpart AAAA Reports.** The permittee shall submit annual Subpart OOO and semiannual Subpart AAAA reports of the recorded information outlined below. Alternatively, the permittee may submit the annual Subpart OOO report on a semi-annual basis with the Subpart AAAA report. These reports shall be due within 60 days after the end of each reporting period identified in **Condition E2** of this permit. The exceedances reported for this condition do not automatically constitute a violation provided that good operational practices are utilized for the collection and control system. For enclosed combustors exceedances must be recorded and reported under §62.16724(h) and §63.1981(h) for all 3-hour periods of operation during which the average temperature was more than 28 degrees Celsius (82 degrees Fahrenheit) below the average combustion temperature during the most recent performance test at which compliance with § 62.16714(c) was determined. Duration, and length of time, shall be measured in days and hours, as applicable, except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater

The reports (40 CFR 62 Subpart OOO) shall include the following:

(a) Value and length of time for exceedance of applicable parameters monitored under 40 CFR §62.16722(a)(1), (b), (c), (d), and (g).

(b) Description and duration of all periods when the gas stream was diverted from the control device or treatment system through a bypass line or the indication of bypass flow as specified under §62.16722.

(c) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating.

(d) All periods when the collection system was not operating.

(e) The location of each exceedance of the 500 parts-per-million methane concentration as provided in §62.16716(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. 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.

(f) The date of installation and the location of each well or collection system expansion added pursuant to §62.16720(a)(3), (4), (b), and (c)(4).

(g) For any corrective action analysis for which corrective actions are required in §62.16720(a)(3) or (4) and §63.1981(h) and that take more than 60 days to correct the exceedance, the root cause analysis conducted, including a description of the recommended corrective action(s), the date for corrective action(s) already completed following the positive pressure or elevated temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

The semiannual reports (40 CFR 63 Subpart AAAA) shall include the following:

(h) Number of times each of the applicable parameters monitored under § 63.1958(b) and (c) were exceeded. For each instance, report the date, time, and duration of each exceedance.

(i) Description and duration of all periods when the gas stream was diverted from the control device or treatment system through a bypass line or the indication of bypass flow as specified under §63.1961.

(j) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating.

(k) All periods when the collection system was not operating.

(l) The location of each exceedance of the 500 parts-per-million methane concentration as provided in §63.1958(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. 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.

(m) The date of installation and the location of each well or collection system expansion added pursuant to § 63.1960(a)(3) and (4), (b), and (c)(4).

(n) For any corrective action analysis for which corrective actions are required in § 63.1960(a)(3)(i) or (a)(5) and that take more than 60 days to correct the exceedance, the root cause analysis conducted, including a description of the recommended corrective action(s), the date for corrective action(s) already completed following the positive pressure or high temperature reading, and, for action(s) not already completed, a schedule for implementation, including proposed commencement and completion dates.

(o) Each owner or operator required to conduct enhanced monitoring in §§ 63.1961(a)(5) and (6) must include the results of all monitoring activities conducted during the period.

(1) For each monitoring point, report the date, time, and well identifier along with the value and units of measure for oxygen, temperature (wellhead and downwell), methane, and carbon monoxide.
(2) Include a summary trend analysis for each well subject to the enhanced monitoring requirements to chart the weekly readings over time for oxygen, wellhead temperature, methane, and weekly or monthly readings over time, as applicable for carbon monoxide.
(3) Include the date, time, staff person name, and description of findings for each visual observation for subsurface oxidation event.

TAPCR 1200-03-09-.03(8), 40 CFR §62.16724(h), 40 CFR §63.1958(b) and (c), 40 CFR §63.1981(h), 40 CFR §63.1961(a), §62.724(l), § 63.1982, 62.16726(c)(1),

Compliance Method: Included with the requirement.

E4-31. The owner or operator of a designated facility with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters that has employed leachate recirculation or added liquids based on a Research, Development, and Demonstration permit (issued through Resource Conservation and Recovery Act (RCRA), subtitle D, part 258) within the last 10 years must submit to the Administrator, annually, following the procedure specified in §62.16724(j)(2), the following information:

(1) Volume of leachate recirculated (gallons per year) and the reported basis of those estimates (records or engineering estimates).
(2) Total volume of all other liquids added (gallons per year) and the reported basis of those estimates (records or engineering estimates).
(3) Surface area (acres) over which the leachate is recirculated (or otherwise applied).
(4) Surface area (acres) over which any other liquids are applied.
(5) The total waste disposed (megagrams) in the areas with recirculated leachate and/or added liquids based on on-site records to the extent data are available, or engineering estimates and the reported basis of those estimates.
(6) The annual waste acceptance rates (megagrams per year) in the areas with recirculated leachate and/or added liquids, based on on-site records to the extent data are available, or engineering estimates.

(7) The initial report must contain items in **Condition E4-31(1) through E4-31(6)** for the most recent 365 days as well as for each of the previous 10 years, to the extent historical data are available in on-site records.

(8) Subsequent reports must contain items in **Condition E4-31(1) through E4-31(6)** for the 365-day period following the 365-day period included in the previous report, and the report must be submitted no later than 365 days after the date the previous report was submitted.

(9) Landfills in the closed landfill subcategory are exempt from reporting requirements contained in **Condition E4-31(1) through E4-31(6).**

(10) Landfills may cease annual reporting of items in **Condition E4-31(1) through E4-31(6)** once they have submitted the closure report required by §62.16724(f).

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.02(11)(e)1.(iii), 40 CFR §63.1981(l)

E4-32. Each owner or operator required to submit reports following the procedure specified in this Condition must submit reports to the EPA via CEDRI. CEDRI can be accessed through the EPA's CDX. The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website (https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri). Once the template forms for the reports have been available in CEDRI for 90 days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted. If the reporting forms specific to this subpart are not available in CEDRI at the time that the reports are due, the owner or operator must submit the reports to the physical address listed in **Condition E2(a)** of this permit.

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.02(11)(e)1.(iii), 40 CFR §63.1981(l)

E4-33. When calculating emissions for Prevention of Significant Deterioration purposes, the owner or operator of the MSWL must estimate the NMOC emission rate for comparison to the Prevention of Significant Deterioration major source and significance levels in §§ 51.166 or 52.21 of this chapter using Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources (AP-42) or other approved measurement procedures.

Compliance Method: Included with the requirement.

TAPCR 1200-03-07-.07(9), 1200-03-09-.03(8), and 40 CFR 62.16718(c)

E4-34. Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with the operational standard for temperature in § 63.1958(c)(1) and a landfill gas temperature measured at either the wellhead or at any point in the well is greater than or equal to 76.7 degrees Celsius (170 degrees Fahrenheit) and the carbon monoxide concentration measured is greater than or equal to 1,000 ppmv, then you must report the date, time, well identifier, temperature and carbon monoxide reading via email to the Administrator within 24 hours of the measurement unless a higher operating temperature value has been approved by the Administrator.

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.03(8), and 40 CFR §63.1981(k)

E5. Source Specific Permit Requirements for the Gasoline Dispensing Operation

75-0381-04: Gasoline Dispensing Facility (1,000 gallons capacity) subject to the federal requirements for Gasoline Dispensing Facilities 40 CFR 63 Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

Condition E5-1 through E5-3 applies to the Gasoline Dispensing Facility

E5-1. The total stated maximum throughput of gasoline for this source is 10,000 gallons per calendar year. As defined in 40 CFR §63.11132, monthly throughput means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each gasoline dispensing facility (GDF) during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12. The permittee shall calculate and record the monthly throughput of gasoline in a log on each day of each month. The permittee shall have records available within 24 hours of a request by the Technical Secretary or his representative, to document monthly throughput at this facility. Monthly data, including all required calculations, must be entered in the log no later than thirty (30) days from the end of the month for which the data is required. This record must be retained for a period of not less than five years.

	Volume of gasoline loaded into, or dispensed from, all gasoline storage tanks during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks during the previous 364 days (gallons/365 days)	Calculated Monthly Throughput of Gasoline (gallons/month)
January 1		
January 2		
January 3		
Etc.		
December 31		

Calendar Year 20___	Throughput of Gasoline (gallons per calendar year)
Total for January 1 to December 31	

Compliance Method: Included with the requirement.

E5-2. The gasoline dispensing facility (GDF) monthly throughput shall not exceed 10,000 gallons of gasoline per calendar year. The permittee shall apply for a construction permit to exceed this limitation.

TAPCR. 1200-03 -09-.01(1)(d) and the application (s) listed in **Condition E3-1**.

Compliance Method: Compliance with this condition shall be demonstrated by maintaining log as provided in **Condition E5-1.** This log must be maintained at the source location and kept available for inspection by the Technical Secretary or a Division representative. This log must be retained for a period of not less than five years..

E5-3. The permittee shall operate the gasoline storage tank in accordance with as follows:

(a) The permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) The permittee is not required to submit notifications or reports, but the permittee must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.

(c) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with (a)(3) above.

Compliance Method: Included with the requirement.

TAPCR 1200-03-09-.03(8) and 40 CFR §63.11116

END OF PERMIT NUMBER 582631

ATTACHMENT 1

OPACITY MATRIX DECISION TREE for VISIBLE EMISSION EVALUATION METHOD 9

DATED SEPTEMBER 11, 2013

Decision Tree PM for Opacity for Sources Utilizing EPA Method 9*

Notes:

PM = Periodic Monitoring required by 1200-03-09-.02(11)(e)(iii).

This Decision Tree outlines the criteria by which major sources can meet the periodic monitoring and testing requirements of Title V for demonstrating compliance with the visible emission standards set forth in the permit. It is not intended to determine compliance requirements for EPA's Compliance Assurance Monitoring (CAM) Rule (formerly referred to as Enhanced Monitoring – Proposed 40 CFR 64).

Examine each emission unit using this Decision Tree to determine the PM required.*

Use of continuous emission monitoring systems eliminates the need to do any additional periodic monitoring.

Visible Emission Evaluations (VEEs) are to be conducted utilizing EPA Method 9. The observer must be properly certified to conduct valid evaluations.

Typical Pollutants
Particulates, VOC, CO, SO_2, NO_x, HCl, HF, HBr, Ammonia, and Methane.

Initial observations are to be repeated within 90 days of startup of a modified source, if a new construction permit is issued for modification of the source.

A VEE conducted by TAPCD personnel after the Title V permit is issued will also constitute an initial reading.

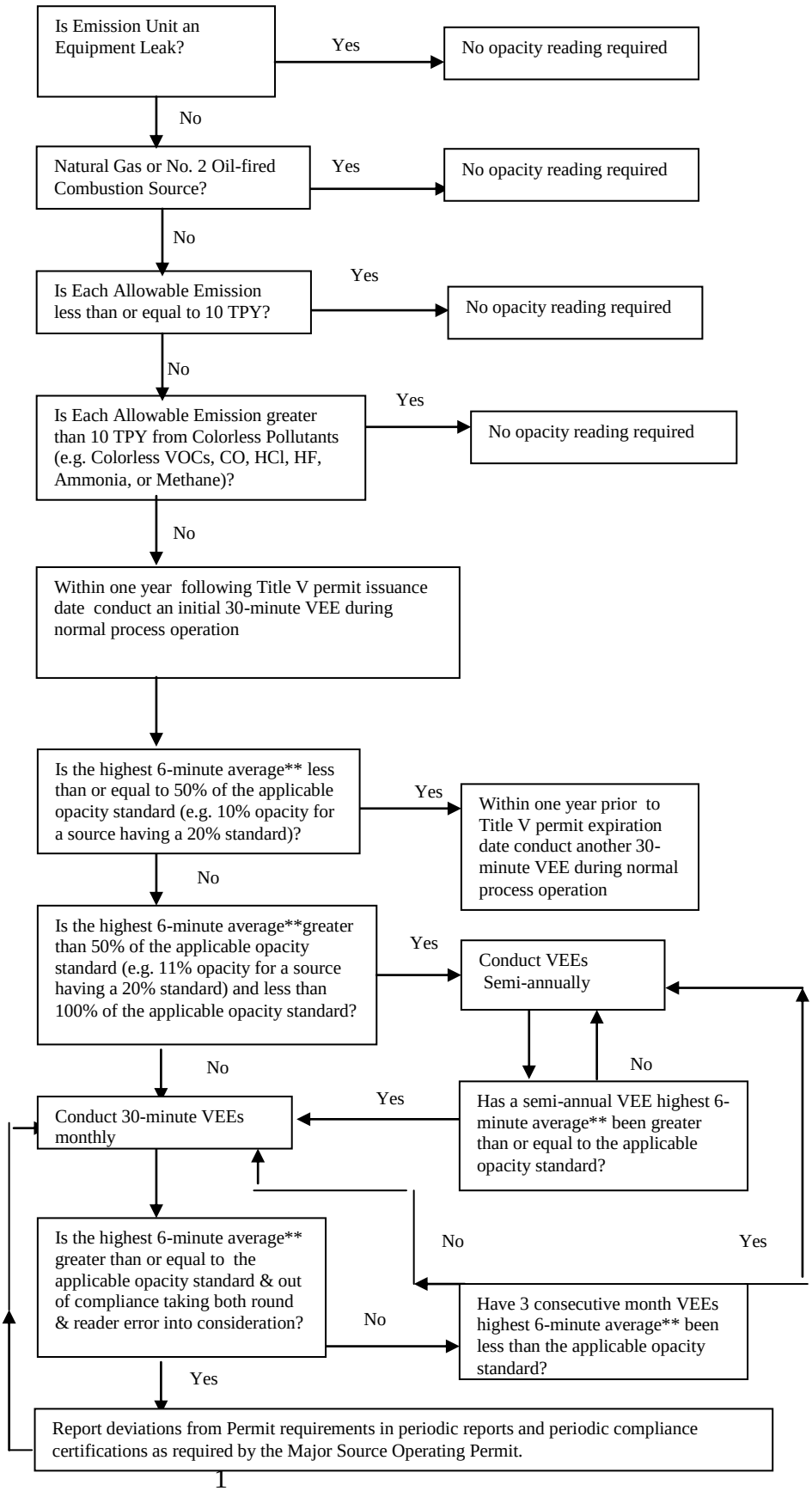
Reader Error
EPA Method 9, Non-NSPS or NESHAPS stipulated opacity standards:
The TAPCD guidance is to declares non-compliance when the highest six-minute average** exceeds the standard plus 6.8% opacity (e.g. 26.8% for a 20% standard).

EPA Method 9, NSPS or NESHAPS stipulate opacity standards:
EPA guidance is to allow only engineering round. No allowance for reader error is given.

*Not applicable to Asbestos manufacturing subject to 40 CFR 61.142

**Or second highest six-minute average, if the source has an exemption period stipulated in either the regulations or in the permit.

Dated June 18, 1996
Amended September 11, 2013



ATTACHMENT 2

NSPS COMPLIANCE ALTERNATIVES FOR BFI WASTE SYSTEMS OF TENNESSEE, LLC DBA MIDDLE POINT LANDFILL

Approved NSPS Alternatives for BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill
NSPS Gas Collection and Control System (GCCS) Design Plan, dated April 17, 2012, amended on May 14, 2013

1. **Section 5.1 Surface Emissions Monitoring -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated May 17, 2013.

   As provided for in 40 CFR §60.753(d), BFI is proposing an alternative to the traversing pattern prescribed in the NSPS provisions for its surface emissions monitoring (SEM) at the Middle Point Landfill. 40 CFR §60.753(d) requires surface emission monitoring to be performed in a pattern that traverses the landfill at 30 meter (100 foot) intervals. However, this section of the NSPS also states that areas with steep slopes (slopes with a vertical to horizontal ratio of 4:1 or greater) or other dangerous areas may be excluded from surface testing. Justification for excluding any areas excluded from surface testing because they are considered dangerous (such as heavy vehicle traffic in the active areas of the landfill if it is considered to pose a dangerous situation) will be provided in the surface emissions monitoring report; and the location of these areas will be clearly depicted in a drawing included with the report. The proposed final contour plan for the landfill closure (refer to Drawing E-1 in the Surface Emissions Monitoring Plan in Appendix E) has extensive side slope areas that would be considered unsafe for surface emissions monitoring purposes. Additionally, as portions of the landfill are closed, the landfill surface will be constructed with berms and drainage swales that can be safely accessed. Therefore, this alternative is to exclude Middle Point Landfill from SEM areas with slopes with a vertical to horizontal ratio of 4:1 or greater or other dangerous areas. Justification for excluding any areas because they are considered dangerous will be provided in the surface emissions monitoring report; and the location of these areas will be clearly depicted in a drawing included with the report. As such, BFI will perform surface emission monitoring in a pattern that traverses the landfill at 30 meter (100 foot) intervals, excluding only areas with slopes with a vertical to horizontal ratio of 4:1 or greater or other dangerous areas.

2. **Section 5.2 Nonproductive Wells -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated April 30, 2013.

   Based on TDEC guidance stated in the March 13, 2013 letter and in accordance with EPA ADI#0600062 the procedures for the decommissioning of low-producing extraction wells are described below.

   - Wells where oxygen concentrations do not decline to acceptable levels after more than one hour of reduced vacuum will be shut off until the gas quality recovers.
   - The monthly monitoring required by §60.755 will be conducted for wells that have been shut down, but positive pressure or elevated oxygen concentrations will not be considered exceedances of the operating limits in §60.753.
   - If monthly monitoring indicates that pressure has built up in the well and the oxygen concentration still exceeds five percent, the well will be opened to relieve the pressure and will be shut down until it is monitored the following month.
   - If monthly monitoring indicates that the gas quality has improved (i.e. the oxygen concentration has dropped below five percent), the well will be brought back on line until the gas quality declines again.
   - The quarterly surface emissions monitoring required under §60.755 will be conducted for wells that have been shut down. Standard remediation steps, including evaluating the need to return wells to full-time service, will be followed if exceedances of the 500 ppm methane surface concentration limit are detected.

3. **Section 5.3 Wellhead Temperatures -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated May 17, 2013.

   The NSPS requires that wellhead temperatures not exceed 55 degrees Celsius (ºC) [131 degrees Fahrenheit (ºF)]. Experience with other landfills has shown that if conditions within the landfill are near optimum, the decomposition process can generate higher temperatures with internal landfill temperatures of 140 to 160ºF without any evidence of subsurface oxidation (SSO). However, when SSO is noted a common and appropriate remediation action is to turn off the well in an effort to reduce oxygen intrusion.

   Aluminum waste within a landfill can create a reaction that has similar characteristics to an SSO, however, the remediation of the aluminum or metal reaction is different than the remediation of an SSO. The aluminum waste reaction (AWR) is not the result of oxygen intrusion and as such, turning off the well is not the appropriate approach. The AWR creates increased gas pressures within the landfill. One of the most recognized characteristics of an aluminum waste reaction is the presence of Hydrogen gas. If the increase in gas pressure is not controlled it will allow the reaction and elevated temperature to

expand into other areas of the landfill. In addition, the increased gas pressure may also result in an increased potential for odors.

40 CFR §60.755(a)(5) of the NSPS requires that if an exceedance of the 131ºF operating threshold is found at an LFG extraction well, the landfill owner or operator must take action to correct the exceedance within 5 days. If the condition cannot be corrected within 15 days of the initial exceedance, the GCCS must be expanded within 120 days of the initial reported exceedance. It is believed that expanding the GCCS will not affect or alter the biological conditions within a landfill to the point that the internal temperatures can be significantly affected. Additionally, due to the unique situation at this site with the aluminum waste we propose the following alternative operating and monitoring plan for those LFG extraction well(s) that are above the 131ºF NSPS operating temperature threshold:

- A well exhibiting operating temperatures above 131ºF, but below 160ºF with no signs of smoke, will be operated, monitored, and reported at their operating temperature, with no further NSPS action required. However, if it is suspected that a subsurface oxidation is occurring at the well(s), the situation will be further investigated. If it is confirmed that subsurface oxidation is present, the well(s) will be shutoff as provided for under 40 CFR §60.753(b)(1) and corrective measures implemented. This is the approach that is suggested in the NSPS regulation, 40 CFR §60.753(b)(1) and(3) which allows a facility to operate a well with positive pressure if the well is decommissioned and/or suspected to have elevated temperatures due to a fire. While the well is shut-off monthly monitoring will continue in order to evaluate when the well has been remediated. Once it is determined that any subsurface oxidation has been extinguished, the well(s) will then be placed back into service or replaced as needed. Any well shut down due to a possible SSO will be noted in the Semi-Annual NSPS Report.

- A well exhibiting operating temperatures at 160ºF or greater during the monthly monitoring will be field tested for H2. If the field results indicate the H2 is in excess of 1% the well be identified as an AWR well and will then be operated, monitored, and reported at its operating temperature with no further NSPS action. If however, the results indicate the H2 level is below 1%, a gas sample will be collected and sent to a laboratory for analytical evaluation within 30 days of the initial monitoring event. Any well with greater than 160ºF and with a laboratory result indicating the H2 level is less than 1% will be turned off and further evaluated and treated as a potential SSO well. However if the laboratory or future field results indicate the H2 level is greater than 1% the valve at the well will remain opened and the well will be operated as an AWR well until either the temperature drops below 160ºF or the H2 levels drop below 1%. Any well operating as an AWR well will be noted in the Semi-Annual NSPS Report.

- All wells following this alternative with an operating temperature of greater than 131ºF will be monitored for four consecutive quarters for carbon monoxide and methane (one field or laboratory sample per quarter).

- Monthly field and laboratory readings of the AWR wells will be submitted in the Semi-Annual Title V/NSPS reports.

- Monthly visible observations for smoke and/or char for all ARW wells will be reported in the Semi-Annual Title V/NSPS reports.

4. **Section 5.4 Alternate for Corrective Measures -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated May 17, 2013.

40 CFR §60.755(a)(3) and §60.755(a)(5) of the NSPS require the landfill owner or operator to commence corrective action to remedy GCCS operating and compliance monitoring exceedances within 5 calendar days. If the condition cannot be corrected within 15 days of the initial exceedance more aggressive measures must be taken, including expansion of the GCCS, within 120 days of the initial reported exceedance, or an alternate remedy to correct the exceedance(s) and a corresponding timeline for implementation may be submitted for agency approval.
Based on TDEC guidance stated in the March 13, 2013 letter the procedures and timeline for responding to compliance monitoring exceedances are given below. The following corrective actions may be implemented (in lieu of expansion of the GCCS) during the 120-day assessment period:

(a) The site may make system adjustments, repair or replace existing damaged components (replacement of wellheads, faulty pumps, etc.), or install new components (e.g. installation of pumps in extraction wells, sumps, etc.).

(b) The site may assess whether the well has become nonproductive. If the well(s) are non-producing, the site may follow the actions described under section 5.2.

(c) If exceedances cannot be corrected as specified in (a) and (b) above, the site shall submit a timeline for GCCS

expansion or well abandonment. This timeline shall be submitted for Division approval, within 120 days of the initial reported exceedance.

(d) Records of all corrective actions will be maintained at the facility and made available for inspection by the Technical Secretary or his representative upon request. These records will be retained for a period of not less than five (5) years.

5. **Section 5.5 Migration/Odor Control -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated May 17, 2013.

The existing gas extraction system has connections to leachate sumps, and cleanout risers in order to extract gas from the leachate collection system for odor control. Future expansions to the gas collection system may also utilize leachate sumps, cleanout risers, and horizontal trenches as a method of interim odor control.
A review of the monitoring data and experience at other NSPS sites shows that these connections sometimes contain concentrations of nitrogen and oxygen similar to that of ambient air, above the NSPS thresholds. This is due to the fact that these components are designed to control odors. Therefore, the facility is requesting that the NSPS operated limits not apply to components strictly designed for odor control. All extraction components installed for odor control will be listed in the Semi-Annual Title V/NSPS. All other GCCS components, other than those strictly used for odor control, will comply with the NSPS requirements and any approved alternatives. To verify comprehensive control of the GCCS, the site will perform the required surface emissions monitoring.
Items which are installed for odor control will be reported as noted in this alternative and submitted to TDEC as either an "Insignificant Activity" or "Insignificant Emission Unit" or as a modification to the GCCS.

6. **Section 5.6 (Reserved) -** This section has been removed from the GCCS Design Plan.

7. **Section 5.7 Operational Standards -** The Division approved this alternative, pursuant to 40 CFR §60.752(b)(2)(i)(D), in a letter dated April 30, 2013.

40 CFR §60.753(c) requires nitrogen or oxygen to be monitored at each wellhead, but not both. As such, for this site oxygen will be used to determine the NSPS operational standard at each wellhead.

40 CFR §60.753(c)(2) requires the oxygen to be determined by an oxygen meter using Method 3A or Method 3C. However, a portable gas chromatograph, GEM-500, GEM-2000, LMS or equivalent in lieu of the laboratory methods will be used to measure oxygen concentrations. This method is the typical method used for landfills and is convenient as the equipment is available on-site to analyze landfill gas samples. The Title V/NSPS Semi-Annual reports will indicate when these instruments are used to collect oxygen data. The oxygen meter will be used, calibrated and maintained according to the manufacturer's instructions and the site will maintain a written record of the calibration and any action resulting from the calibration.

8. **Section 5.8 (Reserved) -** This section has been removed from the GCCS Design Plan.

9. **Section 5.9 (Reserved)** This section has been removed from the GCCS Design Plan.

10. **Section 5.10 Collection Device Abandonment -** The Division approved this alternative, pursuant to 40 CFR
§60.752(b)(2)(i)(D), in a letter dated April 30, 2013.

Due to changing conditions such as damage to a well during operations or long term non-productive areas, extraction wells may need to be re-drilled, abandoned, and/or decommissioned. It is proposed that the Middle Point Landfill will proceed with such changes without prior approval from the Administrator provided that Middle Point Landfill submits the following information in the Title V/NSPS Semi-Annual report for the period in which such changes were made:

(1) A description of the changes made
(2) Reason for the change(s), and
(3) An update to the GCCS Plan, certified by a professional engineer, and, at minimum consisting of:
    i. An updated GCCS Layout drawing; and
    ii. A statement that the GCCS will still have sufficient well density in compliance with the NSPS requirements of 40 CFR 60.759(a)

11. **Section 5.11 Early Installation of Collection Devices -** The Division approved this alternative, pursuant to 40

CFR
§60.752(b)(2)(i)(D), in a letter dated February 16, 2012.

The requirements of 40 CFR 60.755(b) states that each collection device shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of 5 years or more in active areas or 2 years or more if closed or at final grade. However, there may be occasions when Middle Point Landfill will decide to install collection devices prior to the onset of NSPS requirements. Based on the foregoing regulatory citation, any collection device installed prior to the requirements of NSPS will not be subject to the operational and/or record-keeping requirements of NSPS until the age of the initial waste placed reaches 5 years old if in an active area or 2 years old if closed or at final grade. To make certain that the Administrator is made fully aware of these special circumstances, Middle Point Landfill will include information in the semi-annual report required by NSPS and Title V indicating the date of initial collection device installation and the NSPS compliance date.

12. **Section 5.12 Flow Meters When No Bypass Is Present -** The Division approved this alternative, pursuant to 40 CFR
§60.752(b)(2)(i)(D), in a letter dated February 16, 2012.

40 CFR 60.756(b)(i)&(ii) requires the owner/operator to install flow meter to record flow to or bypass of the control device. However, the Municipal Solid Waste Landfill NSPS/EG-Questions And Answers (Q&A) document from the EPA indicates that LFG flow measurement or lock and key requirements would not apply to a GCCS that is designed such that there is no physical means to bypass the LFG flow before it reaches the control device. In the event that a malfunction occurs with the GCCS equipment, an electric or pneumatically operated valve has been designed to close to prevent the direct venting of raw LFG into the atmosphere. The existing GCCS design satisfies the foregoing LFG flow measurement/lock-and-key waiver criteria; therefore, BFI is requesting to not be required to install and operate flow-measuring device in accordance with the requirements of the NSPS. If Middle Point Landfill decides to install a flow measuring device, it will not be required to monitor or record flow in accordance with NSPS.

ATTACHMENT 3

APPLICABLE PARTS FROM CODE OF FEDERAL REGULATIONS, TITLE 40, PART 61, SUBPART M, NATIONAL EMISSION STANDARD FOR ASBESTOS

Title 40: Protection of Environment
PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Selected Parts from
Subpart M—National Emission Standard for Asbestos

Contents

§61.140 Applicability.
§61.141 Definitions.
Figure 4
§61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations.
§61.154 Standard for active waste disposal sites.

Authority: 42 U.S.C. 7401, 7412, 7414, 7416, 7601.

Source: 49 FR 13661, Apr. 5, 1984, unless otherwise noted.

§61.140 Applicability.

The provisions of this subpart are applicable to those sources specified in §§61.142 through 61.151, 61.154, and 61.155.

[55 FR 48414, Nov. 20, 1990]

§61.141 Definitions.

All terms that are used in this subpart and are not defined below are given the same meaning as in the Act and in subpart A of this part.

Active waste disposal site means any disposal site other than an inactive site.

Adequately wet means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

Asbestos means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite.

Asbestos-containing waste materials means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this subpart. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

Asbestos mill means any facility engaged in converting, or in any intermediate step in converting, asbestos ore into commercial asbestos. Outside storage of asbestos material is not considered a part of the asbestos mill.

Asbestos tailings means any solid waste that contains asbestos and is a product of asbestos mining or milling operations.

Asbestos waste from control devices means any waste material that contains asbestos and is collected by a pollution control device.

Category I nonfriable asbestos-containing material (ACM) means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Category II nonfriable ACM means any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Commercial asbestos means any material containing asbestos that is extracted from ore and has value because of its asbestos content.

Cutting means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.

Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

Emergency renovation operation means a renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden. This term includes operations necessitated by nonroutine failures of equipment.

Fabricating means any processing (*e.g.*, cutting, sawing, drilling) of a manufactured product that contains commercial asbestos, with the exception of processing at temporary sites (field fabricating) for the construction or restoration of facilities. In the case of friction products, fabricating includes bonding, debonding, grinding, sawing, drilling, or other similar operations performed as part of fabricating.

Facility means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.

Facility component means any part of a facility including equipment.

Friable asbestos material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

Fugitive source means any source of emissions not controlled by an air pollution control device.

Glove bag means a sealed compartment with attached inner gloves used for the handling of asbestos-containing materials. Properly installed and used, glove bags provide a small work area enclosure typically used for small-scale asbestos stripping operations. Information on glove-bag installation, equipment and supplies, and work practices is contained in the Occupational Safety and Health Administration's (OSHA's) final rule on occupational exposure to asbestos (appendix G to 29 CFR 1926.58).

Grinding means to reduce to powder or small fragments and includes mechanical chipping or drilling.

In poor condition means the binding of the material is losing its integrity as indicated by peeling, cracking, or crumbling of the material.

Inactive waste disposal site means any disposal site or portion of it where additional asbestos-containing waste material has not been deposited within the past year.

Installation means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator (or owner or operator under common control).

Leak-tight means that solids or liquids cannot escape or spill out. It also means dust-tight.

Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner so that emissions of asbestos are increased. Failures of equipment shall not be considered malfunctions if they are caused in any way by poor maintenance, careless operation, or any other preventable upset conditions, equipment breakdown, or process failure.

Manufacturing means the combining of commercial asbestos—or, in the case of woven friction products, the combining of textiles containing commercial asbestos—with any other material(s), including commercial asbestos, and the processing of this combination into a product. Chlorine production is considered a part of manufacturing.

Natural barrier means a natural object that effectively precludes or deters access. Natural barriers include physical obstacles such as cliffs, lakes or other large bodies of water, deep and wide ravines, and mountains. Remoteness by itself is not a natural barrier.

Nonfriable asbestos-containing material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Nonscheduled renovation operation means a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted.

Outside air means the air outside buildings and structures, including, but not limited to, the air under a bridge or in an open air ferry dock.

Owner or operator of a demolition or renovation activity means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

Particulate asbestos material means finely divided particles of asbestos or material containing asbestos.

Planned renovation operations means a renovation operation, or a number of such operations, in which some RACM will be removed or stripped within a given period of time and that can be predicted. Individual nonscheduled operations are included if a number of such operations can be predicted to occur during a given period of time based on operating experience.

Regulated asbestos-containing material (RACM) means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

Remove means to take out RACM or facility components that contain or are covered with RACM from any facility.

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

Resilient floor covering means asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than 1 percent asbestos as determined using polarized light microscopy according to the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Roadways means surfaces on which vehicles travel. This term includes public and private highways, roads, streets, parking areas, and driveways.

Strip means to take off RACM from any part of a facility or facility components.

Structural member means any load-supporting member of a facility, such as beams and load supporting walls; or any nonload-supporting member, such as ceilings and nonload-supporting walls.

Visible emissions means any emissions, which are visually detectable without the aid of instruments, coming from RACM or asbestos-containing waste material, or from any asbestos milling, manufacturing, or fabricating operation. This does not include condensed, uncombined water vapor.

Waste generator means any owner or operator of a source covered by this subpart whose act or process produces asbestos-containing waste material.

Waste shipment record means the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of asbestos-containing waste material.

Working day means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

[49 FR 13661, Apr. 5, 1984; 49 FR 25453, June 21, 1984, as amended by 55 FR 48414, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991; 60 FR 31920, June 19, 1995]

Generator	1. Work site name and mailing address	Owner's name	Owner's telephone no.
	2. Operator's name and address		Operator's telephone no.
	3. Waste disposal site (WDS) name, mailing address, and physical site location		WDS phone no.
	4. Name, and address of responsible agency		
	5. Description of materials	6. Containers No. Type	7. Total quantity m^3 (yd^3)
	8. Special handling instructions and additional information		
	9. OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.		
	Printed/typed name & title	Signature	Month Day Year
Transporter	10. Transporter 1 (Acknowledgment of receipt of materials)		
	Printed/typed name & title Address and telephone no.	Signature	Month Day Year
	11. Transporter 2 (Acknowledgment of receipt of materials)		
	Printed/typed name & title Address and telephone no.	Signature	Month Day Year
Disposal Site	12. Discrepancy indication space		
	13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item 12.		
	Printed/typed name & title	Signature	Month Day Year

(Continued)

Figure 4. Waste Shipment Record

INSTRUCTIONS

Waste Generator Section (Items 1-9)

1. Enter the name of the facility at which asbestos waste is generated and the address where the facility is located. In the appropriate spaces, also enter the name of the owner of the facility and the owner's phone number.

2. If a demolition or renovation, enter the name and address of the company and authorized agent responsible for performing the asbestos removal. In the appropriate spaces, also enter the phone number of the operator.

3. Enter the name, address, and physical site location of the waste disposal site (WDS) that will be receiving the asbestos materials. In the appropriate spaces, also enter the phone number of the WDS. Enter "on-site" if the waste will be disposed of on the generator's property.

4. Provide the name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.

5. Indicate the types of asbestos waste materials generated. If from a demolition or renovation, indicate the amount of asbestos that is

   - Friable asbestos material
   - Nonfriable asbestos material

6. Enter the number of containers used to transport the asbestos materials listed in item 5. Also enter one of the following container codes used in transporting each type of asbestos material (specify any other type of container used if not listed below):

   DM - Metal drums, barrels
   DP - Plastic drums, barrels
   BA - 6 mil plastic bags or wrapping

7. Enter the quantities of each type of asbestos material removed in units of cubic meters (cubic yards).

8. Use this space to indicate special transportation, treatment, storage or disposal or Bill of Lading information. If an alternate waste disposal site is designated, note it here. Emergency response telephone numbers or similar information may be included here.

9. The authorized agent of the waste generator must read and then sign and date this certification. The date is the date of receipt by transporter.

NOTE: The waste generator must retain a copy of this form.

(continued)

Figure 4. Waste Shipment Record

Transporter Section (Items 10 & 11)

10. & 11. Enter name, address, and telephone number of each transporter used, if applicable. Print or type the full name and title of person accepting responsibility and acknowledging receipt of materials as listed on this waste shipment record for transport. Enter date of receipt and signature.

NOTE: The transporter must retain a copy of this form.

Disposal Site Section (Items 12 & 13)

12. The authorized representative of the WDS must note in this space any discrepancy between waste described on this manifest and waste actually received as well as any improperly enclosed or contained waste. Any rejected materials should be listed and destination of those materials provided. A site that converts asbestos-containing waste material to nonasbestos material is considered a WDS.

13. The signature (by hand) of the authorized WDS agent indicates acceptance and agreement with statements on this manifest except as noted in item 12. The date is the date of signature and receipt of shipment.

NOTE: The WDS must retain a completed copy of this form. The WDS must also send a completed copy to the operator listed in item 2.

Figure 4. Waste Shipment Record

§61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations.

Each owner or operator of any inactive waste disposal site that was operated by sources covered under §61.142, 61.144, or 61.147 and received deposits of asbestos-containing waste material generated by the sources, shall:

(a) Comply with one of the following:

(1) Either discharge no visible emissions to the outside air from an inactive waste disposal site subject to this paragraph; or

(2) Cover the asbestos-containing waste material with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material. In desert areas where vegetation would be difficult to maintain, at least 8 additional centimeters (3 inches) of well-graded, nonasbestos crushed rock may be placed on top of the final cover instead of vegetation and maintained to prevent emissions; or

(3) Cover the asbestos-containing waste material with at least 60 centimeters (2 feet) of compacted nonasbestos-containing material, and maintain it to prevent exposure of the asbestos-containing waste; or

(4) For inactive waste disposal sites for asbestos tailings, a resinous or petroleum-based dust suppression agent that effectively binds dust to control surface air emissions may be used instead of the methods in paragraphs (a) (1), (2), and (3) of this section. Use the agent in the manner and frequency recommended for the particular asbestos tailings by the manufacturer of the dust suppression agent to achieve and maintain dust control. Obtain prior written approval of the Administrator to use other equally effective dust suppression agents. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(b) Unless a natural barrier adequately deters access by the general public, install and maintain warning signs and fencing as follows, or comply with paragraph (a)(2) or (a)(3) of this section.

(1) Display warning signs at all entrances and at intervals of 100 m (328 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:

(i) Be posted in such a manner and location that a person can easily read the legend; and

(ii) Conform to the requirements for 51 cm×36 cm (20″×14″) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	**Notation**
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) Fence the perimeter of the site in a manner adequate to deter access by the general public.

(3) When requesting a determination on whether a natural barrier adequately deters public access, supply information enabling the Administrator to determine whether a fence or a natural barrier adequately deters access by the general public.

(c) The owner or operator may use an alternative control method that has received prior approval of the Administrator rather than comply with the requirements of paragraph (a) or (b) of this section.

(d) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site under this section, and follow the procedures specified in the notification. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

(1) Scheduled starting and completion dates.

(2) Reason for disturbing the waste.

(3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.

(4) Location of any temporary storage site and the final disposal site.

(e) Within 60 days of a site becoming inactive and after the effective date of this subpart, record, in accordance with State law, a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:

(1) The land has been used for the disposal of asbestos-containing waste material;

(2) The survey plot and record of the location and quantity of asbestos-containing waste disposed of within the disposal site required in §61.154(f) have been filed with the Administrator; and

(3) The site is subject to 40 CFR part 61, subpart M.

[49 FR 13661, Apr. 5, 1984, as amended at 53 FR 36972, Sept. 23, 1988. Redesignated and amended at 55 FR 48429, Nov. 20, 1990]

§61.154 Standard for active waste disposal sites.

Each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under §61.149, 61.150, or 61.155 shall meet the requirements of this section:

(a) Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of paragraph (c) or (d) of this section must be met.

(b) Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of paragraph (c)(1) of this section must be met.

(1) Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must:

(i) Be posted in such a manner and location that a person can easily read the legend; and

(ii) Conform to the requirements of 51 cm × 36 cm (20″×14″) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block.
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.

(3) Upon request and supply of appropriate information, the Administrator will determine whether a fence or a natural barrier adequately deters access by the general public.

(c) Rather than meet the no visible emission requirement of paragraph (a) of this section, at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

(1) Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, or

(2) Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Administrator. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(d) Rather than meet the no visible emission requirement of paragraph (a) of this section, use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.149(c)(2).

(e) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name, address, and telephone number of the transporter(s).

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.

(v) The date of the receipt.

(2) As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.

(3) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA

Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

(4) Retain a copy of all records and reports required by this paragraph for at least 2 years.

(f) Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area.

(g) Upon closure, comply with all the provisions of §61.151.

(h) Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.

(i) Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section.

(j) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

(1) Scheduled starting and completion dates.

(2) Reason for disturbing the waste.

(3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.

(4) Location of any temporary storage site and the final disposal site.

(Secs. 112 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7412, 7601(a))

[49 FR 13661, Apr. 5, 1990. Redesignated and amended at 55 FR 48431, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

ATTACHMENT 4

Applicability of NESHAP General Provisions to Subpart AAAA

Table 1 to Subpart AAAA of Part 63—Applicability of NESHAP General Provisions to Subpart AAAA

Citation	Description	Applies to subpart	Explanation
§63.1(a)	Applicability: General applicability of NESHAP in this part	Yes	
§63.1(b)	Applicability determination for stationary sources	Yes	
§63.1(c)	Applicability after a standard has been set	Yes	
§63.1(e)	Applicability of permit program before relevant standard is set	Yes	
§63.2	Definitions	Yes	
§63.3	Units and abbreviations	Yes	
§63.4	Prohibited activities and circumvention	Yes	
§63.5(a)	Construction/reconstruction	Yes	
§63.5(b)	Requirements for existing, newly constructed, and reconstructed sources	Yes	
§63.5(d)	Application for approval of construction or reconstruction	Yes	
§63.5(e) and (f)	Approval of construction and reconstruction	Yes	
§63.6(a)	Compliance with standards and maintenance requirements—applicability	Yes	
§63.6(b) and (c)	Compliance dates for new, reconstructed, and existing sources	Yes	
§63.6(e)(1)(i)-(ii)	Operation and maintenance requirements	No	See §63.1955(c) for general duty requirements.
63.6(e)(3)(i)-(ix)	SSM plan	No	
63.6(f)(1)	Exemption of nonopacity emission standards during SSM	No	
§63.6(f)(2) and (3)	Compliance with nonopacity emission standards	Yes	
§63.6(g)	Use of an alternative nonopacity standard	Yes	
§63.6(h)	Compliance with opacity and visible emission standards	No	Subpart AAAA does not prescribe opacity or visible emission standards.
§63.6(i)	Extension of compliance with emission standards	Yes	
§63.6(j)	Exemption from compliance with emission standards	Yes	
§63.7	Performance testing	Yes	
§63.7(e)(1)	Conditions for performing performance tests	No	40 CFR 63.1959(f) specifies the conditions for performing performance tests.
§63.8(a) and (b)	Monitoring requirements—Applicability and conduct of monitoring	Yes	
§63.8(c)(1)	Operation and Maintenance of continuous emissions monitoring system	Yes	

§63.8(c)(1)(i)	Operation and Maintenance Requirements	No	Unnecessary due to the requirements of §63.8(c)(1) and the requirements for a quality control plan for monitoring equipment in §63.8(d)(2).
§63.8(c)(1)(ii)	Operation and Maintenance Requirements	No	
§63.8(c)(1)(iii)	SSM plan for monitors	No	
§63.8(c)(2)-(8)	Monitoring requirements	Yes	
§63.8(d)(1)	Quality control for monitors	Yes	
§63.8(d)(2)	Quality control for monitors	Yes	
§63.8(d)(3)	Quality control records	No	See §63.1983(c)(8).
§63.9(a), (c), and (d)	Notifications	Yes	
§63.9(b)	Initial notifications	Yes[2]	
§63.9(e)	Notification of performance test	Yes[2]	
§63.9(f)	Notification of visible emissions/opacity test	No	Subpart AAAA does not prescribe opacity or visible emission standards.
§63.9(g)	Notification when using CMS	Yes[2]	
§63.9(h)	Notification of compliance status	Yes[2]	
§63.9(i)	Adjustment of submittal deadlines	Yes	
§63.9(j)	Change in information already provided	Yes	
§63.10(a)	Recordkeeping and reporting—general	Yes	
§63.10(b)(1)	General recordkeeping	Yes	
§63.10(b)(2)(i)	Startup and shutdown records	No	See §63.1983(c)(6) for recordkeeping for periods of startup and shutdown.
§63.10(b)(2)(ii)	Recordkeeping of failures to meet a standard	No	See §63.1983(c)(6)-(7) for recordkeeping for any exceedance of a standard.
§63.10(b)(2)(iii)	Recordkeeping of maintenance on air pollution control equipment	Yes	
§63.10(b)(2)(iv)-(v)	Actions taken to minimize emissions during SSM	No	See §63.1983(c)(7) for recordkeeping of corrective actions to restore compliance.
§63.10(b)(2)(vi)	Recordkeeping for CMS malfunctions	Yes	
§63.10(b)(2)(vii)-(xiv)	Other Recordkeeping of compliance measurements	Yes	
§63.10(c)	Additional recordkeeping for sources with CMS	No	See §63.1983 for required CMS recordkeeping.
§63.10(d)(1)	General reporting	Yes	
§63.10(d)(2)	Reporting of performance test results	Yes	
§63.10(d)(3)	Reporting of visible emission observations	No	
§63.10(d)(4)	Progress reports for compliance date extensions	Yes	

§63.10(d)(5)	SSM reporting	No	All exceedances must be reported in the semi-annual report required by §63.1981(h).
§63.10(e)	Additional reporting for CMS systems	Yes	
§63.10(f)	Recordkeeping/reporting waiver	Yes	
§63.11	Control device requirements/flares	Yes	§60.18 is required before September 27, 2021. However, §60.18 and 63.11 are equivalent.
§63.12(a)	State authority	Yes	
§63.12(b)-(c)	State delegations	Yes	
§63.13	Addresses	Yes	
§63.14	Incorporation by reference	Yes	
§63.15	Availability of information and confidentiality	Yes	

[1]Before September 28, 2021, this subpart requires affected facilities to follow 40 CFR part 60, subpart WWW, which incorporates the General Provisions of 40 CFR part 60.

[2] If an owner or operator has complied with requirements that are parallel to the requirements of the part 63 citation of this table under 40 CFR part 60, subpart WWW or subpart XXX, or a state or federal plan that implements 40 CFR part 60, subpart Cc or Cf, then additional notification for that requirement is not required.

TAPCR 1200-03-09-.03(8)

ATTACHMENT 5

EMISSION STATEMENT FOR VOC AND NO_X

Facility (Permittee) BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill

Facility ID 75-0381

Calendar Year _____

TOTAL CALENDAR YEAR ACTUAL EMISSIONS:

a) If either amount is 25 tons or greater, enter the amounts of both pollutants; or
b) If the amount of each pollutant is less than 25 tons, please enter 'L. T. 25'.

VOC _____ Tons

NOx _____ Tons

As the Responsible Person of the above mentioned facility (permittee), I certify that the above information concerning VOC and NO_X emissions to be accurate and true to the best of my knowledge. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Signature		Date
Signer's name (print)	Title	Phone (with area code)

ATTACHMENT 6
TITLE V FEE SELECTION

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL
Davy Crockett Tower, 7th Floor
500 James Robertson Parkway, Nashville, TN 37243
Telephone: (615) 532-0554, Email: Air.Pollution.Control@TN.gov

APC 36

TITLE V FEE SELECTION

Type or print and submit to the email address above.

FACILITY INFORMATION

1. Organization's legal name and SOS control number [as registered with the TN Secretary of State (SOS)]

2. Site name (if different from legal name)

3. Site address (St./Rd./Hwy.)	County name
City	Zip code

4. Emission source reference number	**5.** Title V permit number

FEE SELECTION

This fee selection is effective beginning January 1, _____. When approved, this selection will be effective until a new Fee Selection form is submitted. Fee Selection forms must be submitted on or before December 31 of the annual accounting period.

6. Payment Schedule (choose one):

Calendar Year Basis (January 1 – December 31) ☐ Fiscal Year Basis (July 1 – June 30) ☐

7. Payment Basis (choose one):

Actual Emissions Basis ☐ Allowable Emissions Basis ☐ Combination of Actual and Allowable Emissions Basis ☐

8. If Payment Basis is "Actual Emissions" or "Combination of Actual and Allowable Emissions", complete the following table for each permitted source and each pollutant for which fees are due for that source. See instructions for further details.

Source ID	Pollutant	Allowable or Actual Emissions	If allowable emissions: Specify condition number and limit. If actual emissions: Describe calculation method and provide example. Provide condition number that specifies method, if applicable.

8. (Continued)

Source ID	Pollutant	Allowable or Actual Emissions	If allowable emissions: Specify condition number and limit. If actual emissions: Describe calculation method and provide example. Provide condition number that specifies method, if applicable.

CONTACT INFORMATION (BILLING)

9. Billing contact			Phone number with area code
Mailing address (St./Rd./Hwy.)			Fax number with area code
City	State	Zip code	**Email address**

SIGNATURE BY RESPONSIBLE OFFICIAL

Based upon information and belief formed after reasonable inquiry, I, as the responsible person of the above mentioned facility, certify that the information contained in the submittal is accurate and true to the best of my knowledge. As specified in TCA Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

10. Signature	Date

ATTACHMENT 7
ALTERNATIVE CO TEST METHODS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

Solid Waste Working Group
c/o Matthew W. Morrison
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street NW
Washington, DC 20036-3006

10/06/2021

Dear Mr. Morrison:

I am writing in response to the letter from the National Waste & Recycling Association, the Solid Waste Association of North America, Waste Management, and Republic Services (collectively, the Solid Waste Working Group or SWWG) requesting approval of an alternative test method. The original letter was submitted on July 24, 2020, and the final version was submitted on August 30, 2021. In that letter, the SWWG, on behalf of their member organizations, seek the use of an alternative test method in lieu of a requirement found in 40 CFR 63, Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills Residual Risk and Technology Review (Subpart AAAA).

Subpart AAAA, §63.1961(a)(5) states that when a facility seeks to demonstrate compliance with the operational standard for temperature found in §63.1958(c)(1), the facility must initiate enhanced monitoring at each well with a landfill gas temperature greater than 62.8 degrees Celsius (145 degrees Fahrenheit). That enhanced monitoring includes, among other things, measuring the carbon monoxide concentrations using Method 10 (40 CFR 60, Appendix A), as specified by §63.1961(a)(5)(vi). In lieu of Method 10, you propose the use of the alternative method included as an attachment to this letter. The original alternative method was developed by the SWWG, and the work group members conferred with EPA staff to develop the attached final version. You state that if the candidate method is approved, it would not impact the stringency of the final rule, nor impede EPA's policy of ensuring compliance with environmental and safety standards at municipal solid waste landfills.

We have reviewed your original submittal and the attached final version of the method in detail and based on that review, we are approving your alternative test method request to allow the use of the test method included as an attachment to this letter in lieu of Method 10, as specified by §63.1961(a)(5)(vi) of Subpart AAAA. We agree that the alternative method will be adequate for measurement of carbon monoxide from the wellheads and will not impact the stringency of Subpart AAAA. We also find it reasonable that this alternative test method approval be broadly applicable to facilities subject to Subpart AAAA including the requirements of §63.1961(a)(5)(vi), which specify the use of Method 10 and, for that reason, we will post this letter as ALT-143 on our website at *http://www3.epa.gov/ttn/emc/approalt.html* for use by facilities subject to those requirements.

This alternative test method approval is applicable to demonstrate compliance with the requirements of §63.1961(a)(5)(vi) of Subpart AAAA. This approval does not address the use of this alternative method for performance testing required under State Implementation Plans (SIP) or state/local/tribal regulations. Application of this alternative test method for such regulations is subject to the approval of the administrative authority for the applicable regulation(s).

If you should have any questions or require further information regarding this approval, please call Kim Garnett of my staff at 919-541-1158 or email her at *garnett.kim@epa.gov*.

Sincerely,

Steffan M Johnson

Johnson, Steffan

Digitally signed by Johnson, Steffan
Date: 2021.10.06 08:08:40 -04'00'

Steffan M. Johnson, Group Leader
Measurement Technology Group

cc: Amy Banister, Waste Management
Jason DeWees, EPA/OAQPS/SPPD
Robin Dunkins, EPA/OAQPS/SPPD
Kim Garnett, EPA/OAQPS/AQAD
Anne Germain, National Waste and Recycling Association
Michael Jensen, Waste Management
Lula Melton, EPA/OAQPS/AQAD
Andrew Sheppard, EPA/OAQPS/SPPD
Nikki Wuestenberg, Republic Services
EPA Regional Testing Contacts

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

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We have reviewed your original submittal and the attached final version of the method in detail and based on that review, we are approving your alternative test method request to allow the use of the test method included as an attachment to this letter in lieu of Method 10, as specified by §63.1961(a)(5)(vi) of Subpart AAAA. We believe this alternative method will be adequate for measurement of carbon monoxide from the wellheads and will not impact the stringency of Subpart AAAA. We also find it reasonable that this alternative test method approval be broadly applicable to facilities subject to Subpart AAAA including the requirements of §63.1961(a)(5)(vi), which specify the use of Method 10 and, for that reason, we will post this

letter as ALT-144 on our website at *http://www3.epa.gov/ttn/emc/approalt.html* for use by facilities subject to those requirements.

This alternative test method approval is applicable to demonstrate compliance with the requirements of §63.1961(a)(5)(vi) of Subpart AAAA. This approval does not address the use of this alternative method for performance testing required under State Implementation Plans (SIP) or state/local/tribal regulations. Application of this alternative test method for such regulations is subject to the approval of the administrative authority for the applicable regulation(s).

If you should have any questions or require further information regarding this approval, please call Kim Garnett of my staff at 919-541-1158 or email her at *garnett.kim@epa.gov*.

Sincerely,

Johnson, Steffan
Digitally signed by Johnson, Steffan
Date: 2021.10.06 08:04:09 -04'00'

Steffan M. Johnson, Group Leader
Measurement Technology Group

attachment

cc: Amy Banister, Waste Management
Jason DeWees, EPA/OAQPS/SPPD
Robin Dunkins, EPA/OAQPS/SPPD
Kim Garnett, EPA/OAQPS/AQAD
Anne Germain, National Waste and Recycling Association
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letter as ALT-145 on our website at *http://www3.epa.gov/ttn/emc/approalt.html* for use by facilities subject to those requirements.

This alternative test method approval is applicable to demonstrate compliance with the requirements of §63.1961(a)(5)(vi) of Subpart AAAA. This approval does not address the use of this alternative method for performance testing required under State Implementation Plans (SIP) or state/local/tribal regulations. Application of this alternative test method for such regulations is subject to the approval of the administrative authority for the applicable regulation(s).

If you should have any questions or require further information regarding this approval, please call Kim Garnett of my staff at 919-541-1158 or email her at *garnett.kim@epa.gov*.

Sincerely,

Johnson, Steffan

Digitally signed by Johnson, Steffan
Date: 2021.10.06 08:05:43 -04'00'

Steffan M Johnson

Steffan M. Johnson, Group Leader
Measurement Technology Group

attachment

cc: Amy Banister, Waste Management
Jason DeWees, EPA/OAQPS/SPPD
Robin Dunkins, EPA/OAQPS/SPPD
Kim Garnett, EPA/OAQPS/AQAD
Anne Germain, National Waste and Recycling Association
Michael Jensen, Waste Management
Lula Melton, EPA/OAQPS/AQAD
Andrew Sheppard, EPA/OAQPS/SPPD
Nikki Wuestenberg, Republic Services
EPA Regional Testing Contacts

TITLE V PERMIT STATEMENT

Facility Name:	BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill
City:	Murfreesboro
County:	Rutherford

Date Request Received:	August 1, 2024
Date Request Deemed Complete:	August 1, 2024

Emission Source Reference No.:	75-0381
Permit No.:	582631

INTRODUCTION

This narrative is being provided to assist the reader in understanding the content of the attached Title V operating permit. This Title V Permit Statement is written pursuant to Tennessee Air Pollution Control Rule 1200-03-09-.02(11)(f)1.(v). The primary purpose of the Title V operating permit is to consolidate and identify existing state and federal air requirements applicable to **BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill** and to provide practical methods for determining compliance with these requirements. The following narrative is designed to accompany the Title V Operating Permit. It initially describes the facility receiving the permit, then the applicable requirements and their significance, and finally the compliance status with those applicable requirements. This narrative is intended only as an adjunct for the reviewer and has no legal standing. Any revisions made to the permit in response to comments received during the public participation process will be described in an addendum to this narrative.

Acronyms

PSD	Prevention of Significant Deterioration
NESHAP	National Emission Standards for Hazardous Air Pollutants
NSPS	New Source Performance Standards
MACT	Maximum Achievable Control Technology
NSR	New Source Review
GHGs	Greenhouse Gases
CAM	Compliance Assurance Monitoring
NMOC	Non-Methane Organic Compound

I. Identification Information

A. **Source Description**

A. Source Description

01: **Municipal Solid Waste Landfill:** BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill is a municipal solid waste landfill located in Murfreesboro. The facility operates a landfill gas collection and control system with an enclosed flare to combust the collected landfill gas. The facility is a Class 1 landfill subject to 40 CFR Part 62 Subpart OOO (Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014). In April of 2021, Middle Point Landfill submitted an application for a lateral expansion, however the expansion has not been approved due to ongoing litigation. Additionally, the landfill is subject to 40 CFR Part 63 Subpart AAAA (National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills) and 40 CFR 61 Subpart M (National Emission Standard for Asbestos).

04: **Gasoline Dispensing Facility (GDF)**: The gasoline storage tank is used to fuel onsite vehicles and is subject to Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

B. **Title V Permit History**

1. The first Title V Permit (No. 548535) was issued on May 26, 1999, and the second Title V Permit (No. 556490) was issued on February 24, 2014, to BFI Waste Systems of North America, Inc. - Middle Point Landfill.
2. After issuance of Title V Permit No. 548535, an application for an Administrative Permit Amendment (Log No. 2028) was received, for a change in responsible official. Instead of issuing an Administrative Permit Amendment, the change in responsible official was addressed in the renewal permit #556490.
3. Administrative Permit Amendment#1 (Log No. 17526) to permit #556490 for a change in responsible was received on January 26, 2015, and was issued on March 25, 2015.
4. A Title V permit renewal application was received August 27, 2018, for the new Title V Permit (No. 574840). This renewal will include the information contained in the September 13, 2019, Operational Flexibility Request (flare replacement).
5. Administrative Permit Amendment#2 (Log No. 91922) to permit #556490 for a change in the annual accounting period was received on November 21, 2018, and issued on January 18, 2019. Also, permit condition B10 was changed to RESERVED in the table of contents, and permit conditions D11-D14 were added to the table of contents.
6. Administrative Permit Amendment#3 (Log No. 100260) to permit #556490 for a change in responsible was received on February 19, 2019, and issued on April 10, 2019.
7. Administrative Permit Amendment#4 (Log No. 106164) to permit #556490 was issued on June 25, 2019. This administrative amendment removes pages 58 through 102 from the permit, because they were part of the permit record elsewhere. These pages were parts of documents produced during the public hearing in year 2013.
8. The contacts list was updated after a letter was received on September 17, 2019.
9. The September 13, 2019, Operational Flexibility Request was issued on October 15, 2019.
10. The Title V Permit renewal (No. 574840) was issued on January 30, 2020, and is the third Title V Permit for the landfill.
11. Administrative Permit Amendment#1 (Log No. 130587) to permit #574840 was put in effect to remove statements in the permit referencing 40 CFR 63 CCCCCC and was issued on April 6, 2020. Since **BFI Waste Systems of Tennessee, LLC dba Middle Point Landfill** is a major source of hazardous air pollutants. Consequently, it is not subject to 40 CFR 63 CCCCCC.

12. The submitted enclosed flare performance test dated May 28, 2020, confirms the facility's compliance with federal emissions standards.
13. A letter dated September 4, 2020, designates Aaron W. Smith, Environmental Manager, as the new Technical/Billing Contact.
14. A letter dated February 20, 2025, updates facility contacts and designates Lindsey Turtle, General Manager, as the new Responsible Official, and Laura Stanford, Business Unit Finance Manager, as the new Billing Contact.
15. Pursuant to the Division's request, on March 20, 2025, the Permittee provided, via electronic mail, documentation detailing proposed New Source Performance Standards (NSPS) compliance alternatives. This documentation, as submitted, is attached to the Title V permit.
16. A letter dated February 20, 2025, updates facility contacts and designates Lindsey Turtle, General Manager, as the new Responsible Official, and Laura Stanford, Business Unit Finance Manager, as the new Billing Contact.
17. All reference to TAPCR 1200-03-11 and 1200-06-16 were removed from the permit, because they were repealed from the State's Air Pollution Control Regulations.
18. A letter dated June 17, 2025, designates Holly Van Kirk, Environmental Manager, as the new Technical Contact for the permitted facility.
19. Title V permit renewal application dated August 1, 2024, for renewal of the new Title V Permit (No. 582631) was issued on August XX, 2025. Based on permittee's emissions calculations, hazardous air pollutant (HAP) emissions were determined to be less than 10 tons per year for any individual HAP and less than 25 tons in aggregate. Therefore, the source is now subject to 40 CFR 63 Subpart CCCCCC, as specified in the permit.

    Following the Permittee's review of the draft permit, several references to 40 CFR Part 63, Subpart AAAA, were incorporated into the draft permit.

    Additionally, the permittee formally requested the removal of all references to the "general provisions" of 40 CFR Part 62, Subpart OOO, from the draft permit. This request was predicated on the argument that said general provisions are intended solely for application to governmental authorities and were not intended for the Permittee's operations. The Division's Technical Lead approved this request for removal, concurring with the Permittee's interpretation.

C. **Facility Classification**

1. Attainment or Non-Attainment Area Location
   Area is designated as an attainment area for all criteria pollutants.
2. Company is located in a Class II area.

D. **Regulatory Status**

1. PSD/NSR

   This facility is not a major source under PSD.

2. Title V Major Source Status by Pollutant

Pollutant	Is the pollutant emitted?	If emitted, what is the facility's status?	
		Major Source Status	Non-Major Source Status
PM	Yes	x	
PM_{10}	Yes		x
SO_2	Yes	x	
VOC	Yes		x

NO_X	Yes		x
CO	Yes	x	
Individual HAP	Yes		x
Total HAPs	Yes		x

3. MACT Standards

This facility is not a major source of HAPs. This facility is subject to Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities and Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. The NESHAP applicable requirements for the facility are included in the permit.

4. Program Applicability

Are the following programs applicable to the facility?

PSD: no

NESHAP: yes (Subpart M, Subpart CCCCCC, and Subpart AAAA)

Federal Plan: yes (Subpart OOO)

II. Compliance Information

A. Compliance Status

Is the facility currently in compliance with all applicable requirements? yes

Are there any applicable requirements that will become effective during the permit term? no

III. Other Requirements

A. Emissions Trading

The facility is not involved in an emission trading program.

B. Acid Rain Requirements

This facility is not subject to any requirements in Title IV of the Clean Air Act.

C. Prevention of Accidental Releases

Not Applicable

IV. Public Participation Procedures

Notification of this draft permit was mailed to the following environmental agencies:

1. EPA
2. Davidson County Metropolitan Health Department

V. Permit Revisions in Response to Comments Received During the Public Participation Process

Date of Public Notice:	TBD
Date of Public Hearing:	TBD

Summary of comments

Commenter	Comments	Response
EPA	TBD	N/A
Public	TBD	N/A

VI. Summary of Allowable Emissions by Source Number

Source 75-0381	PM (TPY)	SO_2 (TPY)	CO (TPY)	VOC (TPY)	NO_x (TPY)	HAP (TPY)	GHG ($TPY/10^3$)
01	20.59	242.13	247.03	2.01	74.11	10.75	
Fugitive[2]				20.51		13.00	
Fugitive[3]	92.93						
04				0.07			
00[1]	113.52	242.13	247.03	22.59	74.11	23.75	

[1] Source 00 represents facility wide emissions.
[2] Fugitive emissions emerging from landfill subsurface.
[3] Fugitive dust due to vehicle activity at the landfill.

VII. Summary of Emissions for Fee Purposes

Landfills are required to pay fees according to regulation 1200-03-26-.02(2)(d)3, although the Division does not set allowable emission limits for landfills. Fugitive PM emissions are not subject to fees unless the permit includes fugitive emission limits, which this permit does not. The permit's Fee Emissions Summary Table (Section E1) confirms that fugitive PM emissions are not included

Source 75-0381	PM (TPY)	SO_2 (TPY)	CO (TPY)	VOC (TPY)	NO_x (TPY)	HAP (TPY)	GHG ($TPY/10^3$)
01	20.59	242.13	247.03	2.01	74.11	10.75	
Fugitive[2]				20.51		13.00	
Fugitive[3]							
04				0.07			
00[1]	20.59	242.13	247.03	22.59	74.11	23.75	

[1] Source 00 represents facility wide emissions. HAP emissions are not included in the VOC or PM emissions.
[2] Fugitive emissions emerging from landfill subsurface.
[3] Fugitive dust due to vehicle activity at the landfill.
[*] The permit contains allowable emission limitations only for fee purposes (Section E1: Fee Emissions Summary). The Division does not set allowable emission limits in permits for landfills. However, the Permittee must pay fees pursuant to 1200-03-26-.02(2)(d)3. Fugitive emission fees other than PM are assessed and are included in the Section E1 (Fee Emissions Summary). Fugitive PM emissions are not in E1 of the permit or in the Air Pollution Control Database (Smoglog Table of Emissions). Also, emission fees are not assessed for CO and Green House Gas (GHG) emissions, fugitive or otherwise.