COMMONWEALTH OF
PUERTO RICO
Environmental Quality Board

TITLE V OPERATING PERMIT
AIR QUALITY AREA
ENVIRONMENTAL QUALITY BOARD

Permit Number:	PFE-TV-4953-63-0611-0348
Application Receipt Date:	June 2, 2011
Effective or Issue Date:	June 27, 2016
Expiration Date:	June 27, 2021

In conformity with the provisions of Part VI of the Regulation for Atmospheric Pollution Control (RCAP) and the provisions of the Code of Federal Regulations (CFR), Volume 40, Part 70 we authorize:

MUNICIPALITY OF SALINAS LANDFILL
SALINAS, PUERTO RICO

hereinafter **VMS** or the **permittee,** to operate a stationary source of air pollutants emissions consisting of the units described in this permit. Until this permit expires, is modified or revoked, the permittee will be able to emit atmospheric pollutants as a result of those processes and activities directly related and associated with the sources of emission, in compliance with the requirements, limitations and conditions of this permit, until its expiration date or until such is modified or revoked.

The conditions of the permit will be enforceable by the federal and state government. Those requirements that are enforceable only by the state government will be identified as such in the permit. A copy of the permit must be kept in the aforementioned facility at all times.

Cruz A. Matos Environmental Building
Urb. San José Industrial Park, 1375 Ave. Ponce de León, San Juan, PR 00926-2604
P.O. Box 11488, San Juan, PR 00910
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Section I - General Information

A. Facility Information

Name of the Owner:	Municipality of Salinas
Postal Address	P.O. Box 1149 Salinas, P.R. 00732
Facility Name:	Municipality of Salinas Landfill
Facility Location:	PR-3, Km 152.7 Salinas, Puerto Rico
Responsible Official:	Allyson Blease General Manager Allied Waste of Ponce, Inc.
Phone:	787-824-3060
Fax:	787-824-4792
Technical Contact:	Allyson Blease General Manager Allied Waste of Ponce, Inc.
Postal Address	P.O. Box 7104 Ponce, P.R. 00732
Phone:	787-788-7171
Fax:	787-275-1670
SIC Primary Code:	4953

B. Process Overview

The Municipality of Salinas Landfill (**VMS**) is an active solid waste municipal landfill that that initiated operations in 1976, approximate close year is 2030. Approximately 150,000 tons of non-hazardous solid waste is deposited a year at **VMS**.

The **VMS** is located on Road PR-3 Km 152.7 in Salinas, Puerto Rico. Allied Waste of Ponce, Inc., administrates the Municipal Sanitary Landfill System of Salinas.
The **VMS** trucks or vehicles used for the transportation of solid waste are weighed and are directed to the work area of the landfill (download area) to be discharged. Excavators and / or compactors spread and compact waste after discharge. At the end of each workday, the compacted waste is covered with soil.

The decomposition of waste encapsulated in municipal waste produce gas (landfill gas) consisting of methane (CH_4), carbon dioxide (CO_2) and other non-methane organic compounds (NMOC). The gas generated in the **VMS** does not exceed 50 megagrams per year, so that at the moment of granting this authorization it does not require installation of a gas control or extraction system.

The Municipality of Salinas Landfill is subject to the Title V permit requirements for having a Design Capacity greater than 2.5 million megagrams and 2.5 million cubic meters, and for being a major source of greenhouse gases (GHGs), in excess of 100,000 tons per year expressed as CO_2e. The landfill is a minor source of hazardous air pollutants.

Section II - Emission Units Description

The emission units regulated by this permit are the following:

Emission Unit	Description	Control Equipment
EU-1	**Active Municipal Sanitary Landfill System (F-01)** The landfill accepts municipal solid waste since 1976. It has a design capacity of 5,935,028 cubic meters and 5,288,175 megagrams. It accepts waste at a rate of 150,000 tons per year. Maximum landfill gas generation: 25,930 ton / year[1] Approximate closusre year: 2030	None
EU-2	**Activity on Roadway** Consists of the transportation of non-hazardous waste from the entrance of the landfill to the open designated area to discharge waste (working area). Fugitive emissions.	CD-1 Water Aspersion

[1] Tier 2 Test Result was 11.74 Mg/year, approved by EQB on August 3, 2012.

Emission Unit	Description	Control Equipment
EU-3	**Storage, Handling and Transportation of Cover Material (F-03)** It consists of handling and hauling 53,100 tons / year of covering material, which is transferred from the storage piles to active disposal area. Fugitive emissions.	CD-1 Water Aspersion

Section III – Permit General Condition

1. **Sanctions and Penalties: VMS** is required to comply with all the terms, conditions, requirements, limitation and restrictions established in this permit. Any violation of the terms will be subject to administrative, civil or criminal measures, as established in Article 16 of the Environmental Public Policy Law (Law Number 416 of September 22, 2004, as amended).

2. **Right of Entry:** As specified under Rules 103 and 603(c)(2) of the RCAP, **VMS** must allow the entry of the EQB representatives to their facilities, after they identify themselves presenting their credentials, to perform the following activities:

   a. To enter or access any location where a source of emissions is located or where activities related to air emissions are conducted, or where files are kept according to the conditions of the permit, the agreement with the RCAP or under the Federal Clean Air Act;

   b. To have access and copy, during reasonable hours, to any file that must be preserved according to the conditions of the permit, the agreement with the RCAP or under the Federal Clean Air Act;

   c. Inspect and examine any facility, equipment (including sampling equipment and air pollutants control equipment), practices or operations (including methods used for quality control) regulated or required under the permit, as well as making emissions and fuel sampling;

   d. As authorized by the Law and the Regulation, sampling the substances or the parameters during reasonable hours in order to ensure the compliance with the permit and other applicable requirements.

3. **Affidavit:** All the required reports in conformity with Rule 103(D) of the RCAP (semiannual monitoring reports and annual compliance certification) must be submitted with a sworn declaration or affidavit by the Responsible Official or a duly

authorized representative. In the affidavit it must be certified that the registered information and the reports are true, accurate and complete.

4. **Data Availability:** As specified under Rule 104 of the RCAP, all the emission data obtained by or submitted to the EQB, including the data informed according to Rule 103 of the RCAP, as well as those obtained in any other way, must be available for public inspection and must also be made accessible to the public in any other way that the EQB considers appropriate.

5. **Emergency Plan:** As specified under Rule 107 of the RCAP, **VMS** will have available an Emergency Plan, which will be consistent with adequate safety practices and will provide for the reduction or retention of the facility emissions during periods classified by the EQB as warnings, watches or emergencies. These plans must identify the sources of emission, include the reduction to be attained for each source and the way such reduction will be accomplished. These plans will be available at all times for the inspection of any authorized representative of the EQB.

6. **Air Pollution Control Equipment or Measures** **VMS** must comply with Rule 108 of the RCAP, as follows:

   a. All the air pollution control equipment or measures must have in place the necessary control to ensure the continuous compliance with the applicable rules and regulations. This equipment or measures must be installed, preserved and operated according to the conditions imposed by this Title V permit within the operational limits specified by the manufacturer.

   b. The material gathered from the equipment for air pollution control must be disposed according to the applicable rules and regulations. The removal, handling, transportation, storage, treatment or disposal will be done in a way that will not cause environmental degradation and in conformity with the applicable rules and regulations.

   c. The EQB could require, when considered appropriate, to safeguard the health and wellbeing of people, the installation and maintenance of an additional, complete and separate air pollution control equipment with a capacity that could be even equal to the capacity of the primary control equipment. Moreover, it could be required that such air pollution control equipment be operated continuously and along with the regularly required air pollution control equipment.

   d. All air pollution control equipment must be operated at all times while the source of emission under control is operating.

e. In case the operation of the air pollution control equipment is discontinued to provide scheduled maintenance, the intention to discontinue the operation of said equipment will be informed to the Board, at least 3 days in advance. The prior notice shall include, but will not be limited to the following:

i. Identification of the specific source that will be out of service, as well as its location and permit number.

ii. The expected time the air pollution control equipment will be out of service.

iii. The nature and amount of air pollutants that will be probably emitted while the control equipment is out of service.

iv. Those special measures that will be taken to shorten the disuse period of the control equipment, such as the use of irregular personnel and additional equipment.

v. The reasons why it would be impossible or impractical to cease the operations of the source during the maintenance period.

7. **Compliance Certification:** According to Rule 602(c)(2)(ix)(C) of the RCAP, **VMS** shall submit each year a compliance certification. This certification shall be submitted both to the Board and to the Environmental Protection Agency[2], no later than April 1st of each year, covering the previous natural year. The compliance certification shall include, but is not limited to, the information required under Rule 603(c) of the RCAP as follows:

a. The identification of each term or condition of the permit that supports the certification; and

b. The compliance status. Each deviation shall be identified and taken in consideration in the compliance certification; and

c. If the compliance was continuous or intermittent; and

d. The methods or other means used to determine the compliance status of the source in each term and condition, currently and throughout the report period, consistent with sections (a)(3) - (5) of Rule 603 of the RCAP; and

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[2] The certification for the EQB must be sent by mail to: Manager, Air Quality Area, P.O. Box 11488, San Juan, PR, 00910. The certification for the EPA must be sent by mail to: *Chief, Enforcement and Superfund Branch, CEPD, US EPA-Region II, City View Plaza – Suite 7000, #48 Rd. 165 Km 1.2 Guaynabo, P.R. 787-00968-8069*

e. Identify the possible exceptions to compliance, any period during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (CAM) has occurred; and

f. Any other facts the Board may require to determine the compliance status of the source.

8. **Regulatory Compliance:** As specified under Rule 115 of the RCAP, in case of infringements to the RCAP or any other applicable rule or regulation, the EQB may suspend, modify or revoke this authorization permit, variance or any other authorization issued by the EQB according to the Uniform Administrative Procedures Law.

9. **Location Approval:** As specified under Rule 201 of the RCAP, nothing in this permit shall be construed as authorizing the location or construction of a major stationary source or major modification of a major stationary source, without prior authorization from the EQB and without demonstrating compliance with the National Standards for Ambient Air Quality (NAAQS). This permit does not authorize the construction of a new minor source without obtaining a construction permit as provided under Rule 203 of the RCAP.

10. **Objectionable Odors:** As specified under Rule 420 of the RCAP, **VMS** will not cause or allow the emission to the atmosphere of matter that produces an *objectionable or unpleasant* odor that can be perceived in an area other than those that have been designated for industrial purposes. If objectionable odors are detected beyond the premises that have been designated for industrial purposes and complaints are received, **VMS** shall investigate and take actions to minimize or eliminate the objectionable odors if necessary. [This condition is enforceable only by the State].

11. **Permit Renewal Applications:** As specified in Rule 602(a)(1)(iv) of the RCAP, **VMS** must submit its request for permit renewal to the EQB at least 12 months before its expiration date. The responsible official must certify the forms required under paragraph (c)(3) of Rule 602 of the RCAP.

12. **Permit Duration:** As specified under Rule 603 of the RCAP, the following terms apply during the duration of this permit:

(a) Expiration: This authorization shall have a fixed term of five (5) years. The due date is automatically extended until the Board approves or denies a request for renewal (Rule 605(c)(4)(ii) of the RCAP) but only in cases where the permittee submits a complete application for renewal at least twelve (12) months before the expiration date. (Rule 603(a)(2), Rule 605(c)(2) and Rule 605(c)(4) of the RCAP)

(b) Permit shield: As specified under Rule 605(c)(4)(i) of the RCAP, the permit shield may extend to the time it is renewed if a complete renewal application is submitted on time.

(c) In the event that this permit is challenged by third parties, the permit shall remain in effect until the moment it is revoked by a court of law with jurisdiction over the matter.

13. **Recordkeeping Requirements:** As specified in Rule 603(a)(4)(ii) of the RCAP, **VMS** shall retain records of all required sampling data and support information for a period of 5 years from the date of sampling, measurement, report or sampling application

14. **Semiannual Monitoring/Sampling Reports[3]:** According to Rule 603(a)(5)(i) of the RCAP, **VMS** shall submit to the Board reports on all sampling, every six months, or more frequently if required by the EQB or any other applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official as provided in Rule 602(c)(3) of the RCAP. The report that covers the period from January to June must be submitted no later than October 1st of the same year and the report covering the period from July to December must be submitted no later than April 1st of next year. Once the guidelines are developed by the Board, they must be used to complete these reports

15. **Reporting Emergency-Related Deviations:** According to Rule 603(a)(5)(ii)(a) of the RCAP, any deviation resulting from a disruption (such as a sudden failure or breakdown) or emergency as defined under Rule 603(e) of the RCAP must be reported within the next 2 working days from the time the emission limits were exceeded due to the emergency if **VMS** wants to use the affirmative defense authorized under Rule 603(e) of the RCAP. If **VMS** uses the emergency defense in an enforcement action, it shall present proof demonstrating that the deviation occurred due to an emergency and that the Board was duly notified. If such emergency deviation lasts for more than 24 hours, the affected units may be operated until the end of the cycle or for 48 hours, whichever occurs first. The Board may only extend the operation of an emission source in excess of 48 hours, if the source demonstrates to the satisfaction of the Board that the National Standards for Air Quality will not be exceeded and there will be no risk to public health.

[3] These reports cover two major elements. The first element is the summary of all periodic monitoring / sampling required in this permit. The second element requires that all deviations from permit conditions are clearly identified, summarized and reported to the Board.

16. **Reporting Deviations (Hazardous Air Pollutants):** The source will act as specified in its Emergency Response Plan (established in Rule 107(C) of the RCAP), where such a plan has shown there is no significant impact on the premises other than those that have been designated for industrial purposes or cease operations immediately if there is a significant impact on premises other than those that have been designated for industrial purposes (This condition is enforceable only by the State). According to Rule 603(a)(5)(ii)(b) of the RCAP, the Board will be notified within the next 24 hours if there is a deviation that results in the release of hazardous air pollutant emissions for more than one hour in excess of the applicable limit. For the discharge of any regulated air pollutant that continues for more than two hours in excess of the applicable limit, the Board shall be notified within 24 hours of the deviation. **VMS** shall also submit to the EQB within 7 days of the deviation, a detailed written report, including the probable cause, time and duration of the deviation, remedial action taken and steps followed to prevent recurrence.

17. **Severability Clause:** As specified under Rule 603(a)(6) of the RCAP, the provisions of this permit are severable. In the event of a successful challenge to any part of the permit in an administrative or judicial forum, or if any clause of the permit is declared invalid, such determination shall not affect the remaining provisions contained herein, including those relating to emission limits, terms and conditions whether they are specific or general as well as the sampling, recordkeeping and reporting requirements.

18. **Permit Non-Compliance:** As specified under Rule 603(a)(7)(i) of the RCAP, the permittee shall comply with all the permit conditions. Permit non-compliance constitutes a violation of the RCAP and will be grounds for taking the appropriate enforcement action, impose sanctions, revoke, cancel, modify and reissue the permit or deny the application for renewal.

19. **Disallowed Defense:** As specified under Rule 603 (a)(7)(ii) of the RCAP, **VMS** shall not use as a defense for an enforcement action, the statement that it would have been necessary to halt or reduce the allowed activity to be in compliance with the permit conditions.

20. **Permit Modification and Revocation:** As specified under Rule 603(a)(7)(iii), this permit may be modified, revoked, reopened, reissued or terminated with cause. The filing of a petition by **VMS** for modification, revocation and reissuance or termination of the permit, or of a notification of planned changes or anticipated non-compliance does not suspend any permit condition.

21. **Property Rights:** As specified under Rule 603(a)(7)(iv) of the RCAP, this permit does not create or convey any property rights of any sort or any exclusive rights.

22. **Obligation to Furnish Information:** As specified under Rule 603(a)(7)(v) of the RCAP, **VMS** shall furnish to the Board, within a reasonable time, any information that the EQB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine whether the permit is being complied with. Upon request, **VMS** shall also furnish to the EQB copies of all the documents required by this permit.

23. **Change in Operating Scenarios:** As specified under Rule 603(a)(10) of the RCAP, **VMS** shall, contemporaneously with making a change from one scenario to another, record in a logbook the scenario under which it is operating. This log is kept onsite at all times.

24. **Prohibition on Default Issuance:** As specified under Rule 605(d) of the RCAP, it will never be considered that a permit has been issued by default as a result of the failure of EQB to take final action on a permit application within 18 months. The fact that the EQB did not issue a final permit within 18 months should be treated as a final action solely for the purpose of obtaining a judicial review in state court.

25. **Administrative Permit Amendments and Modification:** As specified under Rule 606 of the RCAP, no amendments or changes to the permit are allowed unless **VMS** meets the requirements for administrative permit amendments and modifications established under the RCAP.

26. **Permit Reopening:** As specified under Rule 608(a)(1), this permit shall be reopened and revised under the following circumstances:

    a. When additional requirements under any law or regulation become applicable to **VMS**, provided that the term of duration of the permit runs for three additional years or more. Such reopening shall be completed 18 months after the applicable requirement is promulgated. No such reopening is required if the effective date of the requirement is later than the date of expiry of the permit, unless the original permit or any of its terms and conditions have been extended pursuant to Rule 605(c)(4)(i)or 605(c)(4)(ii) of the RCAP.

    b. Whenever the EQB or EPA determines that the permit contains a factual error or that inaccurate statements were made when establishing the emission standards or other terms or conditions of the permit.

    c. Whenever the EQB or EPA determines that the permit must be revised or revoked to assure compliance with applicable requirements.

27. **Change of Name or Responsible Official:** This permit is issued to the **Municipality of Salinas Landfill.** In the event that the company or facility name changes, the responsible official must submit an administrative amendment to the permit to reflect the change in name. In case the responsible official changes, the new responsible official must submit, no later than 30 days after the change, an administrative amendment including an affidavit in which he/she accepts and commits to comply with all the conditions established in this permit.

28. **Change of Ownership:** This permit is issued to the **Municipality of Salinas Landfill.** In the event that the company or facility is transferred to another owner or changes operational control and the Board determines that no other change is necessary, the new responsible official must submit an administrative amendment. The administrative amendment shall include an affidavit in which the new responsible official accepts and commits to comply with all the conditions established in this permit, and a written agreement containing the specific date for transfer of responsibility, coverage and permit responsibility between the current and new permit holder. This does not apply if the Board determines that changes to the permit are necessary.

29. **Materials containing asbestos: VMS** shall comply with the provisions published in the 40 CFR §61.145 and §61.150 and Rule 422 of the RCAP when conducting any renovation work or demolition of materials containing asbestos in its facilities. **VMS** is not authorized to receive materials containing asbestos in the landfill system.

30. **Risk Management Plan:** If during the term of this permit **VMS** is subject to the 40 CFR part 68, it shall submit a Risk Management Plan according to the compliance schedule in 40 CFR part 68.10. If during the term of this permit, **VMS** is subject to 40 CFR part 68, as part of the annual compliance certification required under 40 CFR part 70, it shall include a compliance certification with the requirements of part 68, including the registration and Risk Management Plan.

31. **General Obligation: VMS** has the general obligation to identify hazards that may result from accidental releases of a controlled substance under Section 112(r) of the Federal Clean Air Act or any other extremely hazardous substance in a process, using generally accepted analysis techniques, designing, maintaining and operating a safe facility, and minimize the consequences of accidental releases if they occur, as required under Section 112(r)(1) of the Federal Clean Air Act and Rule 107(D) of the RCAP.

32. **Refrigerant Requirements (Climatology Protection and Stratospheric Ozone):**

    a. If there are refrigeration equipment or appliances in its facilities, including air conditioners using refrigerants classified as Class I or II under 40 CFR Part 82, Subpart A, Appendices A and B, **VMS** will provide maintenance,

service or repair according with the practices, personnel certification requirements, disposal requirements, and certification requirements for recycling and recovery equipment pursuant to 40 CFR Part 82, Subpart F.

b. Owners or operators of appliances normally containing 50 or more pounds of refrigerant must keep records of purchases of refrigerant and refrigerant added to such equipment's pursuant to §82.166.

c. Repair of Motor Vehicles: **VMS** shall comply with all applicable requirements in 40 CFR 82 Subpart B, Servicing of Motor Vehicle Air Conditioners, if repairs are made to motor vehicles air conditioners involving cooling/refrigerant substances (or substitute regulated substances) affecting the ozone layer. The term motor vehicle, as used in Subpart B does not include cooling systems for compressed air used as refrigerated cargo or system with refrigerant HCFC-22 used on passenger buses.

33. **Labeling of Products that use ozone-depleting substances: VMS** shall comply with the standards for labeling products that use ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E.

a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce according to 40 CFR §82.106.

b. The placement of the required warning statement must comply with the requirements under 40 CFR §82.108.

c. The shape of the label bearing the required warning statement must comply with the requirements under 40 CFR §82.110.

d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR §82.112.

34. **Roof Surface Coating:** According to Rule 424 of the RCAP, **VMS** will not cause or allow the application of hot tar or any other coating material containing organic compounds without prior approval of the Board. The use of used oil or hazardous waste for waterproofing is prohibited. This rule does not apply to activities where tar or insulating material is applied without heat and contains no asbestos. [This is a state-only enforceable requirement.]

35. **Storage Tanks: VMS** shall maintain records of all *fuel oil* storage tanks in the facility including the dimensions of each tank and an analysis showing the capacity of

each tank according to 40 CFR §60.116b. This documentation shall be available for review by the technical staff of the Board at all times and be maintained at the facility for the life of the tank.

36. **Compliance Clause:** The compliance with this permit in no way relieves **VMS** to comply with other state and federal laws, regulations, permits, administrative orders or applicable court orders.

37. **Emissions Calculation: VMS** shall submit on April 1st of each year, the calculation of actual or allowable emissions of the previous calendar year. The emissions calculation shall be submitted on the forms prepared by the Board for this purpose and the responsible official must certify that all information is true, correct and representative of the activity included in the permit.

38. **Annual Fee:** According to Rule 610 of the RCAP, **VMS** will submit an annual payment based on the emissions calculations for each regulated pollutant. Payment shall be based on actual emissions at the rate of $37.00 per ton, unless the Board decides otherwise pursuant to Rule 610(b)(2)(iv) of the RCAP. This payment for the previous calendar year must be made on or before June 30 of each year.

39. **Amendments or New Regulations:** In case a regulation is established or an existing (state or federal) regulation is amended that applies to the facility, the provisions of this regulation or amendment shall be complied with when it becomes effective. The Board shall provide a specific and reasonable period for **VMS** to comply with amendments or new regulations

40. **Reports:** Any requirement related to sending information to the Board should be addressed to: Manager, Air Quality Area, PO Box 11488, San Juan, PR 00910.

41. **Reservation of Rights or Rights Reserved:** Except as expressly provided in this Title V permit:

    a. Nothing contained herein shall prevent the Board or EPA to take administrative enforcement measures or legal action to enforce the terms of the Title V permit, including but not limited to the right to seek an injunction and impose statutory penalties and fines.

    b. Nothing herein shall be construed to limit the rights of the Board or EPA to undertake any criminal enforcement activity against **VMS** or anyone.

    c. Nothing herein shall be construed to limit the authority of the Board or EPA to undertake any action in response to conditions that present an imminent and substantial health, welfare or environmental hazard.

d. Nothing herein shall be construed to limit the rights of **VMS** to an administrative hearing and judicial review of a termination/ revocation/denial action according to the Regulations and the Environmental Public Policy Law.

Section IV- Allowable Emissions

A. The emissions described on the following table represent the facility allowable emissions of the facility and will be used for payment purposed only.

Contaminantes	Emisiones Permisibles (toneladas/año)
PM_{10}	53.69
VOC	6.24
CO	3.39
HAPs	9.08
CO_2e	164,446
NMOC[4]	44.30

B. According to EQB Resolution RI-06-02[5], emission calculations shall be based on the actual emissions of **VMS**; although calculations based on the allowable emissions will be accepted. If **VMS** decides to perform calculations based on allowable emissions, **VMS** shall pay the same charge per ton that as the facilities that decide to do the calculation based on actual emissions.

C. According to Rule 610(a) of the RCAP, when **VMS** requests a modification, or minor administrative change to its Title V permit, the source will only pay the charges associated with increases in emissions (if any) per ton, based on the change and not based on the total fees previously paid according to Rule 610(a) of the RCAP.

D. According to EQB Resolution R-04-04-1[6], to determine the modification and renewal charges, **VMS** shall calculate allowable emissions with factors K, Lo and

[4] This number was obtained using the equation in section 60.754(a)(1)(ii) del 40 CFR. However, NMOC emission testing as Tier 2 is of 11.74 Mg / year (12.94 ton / year).
[5] EQB Resolution – Payment procedure for Title V operation fees and renewal fees for Title V permit of March 20, 2006.
[6] EQB Resolution – Consultation to Government Board regarding annual calculation of Sanitary Landfill gas

C_{NMOC} established under Rule 704(a) of the RCAP or specific values of k and C_{NMOC} as determined under Rule 704(c) and (d) of the RCAP.

E. According to EQB Resolution R-12-17-5[7], those sources that must include or estimate GHGs emission are exempt from payment for Greenhouse Gases (CO_2, N_2O, CH_4, CO_2e) in conformity with the Tailoring Rule for Title V permits until the Board issues a final determination stating the emissions charges or any other charges if needed or by repeal of this Resolution R-12-17-5, whichever comes first.

Section V - Specific Permit Conditions

A. Compliance with Rule 402 of the RCAP (Open Burning) for EU-1:

1. According to Rule 402(D) of the RCAP, **VMS** shall not allow open burning of refuse, tires or other solid waste disposed in EU-1. In order to comply, **VMS** must prepare and obtain immediate approval of the following operating procedures within 90 days of the effective date of this permit:

   a. A fire abatement plan to control any open burning in the property or by the sanitary landfill boundaries.

   b. The fire abatement plan must have the concurrence of the State and Municipal Fire Department

B. Unit EU-1

1. **VMS** shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originated. [Rule 404 (B) of the RCAP]

2. The responsible official shall perform daily visible observations during operation of the Sanitary Landfill System (SLS) to determine compliance with visible emission limits mentioned in condition B.1. [PFE-63-0207-0008-I-C]

3. The permittee shall maintain a record of the results of the daily visible emission observations. This record shall be kept accessible at all time at the facility for review by the technical staff of the EQB and EPA. [PFE-63-0207-0008-I-C]

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emissions to the atmosphere of February 27, 2004.

[7] EQB Resolution – Tailoring Requirements for Greenhouse Gases (GHGs) – Payment exemption of September 7, 2012.

4. **VMS** must use dust suppression measures, as necessary, to comply with the limits specified under condition B.1. of this section. [PFE-63-0207-0008-I-C]

5. **VMS** must register daily when using dust suppression equipment for processes, which are manually operated and intermittent. For example, the operation of water trucks to spray the roads. This log shall be kept accessible at all times at the facility for review by the technical staff of the EQB and EPA.

6. **VMS** shall maintain appropriate and functional equipment for dust suppression in the SLS at all times. [PFE-63-0207-0008-I-C]

7. **VMS** must cover, at all times while in motion, open bodied trucks transporting materials likely to release airborne particulate matter. [Rule 404(A)(4) of the RCAP]

8. When reasonable, **VMS** shall pave the roads and keep them clean. [Rule 404(A)(6) of the RCAP]

9. **VMS** shall promptly remove earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, by erosion by water, or by other means. [Rule 404(A)(7) of the RCAP]

10. Every area, lot or part of a piece of land intended for parking with a capacity greater than 900 square feet must be paved with concrete, asphalt, equivalent hard surface or chemically stabilization on all its accesses and internal roads where unpaved traffic adjoin paved roadways and parking areas. [Rule 404(D) of the RCAP]

11. The maximum design capacity of the Sanitary Landfill System of Salinas shall not exceed the **5,935,028 cubic meters, and 5,288,175 megagrams.** [PFE-63-0207-0008-I-C]

C. Conditions under Part 60, Subpart WWW Title 40 Code of Federal Regulations (40 CFR, in English), Standards of Performance for Municipal Sanitary Landfill System.

1. **VMS** shall comply with all applicable requirements of the Standards of Performance for Municipal Solid Waste Landfill contained in Part 60 of Title 40 Code of Federal Regulations (40 CFR), Subpart WWW for the EU-1 unit. [PFE-63-0207-0008-I-C]

2. The owner or operator shall comply with section 60.752 (b) (2) of 40 CFR or calculate an NMOC emission rate for the landfill using the procedures specified in Section 60.754 of 40 CFR. [40 CFR §60.752 (b)]

3. **VMS** shall comply with the provisions set forth in section 60.752 (b) (1) as follows:

    a. The owner or operator of the permit shall submit an annual emissions report to the EPA with a copy to the Board, except as provided in Section 60.757 (b) (1) (ii) of 40 CFR; and

    b. Recalculate the NMOC emission rate annually using the procedures specified in Section 60.754 (a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

4. The owner or operator of SLS will calculate the NMOC emission rate using the equations provided in Section 60.754 (a)(1) of 40 CFR. The owner or operator shall compare the calculated NMOC mass emission rate to the standard 50 megagrams per year.

    a. If the NMOC emission rate as required in **condition 2** of this section, is less than 50 megagrams per year, the owner of the landfill shall submit an emission rate report as provided in Section 60.757(b)(1) and shall recalculate the NMOC mass emission rate annually as required in section 60.752 (b)(1) of 40 CFR.

    b. If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the owner of the landfill shall either comply with the provisions of section 60.752 (b)(2) of 40 CFR, or determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in Section 60.754 (a)(3) 40 CFR.

5. The owner or operator may use other methods to determine the NMOC concentration or a site-specific k as an alternative to the methods required, as long as the method has been approved by EPA as provided in Section 60.754 (a)(5) of 40 CFR.

6. The owner or operator shall determine the NMOC concentration using the sampling procedure as defined in section 60.754 (a)(3), also shall;

    a. Recalculate the NMOC mass emission rate using the equations provided in Section 60.754 (a)(1)(i) or (a)(1)(ii) and using the average NMOC concentration from the collected samples instead of the default value in the equation provided in section 60.754 (a) (1) of 40 CFR.

    b. If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the

landfill owner or operator shall either comply with §60.752(b)(2), or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in section 60.754 (a) (4) of 40 CFR.

c. If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in Section 60.757 (b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in Section 60.754 of 40 CFR.

7. In accordance with Section 60.757 (b)(1) of 40 CFR, the NMOC emissions rate report shall contain an annual or 5-years estimate of the NMOC emission rate calculated using the formula and procedures provided in section 60.754 (a) or (b) of 40 CFR, as applicable.

8. In accordance with Section 60.757 (b)(1)(ii) of 40 CFR, if the estimated NMOC emission rate as reported in the annual report to the EPA and the Board, is less than 50 megagrams per year, in each of next 5 consecutive year, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-years period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the five years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the EPA with a copy to the Board. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-years estimate, a revised 5-years estimate shall be submitted to the EPA with a copy to the Board. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance.

9. In accordance with Section 60.757 (b)(2) of 40 CFR, the NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate annual 5-years emissions.

10. **VMS** shall install and operate a collection and control system of gases within the itinerary established in 40 CFR Part 60, subpart WWW and that meets the applicable requirements described in this subpart. **VMS** shall install a collection and control system that captures the gas generated within the landfill within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in Section 60.757 (c)(1) or (2) of 40 CFR. [40 CFR § 60.752 (b)(2)(ii)]

11. If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, **VMS** shall submit a collection and control system design plan prepared by a professional engineer to EPA with copy to the Board, within 1 year. [40 CFR § 60.752 (b)(2)(i)]

    a. The collection and control system as described in the plan, shall meet the design requirements of 40 CFR § 60.752 (b) (2) (ii) of 40 CFR. [40 CFR §60.752 (b)]

    b. The collection and control system design plan shall include any alternative to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of sections 60.753 through 60.758 of 40 CRF. [40 CFR § 60.752 (b) (2) (i) (B)]

    c. The collection and control system design plan shall either conform with specifications for active collection systems 40 CFR §60.759 or include a demonstration to the EPA's and the Board's satisfaction of the sufficiency of the alternative provisions to 40 CFR § 60.759. [40 CFR § 60.752 (b) (2) (i) (C)]

    d. The EPA and the Board shall review the information submitted under paragraph (b)(2)(i)(A), (B) and (C) of the section 60.752 of the 40 CFR and either approve it, disapprove it, or request that additional information be submitted. [40 CFR 60.752 (b) (2) (i) (D)]

12. **Comparing Levels of Prevention of Significant Deterioration (PSD).** The owner or operator of each MSW landfill shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels established in Section 51.166 or 52.21 of 40 CFR using the Federal Environmental Protection Agency Compilation of Air Pollutants Emission Factors (AP-42) or other EPA approved measurement procedures. [40 CFR §60.754 (c)]
13. **VMS** shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report, which triggered section 60.752(b) of 40 CFR, 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.

D. **Conditions per subpart AAAA, Part 63 of Title 40 of CFR - *National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills***

1. If the design capacity of the sanitary landfill system is equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m^3) and has estimated uncontrolled emissions equal to or greater than 50 megagrams per year (Mg/yr) NMOC as calculated according to Section 60.754 (a) of 40 CFR, **VMS** would be

affected by the provisions of 40 CFR Part 63, Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. [40 CFR 63.1935 (a) (3)]

2. According to section 63.1945(e) of 40 CFR, if the sanitary landfill system meets the criteria of section 63.1935(a)(3) of 40 CFR, **VMS** must comply with the requirements of sections 63.1955(b), 63.1960 through 63.1980 of 40 CFR and its general provisions set out in Table 1 of 40 CFR Part 63 Subpart AAAA, by the date your required is required to install a collection and control system by 40 CFR 60.752 (b)(2) of subpart WWW.

3. Expected at the begin operating of the collection and control system (section 63.1945(a) of 40 CFR), **VMS** must develop a written startup, shutdown, and malfunction plan (Startup, Shutdown and Malfunction) according to the requirements of 40 CFR §63.6(e)(3). In accordance with section 60.752 (b) (2) (ii) of 40 CFR, the collection and control system should be installed within 30 months after the first annual report in which the emission rate equals or exceeds the 50 megagrams per year NMOC.

E. **Units EU-2 and EU-3**

1. Road activities of **VMS** including hauling and disposal of refuse are limited to an operation of 8 hours a day, 5.5 days per week. The velocity of transportation vehicles on unpaved roads shall not exceed 15.5 miles per hour. [Cumulative Increase; emission calculations] [PFE-63-0207-0008-I-C]

2. The permittee shall not cause or permit visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originated. [Rule 404 (B) of the RCAP]

3. **VMS** shall perform daily visual observations during the SLS operation to determine compliance with the visible emissions limitations mentioned in condition 2 of this section. [PFE-63-0207-0008-I-C]

4. The permittee shall keep a record with the results of daily visual observations. This record shall be kept available at any times at the facility for the revision of technical personnel of the Board and the EPA. [PFE-63-0207-0008-I-C]

5. **VMS** shall apply asphalt, water, or suitable chemicals and use vegetation on dirt roads or roads under construction, materials, stockpiles, and other surfaces which can give rise to airborne dust. [Rule 404 (A)(2) of the RCAP]

6. The permittee shall employ dust suppression measures as needed to meet the emission limitation mentioned in condition 2 of this section. [PFE-63-0207-0008-I-C]

7. **VMS** shall record each use of dust suppression equipment for processes which are manually operated and are intermittent. For example: operation of a water truck to spray roads. This record shall be kept readily accessible at any times at the facility for revision of the technical personnel of the Board and the EPA. [PFE-63-0207-0008-I-C]

8. The permittee shall maintain at the SLS appropriate equipment for dust suppression and in working order at all times of operation of the SLS. [PFE-63-0207-0008-I-C]

9. **VMS** shall cover, at all times, when in motion, of open bodied trucks, transporting materials likely to give rise to airborne dusts. [Rule 404 (A)(4) of the RCAP]

10. When reasonable, the **VMS** shall pave the roadways and maintain them in clean conditions. [Rule 404 (A) (6) of the RCAP]

11. The responsible official shall remove earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, by erosion by water or by other means. [Rule 404 (A)(7) of the RCAP]

12. Every area, lot or part of a pieces of land intended for parking with a capacity greater than 900 square feet must be paved with concrete, asphalt, equivalent hard surface or chemical stabilization on all its access and internal roads where unpaved traffic adjoin paved roadways and parking areas. [Rule 404(D) of the RCAP]

13. **VMS** shall retain records of all required monitoring data and support information for a period of 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. [Rule 603(a)(40 (ii) of the RCAP]

Section VI - Insignificant Emission Units

The following activities will be considered insignificant if **VMS** meets the descriptions below and is not subject to an applicable requirement.

Identification of Emission Source	Units	Description (Exemption Base)
Storage tanks with lower capacity of 10,000 gallons.	9	Appendix B.3.ii (N) del RCAP.

Identification of Emission Source	Units	Description (Exemption Base)
Any vehicle engines (two bulldozers, a compactor, a backhoe, three dump trucks, and a truck with water suction).	8	Appendix B.3. iii del RCAP

Section VII – Permit Shield

A. In accordance with Rule 603(D) of the RCAP, compliance with permit conditions shall be deemed compliant with any requirement applicable at the date of issuance, provided that this requirement is specifically identified in the permit.

(1) Non Applicable Requirements

Non Applicable Requirements	Regulation	Reason for Non Applicability
Emission Guidelines for Municipal Sanitary Landfills Systems.	Part VII of the Regulations for the Control of Atmospheric Pollution.	It is a modified facility. Subject to 40 CFR Part 60 Subpart WWW.
National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills of	40 CFR Part 63 Subpart AAAA	Not applicable to SLS with Design Capacity greater than 2.5 million mega grams and 2.5 million cubic meters and a lower emission rate of 50 megagrams per year of NMOC.

Section VIII – Permit Approval

By virtue of the powers vested in the Environmental Quality Board by the Environmental Public Policy Law, Law No. 416 of September 22, 2004, as amended, and after verifying the administrative file and compliance with the Uniform Administrative Procedure Law, Law No. 170 of August 12, 1988, as amended, the Federal Clean Air Act, Environmental Public Policy Law and the Regulation for the Control of Atmospheric Pollution of Puerto Rico, the Environmental Quality Board approves the permit subject to the terms and conditions therein expressed.

In San Juan, Puerto Rico, June 9, 2016.

ENVIRONMENTAL QUALITY BOARD

Suzette M. Meléndez Colón
Vice President

Rebeca Acosta Pérez
Associate Member

Weldin F. Ortiz Franco
President

APPENDIX

Appendix I - Definitions and Abbreviations

A. Definitions:

1. Law - Federal Clean Air Act, as amended, *42 U.S.7401, et seq.*
2. Responsible Official - See the definition of Responsible Official as established under the Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board (1995).
3. Regulation - Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board.
4. Title V - Title V of the Federal Clean Air Act (*42 U.S.C. 7661*).

B. Abbreviations

AP-42	*Compilation of Air Pollutant Emission Factors*
Btu	British Thermal Unit
C_{NMOC}	Non Methane Organic Compounds Concentration
CH_4	Methane
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
NMOC	Non Methane Organic Compounds
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
GHG	Greenhouse Gases
HAP	Hazardous Air Pollutants
EQB	Environmental Quality Board of Puerto Rico

k	Methane Generation Rate Constant
Mg	Megagrams
MMBtu	Million Btu
NESHAP	National Emission Standards for Hazardous Air Pollutants
NAAQS	National Ambient Air Quality Standards
NSPS	New Sources Performance Standards
NO_x	Nitrogen oxides
NMHC	Non-methane hydrocarbons
Pb	Lead
PM	Particulate matter
PM_{10}	Particulate matter with a particle which diameter has an aerodynamic mass size equal to or less than (10) microns
PSD	Prevention of Significant Deterioration
RCAP	Environmental Quality Board - Regulation for the Control of Atmospheric Pollution
RMP	Risk Management Plan
SIC	Standard Industrial Classification
scfm	Standard cubic feet per minute
SLS	Sanitary Landfill System
SO_x	Sulfur oxide
SO_2	Sulfur dioxide
VMS	Municipality of Salinas Landfill *(acronym in Spanish)*
VOC	Volatile Organic Compounds

COMMONWEALTH OF
PUERTO RICO
Environmental Quality Board

STATEMENT OF BASIS – TITLE V PERMIT
MUNICIPALITY OF SALINAS LANDFILL
PFE-TV-4953-63-0611-0348

The Environmental Quality Board (EQB) is issuing a Title V permit pursuant to Title 40 of the Code of Federal Regulations (CFR), Part 70 and Part VI of the Regulation for the Control of Atmospheric Pollution (RCAP) for the Municipality of Salinas Landfill (VMS, in Spanish). The facility is located on Road PR-3 Km 152.7 in Salinas, Puerto Rico. The EQB received an application for Title V permit on June 2, 2011.

The **Municipality of Salinas Landfill** is an active non-hazardous solid waste municipal landfill. The **VMS** is operating since 1976 and it is estimated to reach its maximum capacity in 2030. Allied Waste of Ponce, Inc., administrates the Municipal Sanitary Landfill System (SLS) of Salinas.

The solid waste is carried in trucks and transportation vehicles, and deposited in the landfill work area (disposal area). Excavators and compactors spread and compact the waste after unloading. At the end of each work day these are covered with soil.

The decomposition of the encapsulated waste in the solid waste municipal landfill produces gases (greenhouse gases). The gas consists of methane (CH_4), carbon dioxide (CO_2) and other non-methane organic (NMOC). The gas generated in the **VMS** does not exceed 50 megagrams per year, for which, at the moment of evaluating this request, it is not required to install a gas emission or extraction system.

The landfill is subject to the applicable requirements of Title 40 of the Code of Federal Regulations, Part 60, Subpart WWW, New Sources Performance Standards (NSPS) for Municipal Solid Waste Landfills. The **VMS** is required to have a Title V operating permit because the design capacity of the landfill is above 2.5 million megagrams (Mg) and 2.5 million cubic meters (m^3). In addition, it is a **major source** of greenhouse gas emissions (GHGs) expressed as CO_2e, because it exceeds de 100,000 ton/year for CO_2e. The **VMS** is a minor source of hazardous air pollutants.

EMISSION UNITS

The Emission Units section lists the significant emission units, the related control equipment, if any, and the type of fuel. This section is an overview of the facility. The emission units are the following:

Cruz A. Matos Environmental Building
Urb. San José Industrial Park, 1375 Ave. Ponce de León, San Juan, PR 00926-2604
P.O. Box 11488, San Juan, PR 00910
Tel. 787-767-8181, Fax 787-767-4861
www.jca.pr.gov

EU-1: Municipal Sanitary Landfill System (F-01). The landfill accepts non-hazardous municipal solid waste since 1976. The ratio of average annual waste acceptance is 150,000 tons per year. It has a maximum design capacity of 5,935,028 cubic meters and of 5,288,175 megagrams. Approximate closure year: 2030

EU-02: Road Activities (F-02). Consists of hauling by unpaved roads generating fugitive emissions. Water aspersion is used to control these fugitive emissions.

EU-03 – Storage, Handling and Transportation of Cover Material (F-03). It consists of handling and hauling 53,100 tons/year of cover material, which is transferred from the storage piles to the active disposal area. Water aspersion is used to control these fugitive emissions.

Allowable Emissions

The emissions described in the following table represent the facility allowable emissions at the time of the permit application and will be used only for payment purposes. According to Rule 610(a) of the RCAP, when the **VMS** requests modification, administrative change or minor modification to its Title V permit, the source will only pay those charges related with any emissions increase (if any) per ton, based on the change and not based on the previously paid total charges in conformity with Rule 610(a) of the RCCA.

Pollutants	Emissions Cap (tons/year)
PM_{10}	53.69
CO	3.39
NMOC	44.30
VOC	6.24
HAP's	9.08
CO_{2e}	164,446

According to the EQB Resolution RI-06-02[1], the emissions calculations will be based on the actual emissions of the **VMS**; however, calculations based on the emissions cap of the facility will be accepted. If **VMS** decides to realize the calculations based on the permissible allowable emissions, **VGS** will pay the same charge per ton as the facilities that decide to make the calculations based on actual emissions. Also, according to EQB resolution R-04-04-1[2], to determine the charges for modification and renewal, **VMS** shall calculate the emissions with the k, Lo and C_{CONM} factors

1. EQB Resolution - Payment procedure for Title V operating charges and Title V permit renewal charges, issued on March 20, 2006.
2. EQB Resolution - Consult to the Government Board about the annual calculation of the gas emissions to the atmosphere for Sanitary Landfills, issued on February 27, 2004.

established in Section 60.754 (a)(1)(i) of the 40 CFR, or the specific values of k, Lo and C_{CONM}, as determined in Sections 60.754 (a)(3)(1) and 60.754 (a)(4) of the 40 CFR.

Applicable Requirements

Standards of Performance of New Sources (NSPS) for Municipal Solid Waste Landfills: 40 CFR, Part 60, Subpart WWW.

This emission source is subject to the performance standards of Subpart WWW because it was modified after May 30, 1991. Facilities that are subject to this subpart, must install controls if NMOC emissions which are greater than or equal to 50 Mg year. Based on the calculations of the equation of section 60.754 (a)(1)(ii) of 40 CFR, the potential NMOC emissions were less than 50 megagrams per year, so this facility did not have to install a gas collection and control system.

The following requirements are not applicable to the Municipality of Salinas Landfill:

- Emissions Guidelines and Compliance Schedules for Municipal Sanitary Landfill Systems under 40 CFR Part 60, Subpart Cc. This subpart only applies to the air quality program Administrators, EQB in this case, that submitted a state plan (approved as Part VII of the RCAP) implementing the emission guidelines found in this subpart.

- Emissions Guidelines and Compliance Schedules for Municipal Sanitary Landfill Systems established under Part VII of RCCA. The provisions of this Part apply only to existing systems whose municipal landfill construction, reconstruction or modification commenced before May 30, 1991.

- National Emission Standards for Hazardous Air Pollutants (NESHAP): Municipal Solid Waste Landfills - 40 CFR Part 63, Subpart AAAA apply to area sources that are subject to applicable requirements of 40 CFR, part 60, Subpart WWW, that have a design capacity equal or greater to 2.5 million megagrams (Mg) and equal or greater to 2.5 million cubic meters (m^3) and estimated of non-controlled emissions of CONM of 50 Mg per year or more.

Unless specifically established, all the terms and conditions of the Title V permit, including the provisions designated to limit the emission capacity of the source, are enforceable by the APA and the citizens, under the Federal Clean Air Act. The terms and conditions that are designated as enforceable only by the state, as indicated by the permit, are enforceable by the EQB.

The EQB has determined that this Title V Operating Permit fulfills the requirements under Part VI of the RCAP.

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