

COMMONWEALTH OF PUERTO RICO/ OFFICE OF THE GOVERNOR

**TITLE V OPERATING PERMIT
AIR QUALITY AREA
ENVIRONMENTAL QUALITY BOARD**



Permit Number:	PFE-TV-4953-58-0299-0001
Operating Permit application received:	February 8, 1999
Issue and/or Effective Date:	May 14, 2004
Expiration Date:	May 14, 2009

In accordance with the provisions of Part VI of the Regulation for the Control of Atmospheric Pollution (RCAP) for Puerto Rico and the provisions of the 40 CFR part 70,

**BFI OF PONCE, INC.
PONCE, PUERTO RICO**

hereinafter referred to as The Permittee, or **BFI** is authorized to operate a stationary source of air contaminants consisting of emissions units described in this permit. Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from those processes and activities directly related to or associated with air contaminant source(s) in accordance with the requirements, limitations, and conditions of this permit. All conditions in this permit are federally enforceable and state enforceable unless otherwise specified. Requirements which are only state enforceable are identified in the permit. A copy of this permit shall be kept on-site at the above named facility at all times.

TABLE OF CONTENTS

Section I	General Information.....	3
	A. Facility Information	3
	B. Process Description.....	3
Section II	Emission Units and Control Device Descriptions.....	4
Section III	General Permit Conditions.....	5
Section IV	Emission Limits.....	14
Section V	Reporting Requirements.....	14
Section VI	Specific Permit Conditions.....	14
Section VII	Insignificant Emission Units.....	27
Section VIII	Permit Shield.....	28
	A. (1) Non-Applicable Requirements.....	28
	A. (2) Reasons for Non-Applicability.....	28
Section IX	Permit Approval.....	29
Appendixes	30
Appendix I	Definitions and Abbreviations.....	31

Section I - General Information

A. Facility Information

Company Name: BFI of Ponce, Inc.
Mailing Address: P.O. Box 7104
City: Ponce State: P.R. Zip Code: 00732
Plant Name: BFI of Ponce, Inc.
Plant Location: Baramaya Final Avenue, Barrio La Cotorra
Ponce, P.R.
Responsible Official: Paul Valladares, District Vice-president
Phone: 787-841-7775
Technical Contact: Paul Valladares, District Vice-president
Fax: 787-841-7772
Primary SIC Code: 4953

B. Process Description

BFI of Ponce, Inc. is located at State Road PR-500, Baramaya Final Avenue in Barrio La Cotorra in the Municipality of Ponce. BFI administers an active Municipal Sanitary Landfill System (SLS) that accepts municipal solid wastes, in an average, of 5.5 days per week (295 days per year). SLS (F-01) also accepts treated materials of refuse with asbestos content, biomedical wastes, industrial wastes, other not-dangerous special wastes and liquid wastes. The installation consists of several operations including, but not limited to the following: disposition area, activity of transport of wastes, storage of leachate and a solidification area. The solid wastes are deposited in the landfill, compacted and covered daily with an inert material.

The decomposition of encapsulated wastes in the SLS produces a gas (landfill gases) that is compound of methane, carbon dioxide (CO₂) and other non-methane organic compounds (NMOC).

The hauling (F-02) of wastes in non-asphalted roads are results in fugitive dust emissions. In order to control the fugitive dust emissions, methods of dust suppression are used.

The landfill leachates are stored in an open tank (F-03) of 500,000 gallons. From this storage tank results fugitive emissions of volatile organic compounds. The leachates are pumped to a waste water treatment plant outside the installation.

As part of the operations of the Ponce SLS, the process of solidification of liquid wastes (EU-01) is carried out in bulk for its final disposition like solid wastes. This operation is made in a building provided with an emissions control device, consistint in a bag house system CD-01 to control the emissions of particulate matter (dust) resulting from the process.

BFI of Ponce, Inc. is a major source of emissions since it has a desgin capacity greater than 2.5 megagrams per year.

Section II - Emission Units and Control Device Descriptions

The emissions units regulated by this permit issuance are the following:

Emission Units	Description	Emission Unit or Fugitive	Control Equipment
EU-01	<p align="center">Solidification Area for Liquid Waste</p> <p>The process consist in combining liquid waste with kiln dust in tanks or concrete pits until the mix exhibit solid characteristics based on the paint filter test, as established by EPA.</p>	EP-01	CD-01 ¹
F-01	<p align="center">Municipal Sanitary Landfill System</p> <p>The landfill accepts municipal solid waste, asbestos-containing waste material, treated biomedical waste, industrial waste, other special non-hazardous waste, and liquid waste. El SLS has a maximum design capacity of 3.82 x 10⁶ Mg. The annual average refuse acceptance rate is 87,249 Mg/year.</p>	Fugitive	None
F-02	<p align="center">Road Activities</p> <p>Consist in the hauling of waste from the property gate to the open face of the landfill designated for waste deposit.</p>	Fugitive	Aspersion / Dust Suppressant Agent.

¹ Baghouse Dust Collector with a design efficiency of 99.98% and actual efficiency of 98.0%.

Emission Units	Description	Emission Unit or Fugitive	Control Equipment
F-03	<p style="text-align: center;">Leachate Storage Tank</p> <p>An open tank with a capacity of 500,000 gallons per year.</p>	Fugitive	None

Section III General Permit Conditions

1. **Sanctions and Penalties:** BFI is obligated to comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Any violation of the terms of this permit will be subject to administrative, civil or criminal penalties as established in the Puerto Rico Environmental Public Policy Act, Article 17 (Act Number 9, June 18, 1970, as amended).
2. **Right of Entry:** As specified under Rules 103 and 603(c)(2) of the RCAP, BFI shall allow the Board or an authorized representative, upon presentation of credentials and other documents as may be required by law, to perform the following activities:
 - a) Enter upon BFI premises where an emission source is located or where emissions related activities are conducted, or where records must be kept under the conditions of this permit, under the RCAP, or under the Clean Air Act;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, under the RCAP, or under the Clean Air Act;
 - c) Inspect and examine any facility, equipment (including monitoring and air pollution control equipment), practices or operations (including QA/QC methods) regulated or required under this permit; as well as sampling emissions of air quality and fuels; and
 - d) As authorized by the Clean Air Act and the RCAP, to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.
3. **Sworn Statement:** All reports required pursuant Rule 103(D) of the RCAP (i.e., semiannual monitoring reports and annual compliance certification) shall be submitted together with a sworn statement or affidavit by the Responsible Official or a duly authorized representative. Such sworn statement shall attest to the truth, correctness and completeness of such records and reports.
4. **Data Availability:** As specified under Rule 104 of the RCAP, all emission data obtained by or submitted to the Board, including data reported pursuant to Rule 103 of the RCAP, as well as that obtained in any other way, shall be available for public inspection and may also be made available to the public in any additional manner that the Board may deem appropriate.

5. **Emergency Plan:** As specified under Rule 107 of the RCAP, BFI shall have available an Emergency Plan which must be consistent with adequate safety practices, and provides for the reduction or retention of the emissions from the plant during periods classified by the Board as air pollution alerts, warnings or emergencies. These plans shall identify the emission sources, include the reduction to be accomplished for each source, and the means by which such reduction will be accomplished. These plans will be available for any representative of the Board at any time.
6. **Control Equipment:** BFI shall comply with Rule 108 of the RCAP, as follows:
- (A) All air pollution control equipment or control measures shall provide for continuous compliance with applicable Rules and regulations. Such equipment or measures shall be installed, maintained, and operated according to those conditions imposed by the Board, within the specified operating limitations of the manufacturer.
 - (B) The collected material from air pollution control equipment shall be disposed in accordance with applicable rules and regulations. The removal, manipulation, transportation, storage, treatment or disposal will be done in such or manner that shall not to produce environmental degradation, and in accordance with applicable Rules and regulations.
 - (C) The Board may require, when deemed appropriate to safeguard the health and welfare of human beings, the installation and maintenance of additional, complete and separate air pollution control equipment of a capacity equal to the capacity of the primary control equipment. Furthermore, the Board may require that such additional air pollution control equipment be operated continuously and conjunctionally with the primary air pollution control equipment.
 - (D) All air pollution control equipment shall be operated at all times while the source being controlled is in operation.
 - (E) In the case of a shutdown of air pollution control equipment for the necessary scheduled maintenance, the intent to shutdown such equipment shall be reported to the Board at least three days prior to the planned shutdown. Such prior notice shall include, but is not limited to the following:
 - (1) Identification of the specific source to be taken out of service with its location and permit number.
 - (2) The expected length of time that the air pollution control equipment will be out of service.
 - (3) The nature and quantity of emissions of air pollutants likely to be permitted during the shutdown period.

- (4) Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period.
- (5) The reasons why it will be impossible or impractical to shutdown the operating source during the maintenance period.

(F) BFI shall to the extent possible, maintain and operate at all times, including periods of start-up, shutdown and malfunction, any affected source and the associated air pollution control equipment, in a manner consistent with the original manufacturers design specifications and in compliance with applicable rules and regulations and permit conditions.

(G) BFI shall maintain copies of all the monthly calibrations and inspections of the control equipments such as baghouses and scrubbers. BFI shall record in a logbook all the periods when the control equipment is in shutdown and the process continues its operation. All the records shall be available to the EQB personnel.

7. **Compliance Certification:** As specified under Rules 112(B) and 603(c)(5) of the RCAP, BFI shall submit a compliance certification, including the annual emissions calculations for the previous year, on the first day of April of each year. The compliance certification shall be submitted to both the Board and the EPA². It shall include, but is not limited to, the following information:

- a) identification of the applicable requirement that is the basis of the certification;
- b) the method used to determine the compliance status of the source;
- c) the compliance status;
- d) whether compliance is continuous or intermittent;
- e) such other facts as the EQB may require; and
- f) for purposes of (b) and (d) of this section, BFI shall identify the methods or other means used to determine the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. If necessary, BFI shall also identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information. For purposes of paragraph (c) of this section, BFI shall identify each deviation and take it into account in the compliance certification.

² The certification to the EQB shall be mailed to: Director, Air Quality Program, P.O. Box 11488, Santurce, P.R. 00910. The certification to the EPA shall be mailed to: Chief, Permitting Section, Air Program Branch, EPA Region II, 290 Broadway, New York, NY, 10007.

8. **Regulation Compliance:** As specified under Rule 115 of the RCAP, any violation to the RCAP, or to any other applicable rule or regulation, shall be grounds for the Board to suspend, modify, or revoke any relevant permit, approval, variance or other authorization issued by the Board.
9. **Location Approval:** As specified under Rule 201 of the RCAP, nothing in this permit shall be interpreted as authorizing the location or construction of a major stationary source, or the modification of a major stationary source, or a major modification of a significant source, without obtaining first a location approval from the Board and without first demonstrating compliance with the National Ambient Air Quality Standards (NAAQS). This permit does not allow the construction of new minor sources without the required permit under Rule 203 of the RCAP.
10. **Objectionable Odors:** As specified under Rule 420 of the RCAP, BFI shall not cause or permit emissions to the atmosphere of any matter which produces an *objectionable* odor that can be perceived in an area other than that designated for industrial purposes. BFI shall demonstrate compliance with Rule 420 (A)(1) as follows: if malodors are detectable beyond BFI property perimeter, and complaints are received, BFI shall investigate and take measures to minimize and/or eliminate the malodors, if necessary. [This condition is enforceable only by the State].
11. **Permit Renewal Applications:** As established under Rule 602 (a)(1)(iv) of the RCAP, BFI's applications for permit renewal shall be submitted at least 12 months prior to the date of permit expiration. A responsible official must certify all required applications consistent with paragraph (c)(3) of Rule 602.
12. **Permit Duration:** As specified under Rule 603 of the RCAP, the following terms will apply during the duration of this permit:
 - a) **Effective Date:** This permit will become valid and in effect after the Governing Board of the Environmental Quality Board signs it, unless objected by EPA within their 45-day review period.
 - b) **Expiration:** This authorization shall have a fixed term of 5 years. The expiration date will be automatically extended until the Board approves or denies a renewal application (Rule 605(c)(4)(ii) of the RCAP) but only in those cases where BFI submits a complete renewal application at least 12 months before the expiration date. [Rule s 603 (a)(2), 605 (c)(2), and 605(c)(4) of the RCAP]
 - c) **Permit Shield:** As specified under Rule 605 (c)(4)(i) of the RCAP, the permit shield may be extended until the time the permit is renewed if a timely and complete renewal application is submitted.

- d) In case that this permit is subject to any challenge by third parties, the permit shall remain in effect until the time it is revoked by a court of law with jurisdiction in the matter.
13. **Recordkeeping Requirement:** As established under Rule 603(a)(4)(ii) of the RCAP, BFI 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.
14. **Reporting Requirement:** As established under Rule 603(a)(5)(i) of the RCAP, BFI shall submit reports of all required monitoring every 6 months, or more frequently if required by the Board or any other underlying applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official as established under Rule 602(c)(3) of the RCAP.
15. **Deviations Reporting due to Emergencies:** As specified under Rule 603(a)(5)(ii)(a) of the RCAP, any deviation resulting from an upset (such as sudden malfunction or break-down) or emergency conditions, as defined in Rule 603(e) of the RCAP, must be reported within the next 2 working days. Such notification may be used to assert an affirmative defense upon an enforcement action against BFI. If BFI raises the emergency defense upon an enforcement action, BFI shall demonstrate that such deviation happens due to an emergency and that the Board was adequately notified. If such emergency deviation last for more than 24 hours, the affected units may be operated until the end of the cycle or 48 hours, what occurs first. The Board may only extend the operation of an emission source in excess of 48 hours, if the source demonstrates to the Board's satisfaction that the National Air Quality Standards have not been exceeded and that there is no risk to the public health.
16. **Deviation Reporting (Hazardous Air Pollutants):** The source shall shut down its operations immediately or shall act as specified in its Emergency Response Plan (established in Rule 107 (C) of the RCAP), when such Plan has demonstrated that there is no significant impact at the fence line. [This condition is enforceable only by the State]. Pursuant to Rule 603 (a)(5)(ii)(b), a notification will be required if a deviation occurs that results in the release of emissions of hazardous air pollutants for more than an hour in excess of the applicable limit. BFI shall notify the Board within 24 hours of the deviation. For the discharge of any regulated air pollutant that continues for more than 2 hours in excess of the applicable limit, BFI shall notify the Board within 24 hours of the deviation. BFI shall also submit to the Board, within 7 days of the deviation, a detailed written report, which includes probable causes, time and duration of the deviation, remedial action taken, and steps, which are being taken to prevent a reoccurrence.
17. **Severability Clause:** As established under Rule 603(a)(6) of the RCAP, the clauses in this permit are severable. In the event of a successful challenge to any portion of the permit in an administrative or judicial forum, or in the event any of its clauses is held to be invalid, all other portions of the permit shall remain valid and effective, including those related to emission limits, terms and conditions, be they specific or general, as well as monitoring, record keeping and reporting requirements.

18. **Permit Noncompliance:** As established under Rule 603(a)(7)(i) of the RCAP, BFI must comply with all conditions of this permit. Permit noncompliance constitutes a violation of the RCAP and will be grounds for taking the appropriate enforcement action, impose sanctions, revoke, terminate, modify, and/or reissue the permit, or to deny a permit renewal application.
19. **Defense not Allowed:** As specified under Rule 603(a)(7)(ii) of the RCAP, 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 this permit.
20. **Permit Modification and Revocation:** As specified under Rule 603(a)(7)(iii) of the RCAP, the permit may be modified, revoked, reopened, reissued, or terminated for cause. The filing of a request by BFI for a permit modification, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
21. **Property Rights:** As specified under Rule 603(a)(7)(iv) of the RCAP, this permit does not convey any property rights of any sort, nor does it grant any exclusive privilege.
22. **Obligation to Furnish Information:** As specified under Rule 603(a)(7)(v) of the RCAP, BFI shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, BFI shall also furnish to the Board copies of records required to be kept by the permit.
23. **Changes in Operating Scenarios:** As specified under Rule 603(a)(10) of the RCAP, BFI shall record in a logbook, contemporaneously with making a change from one operating scenario to another, the scenario under which it is operating. This logbook must be kept at BFI's facility at all times.
24. **Prohibition on Default Issuance:** As specified under Rule 605(d) of the RCAP, it shall never be considered that a permit has been issued by default as a result of the Board's failure to take final action on a permit application within 18 months as of the application completeness date. The Board's failure to issue a final permit within 18 months should be treated as a final action solely for the purpose of obtaining judicial review in a state court.
25. **Administrative Permit Amendments and Permit Modifications:** As specified under Rule 606 of the RCAP, the permit shall not be amended nor modified unless BFI complies with the requirements for administrative permit amendments and permit modifications as described in the RCAP.
26. **Permit Reopenings:** As specified under Rule 608(a)(1), this permit shall be reopened and revised under the following circumstances:

- a) Whenever additional applicable requirements under any law or regulation become applicable to BFI, when the remaining permit term is of 3 or more years. Such reopening shall be completed 18 months after promulgation of said applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to Rule 605(c)(4)(i) or Rule 605(c)(4)(ii) of the RCAP.
 - b) Whenever the Board or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.
 - c) Whenever the Board or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
27. **Changes in Name and/or Ownership:** This permit is issued to BFI in the event that the company and/or installation changes its name or is transferred to a different owner, the new responsible official must submit a sworn statement in which he/she accepts and promises to comply with all the conditions of this permit.
28. **Renovation/Demolition Work:** BFI shall comply with the provisions set forth in 40 CFR §61.145 and §61.150, and Rule 422 of the RCAP when conducting any renovation or demolition activities of asbestos containing materials at the facility.
29. **Risk Management Plan:** If during the effectiveness of this permit, BFI is subject to the 40 CFR part 68, BFI shall submit a Risk Management Plan according with the compliance schedule in the 40 CFR part 68.10. If during the effectiveness of this permit, BFI is subject to the 40 CFR part 68, BFI shall submit a compliance certification with the requirements of part 68 as part of the annual compliance certification required under 40 CFR part 70, including the recordkeeping and the Risk Management Plan.
30. **General Duty Requirements:** BFI has the general obligation of identifying hazards which may result from accidental releases of any controlled substance under section 112(r) of the Clean Air Act or any other extremely hazardous substance in a process, using appropriate hazard assessment techniques, designing, maintaining, and operating a safe facility and minimizing the consequences of accidental releases if they occur as required in section 112(r)(1) of the Act and Rule 107(D) of the RCAP.
31. **Requirements for Refrigerants (Climatologic and Stratospheric Ozone Protection):**
- a) In the event that BFI has equipment or appliances, including air conditioning units, which use Class I or II refrigerants as defined in 40 CFR part 82, subpart A, Appendices A and B, he/she shall take the necessary measures to ensure that all maintenance, service or repair services performed are done so according to the practices, certification and personnel requirements, disposition requirements, and recycling and/or recovery equipment certification requirements specified under 40 CFR part 82, subpart F.

- b) Owners/ operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- c) Service on Motor Vehicles: If BFI performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), BFI is subject to all the applicable requirements as specified in 40 CFR part 82, subpart B, Servicing of Motor Vehicle Air Conditioners. The term motor vehicle as used in subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term MVAC as used in subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

32. Labeling of Products Using Ozone-Depleting Substances: BFI shall comply with the standards for labeling of products using 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 pursuant to §82.106.
- b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
- c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
- d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.

33. Emergency Electric Generators: The operation for each emergency electric generator identified as insignificant activities in Section VII of this permit activity is limited to 500 hours per year. BFI shall keep a record of the hours of operation and fuel consumption for each emergency electric generator. It shall be kept available at any time for inspection by EQB and EPA personnel.

34. Roof Surface Coating: This is a state-only requirement. BFI shall not cause or permit the roof surface coating by applying hot tar or any other coating material containing organic compounds without previous notification to the Board. The use of used oil or hazardous waste for roof surface coating is prohibited.

35. Storage Tanks: BFI shall keep records of all distillate fuel oil (diesel) storage tanks listed as insignificant activities showing the dimensions of each tank and an analysis showing the capacity of each tank pursuant to the 40 CFR §60.116b. This documentation shall be readily

available at any time for inspection of EQB personnel and shall be kept onsite for the life of the tank.

36. **Compliance Clause:** Under no circumstances does compliance with this permit exempt BFI from complying with all other applicable state or federal laws, regulations, permits, administrative orders or applicable court orders.
37. **Emissions Calculations:** BFI shall submit, on the first day of April each year, the actual or permissible emissions calculations for the previous natural year. The emissions calculations shall be submitted on the forms prepared by the Board for this purpose and the responsible official must certify all the information submitted as true, correct and representative of the permitted activity. BFI must make the applicable payment for the emissions calculations for the previous year on or before June 30 of each year.
38. **Annual fee:** As specified under Rule 610 of the RCAP, BFI must submit an annual payment based on the emissions calculations for each regulated pollutant. The payment will be based on their actual emissions at a rate of \$37.00 per ton, unless the Board decides otherwise as permitted under Rule 610(b)(2)(iv) of the RCAP. This payment for the previous year must be made on or before June 30 of each year.
39. **New or Amended Regulation:** Whether a federal or state regulation is promulgated or amended and the facility is affected by it, the owner or operator shall comply with the requirements of the new or amended regulation
40. **Reports:** Any requirement of information submittal to the Board shall be addressed to: Director, Air Quality Area, PO Box 11488, Santurce, P.R. 00910.
41. **Reservation of Rights:** Except as expressly provided in this Title V permit:
 - a) Nothing herein shall prevent EPA or the Board from taking administrative enforcement measures or seeking legal or equitable relief to enforce the terms of the Title V permit, including but not limited to the right to seek injunctive relief, and imposition of statutory penalties, fines and/or punitive damages.
 - b) Nothing herein shall be construed to limit the rights of EPA or the Board to undertake any criminal enforcement activity against BFI or any person.
 - c) Nothing herein shall be construed to limit the authority of EPA or the Board to undertake any actions in response to conditions that present an imminent and substantial endangerment to public health or welfare, or the environment.
 - d) Nothing herein shall be construed to limit BFI's rights to administrative hearing and judicial appeal of termination/ revocation/ disputes over modification/ denial actions in accordance with regulations and the Environmental Public Policy Act.

Section IV Emission Limits

- A. BFI shall not exceed the emission limits specified below in any consecutive 12-month period. The emissions for any consecutive 12-month period shall be calculated by adding the monthly emission limits of each unit to the total unit emissions for the previous 11 months.

Pollutants	Permissible Emissions (tons/year)
PM ₁₀	16.975
SO ₂	0.322
NO _x	4.870
CO	1.050
VOC	32.876
Total HAP's	12.440

Section V Reporting Requirements

- A. As specified under Rule 112(B) of the RCAP, BFI must submit a compliance certification, incorporating all requirements specified in this permit, on the first day of April of each year. Such certification must contain a certification by the responsible official of its truth, accuracy and completeness, as specified under Rule 602(c)(3) of the RCAP.

Section VI Specific Permit Conditions

A. Compliance with Rule 402 of the RCAP (Open Burning):

1. Pursuant to Rule (D) of the RCAP, BFI shall not allow the open burning of refuse, tires or other solid waste disposed at any municipal or private sanitary landfill. In order to comply, BFI must prepare and obtain immediate approval of the following operating procedures:
 - 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. Compliance with Rule 404 of the RCAP (Fugitive Emissions)

1. BFI shall use water or suitable chemicals for chemical stabilization and the control of dust in the demolition of a building or structures, construction operations, quarrying operations, the grading of roads, or the clearing of lands.
2. BFI shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate.
3. When air pollutants escape from a building or equipment and cause a nuisance or violate any regulations, the Board may order that building or equipment in which processing, handling, and storage are done, be tightly closed and/or ventilated so that all emissions from the building or equipment are controlled to remove or destroy such air pollutants before being discharged to the open air. The implementation of this measure should not create occupational health hazards.

C. Emission Limits per Emission Unit

1. F-01 – Sanitary Landfill System

a. Compliance with the Emission Guidelines for Municipal Sanitary Landfill System (Part VII of the RCAP) and Standards of Performance for Municipal Solid Waste Landfills (40 CFR part 60, subpart WWW)

- i. BFI shall comply with dispositions in Part VII of the Regulations for the Control of Atmospheric Pollution (RCAP) and 40 CFR part 60, subpart WWW at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [Rule 701 of the RCAP, 40 CFR §60.755(e)]
- ii. BFI shall calculate the NMOC emission rate using either the equation provided in Rule 704(a)(1) or the equation provided in Rule 704 (a)(2). BFI shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year pursuant to Rule 704(b) of the RCAP. [Rule 704 of the RCAP; 40 CFR §60.754(a)(1)]
- iii. Pursuant to Rule 603(a)(3)(iv) of the RCAP, the Board may, at its discretion, require sources to conduct additional monitoring to ensure compliance with permit terms and conditions. BFI shall perform a test before December, 2006 to determine the NMOC concentration using the following sampling procedure of Tier 2

established in Rule 704(c) of the RCAP and 40 CFR §60.754(a)(3):

- a) BFI shall install at least two sample probes per hectare of SLS surface that has retained waste for at least 2 years. If the SLS is larger than 25 hectares in area, only 50 samples are required.
- b) The sample probes should be located to avoid known areas of nondegradable solid waste.
- c) BFI shall collect and analyze one sample of SLS gas from each probe to determine the NMOC concentration using Method 25C of appendix A of 40 CFR part 60 or Method 18 of appendix A of 40 CFR part 60. If using Method 18, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42). If composite sampling is used, equal volumes shall be taken from each sample probe. If more than the required number of samples are taken, all samples shall be used in the analysis. BFI shall divide the NMOC concentration from Method 25C of the appendix A by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

iv. Pursuant to Rule 704(c) of the RCAP and 40 CFR §60.754(a)(3):

- a) BFI shall recalculate the NMOC mass emission rate using either of the equations provided in Rule 704(a) of the RCAP and using the average NMOC concentration from the collected samples instead of the default value in the equations provided in Rule 704(a) of the RCAP.
- b) BFI shall either comply with Rule 702(f) of the RCAP or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using procedure specified in Rule 704(d) of the RCAP, if the resulting mass emission rate calculated using the site-specific NMOC concentration is equal or greater than 50 megagrams per year.
- c) BFI shall submit a periodic estimate of the emission rate report as provided in Rule 707(b)(1) of the RCAP and retest the site-specific NMOC concentration every 5 years using the methods specified in Rule 707(c) of the RCAP if the resulting NMOC mass emission rate is less than 50 megagrams per year.

- v. BFI shall determine the site-specific methane generation rate constant using the procedures provided in Method 2E of appendix A of 40 CFR part 60. BFI shall estimate the NMOC mass emission rate using equations in Rule 704(a) and using a site-specific methane generation rate constant k , and the site-specific NMOC concentration as determined in Rule 704(c) of the RCAP instead of the default values provided in Rule 704(a) of the RCAP. BFI shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year. [Rule 704(d) of the RCAP; 40 CFR §60.754(a)(4)]
 - b) BFI shall comply with la Rule 702(f) of the RCAP if the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year.
 - c) BFI shall submit a periodic emission rate report as provided in la Rule 707(b)(1) of the RCAP and shall recalculate the NMOC mass emission rate annually, as provided in Rule 707(b)(1) of the RCAP using equations in Rule 704(a) of the RCAP and using site-specific methane generation rate constant and NMOC concentration obtained in Rule 704(c). The calculation of the methane generation rate constant is performed only once, and the value obtained is used in all subsequent annual NMOC emission rate calculations.
- vi. BFI may use other methods to determine the NMOC concentration or a site-specific k as an alternative to the methods required in Rule 704 (c) and (d) of the RCAP if the method has been approved by the EPA as provided in Rule 702 (f)(1)(i)(B) of the RCAP. [Rule 704(e) of the RCAP; 40 CFR §60.754(b)(3)]
- vii. BFI shall retain records of all required monitoring data and support information for a period of 5 years form the date of the monitoring sample, measurement, report, or application. [Rule 603(a)(4)(ii) of the RCAP]
- viii. BFI shall submit to EQB at least 30 days prior to the start of the test, a detailed test protocol. [Rule 106(C) of the RCAP]
- ix. BFI shall provide to EQB a written notification on any test required by the Board at least 15 days of the test, to afford the EQB the opportunity to have and observer present. [Rule 106(D) of the RCAP]

- x. BFI shall submit to EQB two copies of the emission test reports within 60 days after the performance of the emission test. [Rule 106(E) of the RCAP]
- xi. BFI shall estimate the NMOC emission rate for comparison to the Prevention of Significant Deterioration (PSD) major source and significance levels as established in 40 CFR section 51.166 or 52.21, using EPA's Compilation of Air Pollutant Emission Factors (AP-42) or other EPA approved measurement procedures. If a collection system, which complies with the provisions in Rule 702 (f) is already installed, BFI shall estimate the NMOC emission rate using the procedures provided in Rule 704(f) of the RCAP. [Rule 704(g) of the RCAP; 40 CFR §60.754(c)]
- xii. BFI shall submit an annual emission report to the Board, or submit an estimate of the NMOC emission rate for the next 5 year period in compliance with Rule 707(b)(1)(ii) of the RCAP. BFI shall include in the annual report required by Rule 707(b) a recalculation of the NMOC emission rate annually using the procedures specified in Rule 704(a) through 704(f), as applicable, until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year. The Board may request such additional information as may be necessary to verify the reported NMOC emission rate according to Rule 707(b) of the RCAP. [Rule 702(e) of the RCAP, 40 CFR §60.757(b)]
 - a) If the calculated NMOC emission rate is less than 50 megagrams per year, BFI shall submit an annual emission report to the Board, or submit an estimate of the NMOC emission rate for the next 50 megagrams per year, BFI shall, within 30 months of the date when the SLS acquired an emission rate of 50 megagrams per year, install a collection and control system, in compliance with Rule 707(f), that effectively captures the gas generated within the SLS. The submittal date of the annual report required in Rule 707(a)(3) will determine the date when the NMOC emission rate of the SLS is equal or greater than 50 megagrams per year. [Rule 702(e)(2)(i) of the RCAP, 40 CFR 60.752(b)(1)(ii)(A) y (2)(ii)]
 - b) If the SLS is permanently closed, a closure notification shall be submitted to the board as provided in Rule 707(d) of the RCAP. [Rule 702(e)(2)(ii) of the RCAP; 40 CFR §60.752(b)(1)(ii)(B)]
- xiii. If the calculated NMOC emission rate is equal or greater than 50 megagrams per year, BFI shall submit to the Board a final site

specific collection and control system design plan prepared by a professional engineer within one year of the date of the initial NMOC emission rate or the first annual emission rate report showing that the NMOC emission rate is 50 megagrams per year or greater. [Rule 702(f)(1)(i) of the RCAP; 40 CFR §60.752(b)(2)(i)]

- xiv. BFI shall submit an NMOC emission rate report to the Board initially and annually thereafter, except as provided in Rule 707(b)(1)(ii) or (b)(3) of the RCAP. [Rule 707(b) of the RCAP; 40 CFR §60.757(b)]
- xv. If the estimated NMOC emission rate as reported in the annual report to the Board, is less than 50 megagrams per year in each of the next 5 consecutive years, BFI may elect to submit an estimate of the NMOC emission rate for the next 5 year period in lieu of the annual report. This estimate shall include the current amount of solid waste in place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Board. This 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-year estimate, a revised 5-year estimate shall be submitted 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 rate. [Rule 707(b)(1)(ii) of the RCAP; 40 CFR §60.757(b)(1)(ii)]
- xvi. The NMOC emission rate report shall include all the data calculations, sample reports and measurements used to estimate the annual or 5-year emissions. [Rule 707(b)(2) of the RCAP; 40 CFR §60.757(b)(2)]
- xvii. BFI shall submit a closure report to the Board within 30 days of waste acceptance cessation, except as provided in Rule 702(f)(1)(ii) of the RCAP. The Board may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements established in 40 CFR section 258.60. If a closure report has been submitted to the Board, no additional wastes may be placed into the SLS without filing a notification of modification as described under the 40 CFR section 60.7(a)(4). [Rule 707(d) of the RCAP; 40 CFR §60.757(d)]

- xviii. Except as provided in Rule 707(f)(1)(ii) of the RCAP, if BFI is subjected to the provisions in Rule 702(d) of the RCAP, BFI shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum Design Capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [Rule 708(a) of the RCAP; 40 CFR §60.758(a)]
- xix. A failure to comply with any of the requirements established in Part VII of the RCAP will constitute a violation and the owner of the Municipal SLS will be subject to an administrative order to comply and/or liable to administrative penalties. The penalties will be imposed in accordance with the Commonwealth of Puerto Rico, Environmental Public Policy Act, Act No. 9 of July 18, 1970, as amended, and any other regulation created under it. [Rule 710 of the RCAP]
- xx. BFI 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)(4)(ii) of the RCAP]

b. Compliance with National Emission Standard for Asbestos (40 CFR part 61, subpart M)

- i. BFI shall comply with the National Emission Standard for Asbestos according to 40 CFR part 61, subpart M.
- ii. BFI shall provide to EQB and EPA any changes in the following information provided according to §61.153 postmarked or delivered, within 30 days after the change:
 - a) A brief description of the site; and [40 CFR §61.153(a)(5)(i)]
 - b) The method or methods used to comply with the standard, or alternative procedures to be used. [40 CFR §61.153(a)(5)(ii)]
- iii. The information required by §61.153(a) must accompany the information required by §61.10 of the 40 CFR. The information described in §61.153 must be reported using the format of appendix A of part 61 as a guide. [40 CFR §61.153(b)]

- iv. BFI shall not permit visible emissions to the outside air from the active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of paragraph (c) or (d) of §61.154 must be met. [40 CFR §61.154(a)]
- v. Unless a natural barrier adequately deters access by the general public, BFI shall install and maintain either warning signs and fencing as follows;
 - a) 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. [40 CFR §61.154(b)(1)(i)]
 - ii) Conform to the requirements of 51 cm x 36 cm (20" x 14") upright format signs specified in 29 CFR 1910.145(d)(4) and paragraph (b)(1)(ii) of §61.154. [40 CFR §61.154(b)(1)(ii)]
 - iii) Display the legend³ specified in paragraph (b)(1)(iii) of §61.154 in the lower panel with letter sizes and styles of a visibility at least equal to those specified in the same paragraph. Spacing between any two lines must be at least equal to the height of the upper of the two lines. [40 CFR §61.154(b)(1)(iii)]
 - b) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public. [40 CFR §61.154(b)(2)]
 - c) The Board and/or EPA will determine whether a fence or a natural barrier adequately deters access by the general public upon request and supply of appropriate information. [40 CFR §61.154(b)(3)]
- vi. Rather than meet the no visible emission requirement of §61.154(a), at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the

³ Legend: **Asbestos Waste Disposal Site**
 Do Not Create Dust
 Breathing Asbestos is Hazardous to Your Health

asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

- a) Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, or [40 CFR §61.154(c)(1)]
 - b) 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 EQB and EPA. For purposes of §61.154(c)(2), any used, spent, or other waste oil is not considered a dust suppression agent. [40 CFR §61.154(c)(2)]
- vii. Rather than meet the no visible emission requirement of §61.154(a), use an alternative emissions control method that has received prior written approval by EPA according to the procedures described in §61.149(c)(2). [40 CFR §61.154(d)]
- viii. For all asbestos-containing waste material received, BFI shall:
- a) Maintain waste shipment records, using a form similar to that shown in Figure 4 of 40 CFR part 61, subpart M, and include the following information:
 - i) The name, address, and telephone number of the waste generator. [40 CFR §61.154(e)(1)(i)]
 - ii) The name, address, and telephone number of the transporter(s). [40 CFR §61.154(e)(1)(ii)]
 - iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards). [40 CFR §61.154(e)(1)(iii)]
 - 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 EQB by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste and submit a copy of the waste shipment record along with the report. [40 CFR §61.154(e)(1)(iv)]
 - v) The date of the receipt. [40 CFR §61.154(e)(1)(v)]

- b) BFI shall send a copy of the signed waste shipment record to the waste generator as soon as possible and no longer than 30 days after receipt of the waste. [40 CFR §61.154(e)(2)]
- c) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, BFI shall 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 Board. BFI shall describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report. [40 CFR §61.154(e)(3)]
- d) BFI shall retain a copy of all records and reports required by §61.154 for at least 2 years. [40 CFR §61.154(e)(4)]
- ix. BFI shall 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. [40 CFR §61.154(f)]
- x. BFI shall comply with all the provisions of §61.151 upon closure. [40 CFR §61.154(g)]
- xi. BFI shall submit to EQB and EPA a copy of records of asbestos waste disposal locations and quantities upon closure of the facility. [40 CFR §61.154(h)]
- xii. BFI shall furnish upon request, and make available during normal business hours for inspection by EQB or EPA, all records required under §61.154. [40 CFR §61.154(i)]
- xiii. BFI shall notify EQB and EPA 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, BFI shall notice of the new start date must be provided to EQB and EPA at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. BFI shall include the following information in the notice:
 - a) Scheduled starting and completion dates. [40 CFR §61.154(j)(1)]

- b) Reason for disturbing the waste. [40 CFR §61.154(j)(2)]
- c) 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, EQB or EPA may require changes in the emission control procedures to be used. [40 CFR §61.154(j)(3)]
- d) Location of any temporary storage site and the final disposal site. [40 CFR §61.154(j)(4)]

2. F-02 – Road Activities

- a. Road activities F-02 of the SLS that includes the transport and disposition of refuse are limited to an operation of 12 hours per day and 5.7 days per week. The velocity of transporting vehicles on unpaved roads shall not exceed 15.5 miles per hour. [Cumulative Increase; emission calculations]
- b. BFI shall not cause or permit visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate. [Rule 404(B) of the RCAP]
- c. BFI shall perform daily visual observations during the SLS operation to determine compliance with the visible emissions limitations mentioned in condition 2.b. of this section.
- d. BFI shall keep a record with the results of the daily visible observations. This record shall be kept readily accessible at any time at the facility for the revision of technical personnel of EQB and EPA.
- e. BFI 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]
- f. BFI shall employ dust suppression measures as needed to meet the emission limitation mentioned in condition 2.b. of this section.
- g. BFI 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 time at the facility for the revision of technical personnel of EQB and EPA.

- h. BFI shall maintain at the SLS appropriate equipment for dust suppression and in working order at all times of operation of the SLS.
- i. BFI 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]
- j. When reasonable, BFI shall pave the roadways and maintain them in clean conditions. [Rule 404(A)(6) of the RCAP]
- k. BFI 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]
- l. 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 chemical stabilization on all its access and internal roads where unpaved traffic adjoin paved roadways and parking areas. [Rule 404(D) of the RCAP]
- m. BFI shall retain records of all required monitoring data and support information for a period of 5 years form 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)(4)(ii) of the RCAP]

3. F-03 – Leachate Storage Tank

- a. BFI shall keep records of the Leachate Storage Tank F-03 showing the dimensions of each tank and an analysis showing the capacity of each tank pursuant to the 40 CFR §60.116b. This documentation shall be readily available at any time for inspection of EQB personnel and shall be kept onsite for the life of the tank.
- b. BFI shall retain records of all required monitoring data and support information for a period of 5 years form 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)(4)(ii) of the RCAP]

4. EU-01 – Solidification Area for Liquid Waste

- a. The Solidification Area for Liquid Waste EU-01 is limited to use 25 tons per hour of kiln dust. [Cumulative Increase; emission calculations]
- b. BFI shall maintain a record of the kiln dust quantity used per hour in unit EU-01. This record shall be kept readily accessible at any time at the facility for the revision of technical personnel of EQB and EPA.
- c. BFI shall control the particulate matter from unit EU-01 with the baghouse filter CD-01 with 98% removal efficiency. [Cumulative Increase: emission calculations and control device actual removal efficiency]
- d. BFI shall operate the dust collector CD-01 at all times while unit EU-01 is in operation. [Rule 108(D) of the RCAP]
- e. BFI shall install a pressure droop indicator in dust collector CD-01 to assure its operation and efficiency.
- f. BFI shall calibrate every 12 months the pressure drop indicator of dust collector CD-01 and keep all records and documents of the calibrations readily available at any time at the facility for inspection of EQB and EPA personnel.
- g. BFI shall inspect and provide adequate maintenance to dust collector CD-01 in accordance with the manufacturer's recommendations.
- h. The collected material from dust collector CD-01 shall be disposed in accordance with applicable rules and regulations. The removal, manipulation, transportation, storage, treatment or disposal will be done in such or manner that shall not to produce environmental degradation, and in accordance with applicable rules and regulations. [Rule 108(B) of the RCAP]
- i. The Board may require to BFI, when deemed appropriate to safeguard the health and welfare of human beings, the installation and maintenance of additional, complete and separate air pollution control equipment of a capacity equal to the capacity of the primary control equipment CD-01. Furthermore, the Board may require that such additional air pollution control equipment be operated continuously and conjunctionally with the dust collector. [Rule 108(C) of the RCAP]
- j. In the case of a shutdown of the dust collector for the necessary scheduled maintenance, the intent to shutdown such equipment shall be reported to the Board at least three days prior to the planned shutdown. Such prior

notice shall include, but is not limited, to the dispositions in Rule 108(E) of the RCAP.

- k. BFI 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)(4)(ii) of the RCAP]

Section VII - Insignificant Emission Units

The following activities will be considered insignificant as long as BFI complies with the descriptions indicated below.

Emission Unit ID	Capacity	Description (Basis for exemption)
Air compressor and pumps	*	Appendix B.3.xxiii. of the RCAP
Soldering machine	*	Appendix B.3.ii.(E) of the RCAP
Two water pumps	*	Appendix B.3.vi of the RCAP (<500 hours/year)
Emergency Electric Generator (<i>Onan</i>)	190 hp	Appendix B.3.ii.(O) of the RCAP: Emergency Generator with an operation rate lower than 500 hours per year.
Emergency Electric Generator (<i>Caterpillar</i>)	519 hp	
Diesel storage tank	8,000 gallons	Appendix B.3.ii.(N) of the RCAP: Storage tanks with a capacity lower than 10,000 gallons.
Two motor oil storage tanks	350 gallons	
One used oil storage tank	500 gallons	

Section VIII - Permit Shield

As specified under Rule 603(D) of the RCAP, compliance with the conditions of the permit shall be deemed compliance with any applicable requirement as of the date of permit issuance, but only if such applicable requirement is included and specifically identified in the permit.

(1) Non Applicable Requirements

Non applicable requirements		
State	Federal	Reason
***	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) (40 CFR part 60, subpart Kb)	See Section VII, Part (2) of the Permit
***	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (40 CFR part 63, subpart AAAA)	See Section VII, Part (2) of the Permit

(2) Reasons for Non Applicability

Coding for Non Applicability	
Code	Reason
40 CFR part 60, subpart Kb	Not applicable to tanks with a capacity less than 40 cubic meters.
40 CFR part 63, subpart AAAA	Does not meet the applicable requirements of §63.1935(a) and (b).

Section IX - Permit Approval

By virtue of the authority conferred upon the Environmental Quality Board by the Public Policy Environmental Act, Law No. 9, June 18, 1970, as amended, and after verifying the administrative record and compliance with the Uniform Administrative Procedure Act, Law No. 170, August 12, 1988, as amended, the Clean Air Act, the Public Policy Environmental Act and the Regulation for the Control of Atmospheric Pollution, the Environmental Quality Board approves this permit subject to all the terms and conditions herein established.

In San Juan, Puerto Rico, **May 3, 2004.**

ENVIRONMENTAL QUALITY BOARD

/s/
Flor L. del Valle López
Vice-president

/s/
Ángel O. Berríos Silvestre
Associate Member

/s/
Esteban Mujica Cotto
President

APPENDIXES

Appendix I - Definitions and Abbreviations

A. Definitions:

1. Act – Clean Air Act, as amended, 42 U.S. 7401, et seq.
2. Responsible Official- see definition of responsible official, as established in the EQB Regulation for the Control of Atmospheric Pollution, (1995).
3. Regulations – Regulations for the Control of Atmospheric Pollution of the Environmental Quality Board.
4. Permittee – person or establishment to whom EQB has issued an operating permit for an emission source covered by Title V.
5. Title V – Title V of the Federal Clean Air Act (42 U.S.C. 7661).

B. Abbreviations

AP-42	Compilation of Air Pollutants Emission Factors of EPA
ASTM	American Society for Testing and Materials
BFI	BFI of Ponce, Inc. (Browning Ferris Industries)
Btu	British thermal unit
CFR	Code of Federal Regulations
C _{NMOC}	NMOC average concentration
CO	Carbon Monoxide
EPA	Environmental Protection Agency
EQB	Environmental Quality Board
GPH	Gallons per hour
GPY	Gallons per year
HAP	Hazardous Atmospheric Pollutants

k	Methane generation rate constant, year ⁻¹
Mg	Megagrams
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards Hazardous Atmospheric Pollutant
NMOC	Non Methane Organic Compound
NO _x	Nitrogen oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM ₁₀	Particulate Matter with a size less than or equal to 10 micrometers in aerodynamic mass median diameter
PSD	Prevention of Significant Deterioration
RCAP	Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board
SIC	Standard Industrial Classification
SLS	Sanitary Landfill System
SO ₂	Sulfur Dioxide
VOC	Volatile Organic Compounds

C. Notification Addresses

Compliance Notifications and Permit Modifications

Environmental Quality Board
 Air Quality Program
 P.O. Box 11488
 Santurce, PR 00910