



Air Operating Permit No. Y-00063  
Date Issued: 3/26/2012  
Effective Date: 3/27/2012  
Expiration Date: 3/27/2017  
Application Renewal Due Date: 3/27/2016

## **Yakima Regional Clean Air Agency**

Mailing and Location Address: 329 North 1<sup>st</sup> Street  
Yakima, WA 98901

Phone: (509) 834-2050 Fax: (509) 834-2060

***In Compliance*** with the provisions of The State of Washington Clean Air Act Chapter 70.94 Revised Code of Washington and the Federal Clean Air Act 42 United States Code, Section 7401 *et seq.*

**Cheyne Landfill**, a Municipal Solid Waste (MSW) landfill.

Issued to: Yakima County Public Services, Solid Waste Division  
7151 Roza Hill Drive  
Yakima, WA 98901

Facility located at: 4970 Cheyne Road, Cheyne Landfill, Zillah, WA 98953

is authorized to generate air emissions in accordance with the general and special conditions in this Air Operating Permit (AOP) No. Y-00063.

Prepared by:

Hasan M. Tahat, Ph.D.  
Yakima Regional Clean Air Agency  
Phone: (509) 834-2050 Ext. 105

This Operating Permit has been reviewed by the undersigned professional engineer.

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Joseph Andreotti, P.E., Andreotti and Associates

This Operating Permit has been issued by the undersigned.

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Hasan M. Tahat, Ph.D. for Gary W. Pruitt, Director, Yakima Regional Clean Air Agency

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## **1.0 General Terms and Conditions**

The following General Terms and Conditions cite applicable rules and regulations that serve as the statutory and regulatory bases for the requirements. Where there is difference, cited regulations take precedence over the paraphrased requirements. All referenced statutes, regulations, or source test manuals which become requirements or parts of any requirement of this permit are those in effect at the time this permit is issued. Cited rules and regulations or quoted provisions therein followed by “state-only” are not federally enforceable and are state requirements only. The Yakima Regional Clean Air Agency, hereinafter referred to as YRCAA, issues this permit to Yakima County Public Services, Solid Waste Division, Cheyne Landfill, hereinafter referred to as the Permittee, CLF, the Facility or the permitted Facility at 4970 Cheyne Road, Zillah, WA. The Permittee shall comply with the following permit general requirements, in operating the Facility.

### **1.1 Permit Duration**

WAC 173-401-610 (effective 11/4/93)

This permit is issued for a fixed term of five years from the indicated date of issue unless otherwise specified.

### **1.2 Compliance Requirement**

WAC 173-401-620(2)(a) (effective 11/4/93), WAC 173-401-620(2)(b) (effective 11/4/93)

- 1.2.1 Duty to comply: CLF shall comply with all the terms and conditions of this permit. Non-compliance with any provision of this permit constitutes a violation of Chapter 70.94 RCW and the Federal Clean Air Act (FCAA) for provisions which are indicated as federally enforceable. Such violations are grounds for enforcement action, permit termination, revocation and reissuance, or modification and or denial of a permit renewal application.
- 1.2.2 Need to halt or reduce activity not a defense: It shall not be a defense for the 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.

### **1.3 Annual Fee Payment**

WAC 173-401-620(2)(f) (effective 11/4/93)

The Permittee shall pay fees in the amounts determined using the method based in the YRCAA Regulation 1, Section 2.02(D) as a condition of this permit (effective 4/08/00). Failure to pay fees on time, as required, is subject to civil and criminal penalties as prescribed in Chapter 70.94 RCW (effective 1994) and YRCAA Regulation I, Section 5.02 (effective 3/8/00).

## **1.4 Requirement to provide information**

WAC 173-401-500(6) (effective 11/4/93), WAC 173-401-620(2)(e) (effective 11/4/93), YRCAA Reg. 1  
Section 1.07 (B) & (C) (effective 3/8/00)

- 1.4.1 Duty to provide information: The Permittee shall furnish to the YRCAA within a reasonable time, any information that YRCAA may request in writing to determine whether cause exists for modifying, revoking, reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish YRCAA copies of records required to be kept as entailed in the permit. For information claimed to be confidential, the Permittee shall furnish such records directly to the YRCAA and directly to the EPA Administrator, along with a claim of confidentiality. YRCAA shall maintain confidentiality for such information in accordance with RCW 70.94.205 (effective 1991).
- 1.4.2 Duty to supplement: The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly provide the additional information to YRCAA. This includes information necessary to address any requirement(s) that become applicable to the source after it filed a complete application. The Permittee shall submit any such information at any time after the permit application has been submitted; including during the term of the operating permit.
- 1.4.3 Duty to maintain true information: The Permittee shall not provide false and misleading information to YRCAA. The Permittee shall not alter or reproduce the permit for the purpose of evading or violating any provision of this permit (state only).

## **1.5 Property Rights**

WAC 173-401-620(2)(d) (effective 11/4/93)

This permit does not convey any property rights of any sort, or any exclusive privilege.

## **1.6 Transfer of Ownership or Operation**

WAC 173-401-720(1)(d) (effective 11/4/93)

This permit is nontransferable by current owners of the permitted Facility. In case of a change of ownership, the new owners of the permitted Facility shall obtain a new Title V Operating Permit from YRCAA. However, a change of ownership or operational control of the permitted Facility is treated as an administrative permit amendment if no other change in this permit is necessary and, provided that a written agreement containing specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the YRCAA.

## **1.7 Inspection and Entry**

WAC 173-401-630(2) (effective 11/4/93), YRCAA REG. 1 Section 1.07 (B) & (C) (effective 4/08/00)

- 1.7.1 Upon presentation of appropriate credentials and other documents as may be required by law, the Permittee shall allow the office of the YRCAA Director or authorized YRCAA representative(s) to perform the following:
  - 1.7.1.1 Enter upon the premises of the permitted Facility where the emissions related activity is conducted or where records shall and are kept under the conditions of the permit;
  - 1.7.1.2 Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
  - 1.7.1.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - 1.7.1.4 As authorized by WAC 173-400-105 (effective 10/14/96) and the FCAA, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.
- 1.7.2 Nothing in this provision shall limit the ability of EPA to inspect or enter the premises of the permitted Facility under Section 114 or other provisions of the FCAA.
- 1.7.3 No person shall obstruct, hamper, or interfere with any authorized representative while in the process of carrying out his official duties.

## **1.8 Permit Actions**

WAC 173-401-620(2)(c) (effective 11/4/93)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

## **1.9 Changes not Requiring Permit Revisions**

WAC 173-401-722 (effective 11/4/93)

- 1.9.1 The Permittee may make changes without requiring permit revision provided that the changes satisfy the following criteria:
  - 1.9.1.1 The proposed changes are not Title I (modification);
  - 1.9.1.2 The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in

- total emissions;
- 1.9.1.3 The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and
- 1.9.1.4 The Permittee provides the EPA administrator and YRCAA with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.
- 1.9.2 The Permittee is authorized to make changes without a permit revision pursuant to section 502 (b)(10). Section 502 (b)(10) changes are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
- 1.9.3 The Permittee is authorized to trade increases and decreases in emissions in the permitted Facility, as the Washington state implementation plan provides for such emission trades without requiring a permit revision.
- 1.9.4 The Permittee shall comply with applicable preconstruction review requirements pursuant to RCW 70.94.152 (effective 1994) when making changes as provided in that section.

## **1.10 Off-permit changes**

WAC 173-401-724 (effective 11/4/93)

- 1.10.1 The Permittee shall be allowed to make changes not specifically addressed or prohibited within the terms and conditions of this permit without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title V modification or is a change subject to the acid rain requirement under Title IV of the FCAA must be submitted as a permit revision.
- 1.10.2 Any changes that the Permittee makes shall meet all applicable requirements and shall not violate any existing permit term(s) or condition(s).
- 1.10.3 The change(s) that the Permittee makes shall not qualify for the permit shield under WAC 173-401-640 (effective 11/4/93), unless, timely and proper permitting is authorized and obtained from the permitting authority.
- 1.10.4 The Permittee shall keep a record describing changes made at the permitted Facility that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

### **1.11 Emissions Trading**

WAC 173-401-620(2)(g) (effective 11/4/93)

There shall be no permit revision required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in this permit.

### **1.12 Severability Clause**

WAC 173-401-620(2)(h) (effective 11/4/93)

The provisions of this permit are severable and, if any provision of this permit, or application of any provisions of this permit to any circumstance, is held invalid, the application of such provision to their circumstances, and the remainder of this permit, shall not be affected and be enforceable thereby.

### **1.13 Permit Appeals**

WAC 173-401-735 (effective 11/4/93), WAC 173-401-620(2)(i) (effective 11/4/93)

This permit or any condition in it may be appealed only by filing an appeal with the Pollution Control Hearings Board (PCHB) as described in Chapter 43.21B RCW and RCW 70.94.161(9) (effective 1993). Appeals should be sent to the PCHB, P.O. Box 4903, Olympia, WA. 98504-4903. Concurrently, a copy of the application must be sent to the YRCAA, 329 N. First St. Yakima, WA. 98901. In addition USEPA may be petitioned in accordance with WAC 173-401-920(3)(c)(xi). Any appealable decision or determination shall be identified as such and shall contain a conspicuous notice to the recipient, indicating that it may be appealed by filing an appeal with the PCHB and serving the appeal to the YRCAA within 30 days of receipt, pursuant to RCW 43.21B.310. These procedures are consistent with the provisions of Chapter 43.12B RCW and the rules and regulations adopted thereunder. The provision for appeal in this section is separate from and additional to any federal rights to petition and review as provided in section 505(b) of the FCAA.

### **1.14 Permit Continuation**

WAC 173-401-620(2)(j) (effective 11/4/93)

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640 (effective 11/4/93), shall not expire during permit renewal until another permit is issued or denied if a timely and complete application has been submitted. An application shield granted under WAC 173-401-705(2) (effective 11/4/93) shall remain in effect until a renewal permit during renewal period or reopening the permit for cause is issued or denied if a timely and complete renewal permit application or request to for reopening has been submitted. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit.

## **1.15 Emergency Provision**

WAC 173-401-645 (effective 11/4/93)

An emergency means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God. Such situation(s) requires immediate corrective action to restore normal operation, and that causes the permitted Facility to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, carelessness or improper operation, or operator error. Noncompliance with a technology-based emission limitation shall not be an emergency defense, unless following conditions are met and verified:

- 1.15.1 The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence;
- 1.15.2 The emergency occurred and that Permittee can identify the cause(s) of the emergency;
- 1.15.3 The permitted Facility was being properly operated at the time of the emergency;
- 1.15.4 During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded standards, or other requirements in the permit;
- 1.15.5 The Permittee submitted notice of the emergency to YRCAA within two working days of the time when emission limitations were exceeded due to the emergency, or shorter periods of time as specified in the applicable requirements. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice shall satisfy the excess emissions reporting requirements as specified in WAC 173-401-615 (3)(b) (effective 11/4/93) unless the excess emissions represent a potential threat to human health or safety; and
- 1.15.6 Prompt reporting shall be required of the Permittee for all deviations from permit conditions or emergencies from the permitted Facility. For deviations or emergencies which represent a potential threat to human health or safety, prompt reporting means reporting as soon as possible, but in no case later than twelve hours after the emergency or deviation is discovered. [WAC 173-401-615 (3)(b) (effective 11/4/93)]



### **1.16 Unavoidable Excess Emissions**

WAC 173-400-107(2) (effective 9/20/93), YRCAA Regulation 1 Section 3.11 (D)(3) (effective 4/08/00)

Excess emissions due to start-up or shutdown conditions, scheduled maintenance or upsets that are determined to be unavoidable under the procedures and criteria in WAC 173-400-107 (effective 9/20/93), shall be excused and not subject to penalty, as long as they satisfy conditions and criteria of the unavoidable emissions.

### **1.17 Federal Enforceability**

WAC 173-401-625 (effective 11/4/93)

All terms and conditions of this permit are enforceable by EPA and by citizens under the FCAA, except for those terms and conditions designated in the permit as "state only", WAC 173-401-625 (effective 11/4/93)

### **1.18 Reasonably Available Control Technology (RACT)**

WAC 173-401-605(3) (effective 11/4/93)

Emission standards and other requirements contained in rules, regulatory orders and other permits in effect at the time of operating permit issuance or renewal shall be considered RACT for purposes of this permit or any future renewal, provided that no RACT determination has been made for the category of sources in which this permitted Facility is included. Emission standards in the RACT shall be the applicable standard of this permit when a RACT determination is made. RACT can be incorporated into this permit at any time pursuant to WAC 173-401-730.

### **1.19 Records, Monitoring and Reporting Requirements**

WAC 173-400-105 (effective 10/14/96)

Except as provided in Section 2.0 Permit Specific Terms and Conditions, upon written notification by YRCAA, the Permittee shall provide the maintained records deemed necessary to determine whether the Facility is complying with emission limitations and control measures of this permit. Such records shall include the type and quantity of emissions from the permitted Facility and other information as deemed necessary by YRCAA.

### **1.20 Required Recordkeeping for Monitoring**

WAC 173-401-615(2)(a) (effective 11/4/93)

Records of required monitoring shall include at least the following, whenever applicable:

- 1.20.1 Date, place as defined in the permit, and time of sampling or measurements;
- 1.20.2 Date when analyses were performed;

- 1.20.3 Company or entity performing the analyses;
- 1.20.4 Analytical techniques or methods used;
- 1.20.5 Results of such analyses; and
- 1.20.6 Operating conditions existing at the time of sampling or measurement.

### **1.21 Recordkeeping of Emissions Related Changes**

WAC 173-401-615(2)(b) (effective 11/4/93)

Records for changes not regulated under this permit shall be provided to YRCAA which shall include at least description of the changes made at the source that resulted in emissions of a regulated air pollutant subject to an applicable requirement, and the emissions resulting from those changes.

### **1.22 New Source Review**

WAC 173-400-110 (state only, effective 9/15/01), WAC 173-400-113 (state only, effective 9/15/01), WAC 173-400-114 (state only, effective 9/15/01), WAC 173-460-040 (state only, effective 6/20/09).

- 1.22.1 The Permittee shall not construct, install, or establish any new air contaminant source, or modify any existing air contaminant source at the permitted Facility without obtaining written final Order of approval from YRCAA in accordance with all applicable rules and regulations.
- 1.22.2 The Permittee shall file a NSR application with YRCAA for any replacement or substantial modification of air emission control technology installed on an existing stationary source or emission unit in the permitted Facility in accordance with the WAC 173-400-114 (effective 9/20/93).

### **1.23 Schedule of Compliance:**

WAC 173-401-630(3) (effective 11/4/93), WAC 173-401-510(2)(h)(iii) (effective 6/17/94)

The Permittee shall continue to comply with all applicable requirements with which it is currently in compliance. The permittee shall meet applicable requirements on a timely basis that become effective during the permit term.

### **1.24 Certification by a Responsible Official**

WAC 173-401-520 (effective 11/4/93), WAC 173-401-630(1) (effective 11/4/93)

Any application form, report or compliance certification submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required by this permit shall state that based on information and belief formed from reasonable inquiry, the statements and information in the document are true, accurate, and complete.

### **1.25 Permit Reopening**

WAC 173-401-730 (effective 11/4/93)

The permit shall be reopened and revised under any of the following circumstances:

- 1.25.1 Additional applicable requirements under the FCAA become applicable to the Permittee with a remaining permit term of 3 or more years. Such reopening shall be completed no later than eighteen months after promulgation of the 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 has been administratively extended pursuant to WAC 173-401-620(2)(j) (effective 11/4/93).
- 1.25.2 Additional requirements (including excess emissions requirements) become applicable to the permitted facility under the acid rain program. Upon approval by the EPA administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
- 1.25.3 The YRCAA or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- 1.25.4 The YRCAA or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

## **1.26 Outdoor Burning**

YRCAA Reg., I Section 3.03(C) (effective 3/8/00)

The Permittee shall not conduct any open burning at the permitted facility without a written permit from YRCAA.

## **1.27 Asbestos Abatement**

40 CFR 61 Subpart M (effective 11/20/90), YRCAA Reg. 1 Section 3.07 (state only, effective 3/8/00)

- 1.27.1 The Permittee is not subject to 40 CFR Part 61, Subpart M as the Facility is not accepting asbestos materials in the landfill at the present time. If and when the Facility accepts asbestos containing materials as indicated in the permit application it will be subject to 40 CFR Part 61, Subpart M.
- 1.27.2 The Permittee shall comply with 40 CFR 61.145 (effective 1/16/91) and 61.150 (effective 1/16/91) when conducting any renovation or demolition activities at the facility.
- 1.27.3 The Permittee shall conduct an assessment of asbestos materials prior to any renovation or demolition activities at the facility. When asbestos materials are found, removal shall be conducted in accordance to the provisions set forth in 40 CFR 61.145 (effective 1/16/91).

## **1.28 Stratospheric Ozone and Global Climate Protection**

40 CFR 82 Subpart F (effective 11/9/94), RCW 70.94.970(2) (state only, effective 1991), RCW 70.94.970(4) (state only, effective 1991)

- 1.28.1 The Permittee shall comply with the following recycling and emissions reduction standards for ozone depleting refrigerants:
  - 1.28.1.1 Required practices for maintenance, service repair or disposal of appliances containing ozone depleting refrigerants pursuant to 40 CFR 82.156 (effective 8/19/94);
  - 1.28.1.2 Standards for recycling and recovery equipment used during the maintenance, service, repair or disposal of appliances containing ozone depleting refrigerants pursuant to 40 CFR 82.158 (effective 8/19/94).
  - 1.28.1.3 Certification requirements for technicians doing maintenance, service, repair or disposal of appliances containing ozone depleting refrigerants pursuant to 40 CFR 82.161 (effective 8/14/94).
- 1.28.2 The Permittee may switch from any ozone-depleting refrigerant to any approved alternative pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G (effective 7/30/92) but shall not switch to any unacceptable substitute listed in the same Section. [CFR 82.174, (effective 1/13/95)]
- 1.28.3 The Permittee shall not willfully release any regulated refrigerant from a motor vehicle air conditioning system, commercial or industrial air conditioning, heating, or refrigeration system or any of the recycled appliances in the white area and shall use refrigerant extraction equipment to recover regulated refrigerant when servicing, repairing or disposing of such systems. [RCW 70.94.970, state only, effective 1991].

## **2.0 Permit Specific Terms and Conditions**

As provided in WAC 173-401-630(1) (effective 11/4/93), this section contains compliance certification, testing monitoring, reporting and recordkeeping requirements sufficient to assure compliance with the specified permit limits and/or other specific terms and conditions. The Permittee shall comply with all requirements identified in the Tables contained in this section. All requirements are federally enforceable unless identified as "state only" in the third column by an "X" mark. Contents of the second and fifth columns are provided for information purposes only. The referenced regulation, regulatory order or order of approval must be consulted for a more accurate and complete statement of the requirements.

This Facility was issued an order of approval in 2009 for the expansion cell number 2 under permit number NSRP-27-CLF-08. The processes identified in this permit are divided into three sections. Process 1 is the Facility-Wide activities; Process 2 is the entire MSW landfill (Landfilling in cells number 1 and 2 with total design capacity of 8.2 million tons) and Process 3 is specific to MSW landfill in cell number 2 (design capacity of 6.4 million tons).

### **2.1 Facility-Wide Requirements**

The Facility-wide requirements in Table 1 below shall apply to all emission units (emission units as defined in WAC 173-400, effective 4/1/11 and WAC 173-401, effective 1/1/11) in the Facility: including, but not limited to the solid waste landfill, unless an alternate requirement is specifically stated for a particular emission unit. These applicable requirements apply to insignificant emission unit (IEU's); however, IEU's are not subject to monitoring, recordkeeping, and reporting requirements (MRRR's) under the facility-wide requirements section pursuant to WAC 173-401-530 (2)(c) (effective 10/17/02). IEU's are defined and discussed in AOP Statement of Basis Section 1.4.

Facility-wide testing is as required in this section. YRCAA holds and maintains the authority as provided in WAC 173-400-105(4) (effective 4/1/11) to require source testing for cause at any time when deemed necessary.

**Table 1 Facility-Wide Requirements**

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
1	Visible emissions	WAC 173-400-040(2) (effective 4/1/11)		Maximum opacity of 20%. Opacity shall not exceed 20% for more than three (3) minutes, in any one (1) hour.	EPA Method 9 (40 CFR Part 60, App. A, effective date 11/12/74)	<p>1. General opacity standard for emission units where monitoring is not addressed elsewhere in the permit, the Permittee shall assigned operator to conduct once a month visual opacity inspections for the permitted Facility during daylight hours. Visual inspections shall consist of a visual survey of all operation or emission points while in operation, to identify those which exhibit visible emissions. Whenever visible emissions other than uncombined water are observed or during an inspection, indicated by verifiable complaint, the Permittee shall do the following:</p> <p>Conduct an opacity evaluation by a certified opacity reader in accordance with 40 CFR 60, Appendix A, Method 9. Such opacity evaluation shall be conducted within 24 hours to verify compliance with 20% opacity standard. If opacity is 20% or greater, appropriate and timely action shall be taken, but no later than 24 hours of the observation, to identify and correct the problem causing the opacity. Corrective actions taken shall not take the place of reporting requirements for deviation or other credible evidence indicating a deviation.</p> <p>2. Records of above visual inspections or opacity evaluations shall be maintained and shall contain at least the following:</p> <ul style="list-style-type: none"> <li>i. Date and time of the visual inspection;</li> <li>ii. Stack or emission point or area of identification;</li> <li>iii. Operational status/condition of the associated emission unit;</li> <li>iv. Observed results and conclusions;</li> <li>v. Description of corrective action taken to resolve any observed opacity;</li> <li>vi. Date and time opacity problem is resolved;</li> <li>vii. Results of EPA Method 9 if opacity evaluation is conducted; and,</li> <li>viii. Name of person(s) performing the inspection, measurement, or monitoring.</li> </ul> <p>These records shall be maintained at the plant site for a five year period from any present time and made available during inspections or when requested by YRCAA. (WAC 173-401-615(1), 10/17/02)</p>
2	Particle fallout	WAC 173-400-040(3) (effective 4/1/11)	X	Prevent fallout. No person shall cause or permit the emission of PM from any source to be deposited beyond the property under direct		<p>1. The Permittee shall notify YRCAA no later than 72 hours of receipt of any complaints. Receipt of a complaint may be used in conjunction with other material evidence to show a violation but is not necessarily a violation of the applicable requirement. Conversely, absence of complaint may be used in conjunction with other material evidence to show no violation. If and when the source of the complaint represents a potential threat to human health or safety,</p>

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				control of the owner(s) or operator(s) of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.		the Permittee shall take corrective action as soon as possible but in no case later than 12 hours after discovery or any confirmed complain. The Permittee shall maintain a log at the Facility site and/or the Solid Waste Administration Office for a five year period from any present time of all complaints received. The log shall be available to YRCAA during inspections or upon request. The log shall include at minimum: i. The time and date of the complaint, ii. Who originated the complaint (person, anonymous caller, YRCAA complaint referral, etc.), iii. What actions were taken to determine the cause of the complaint (e.g., an inspection revealed an equipment or control device failure), iv. What action(s) were taken, if any, to remedy the cause of the complaint (e.g., the equipment or control device was repaired), and v. What action(s), if any, will be taken and have been taken to reduce the likelihood of future complaints and or resolve the problem. WAC 173-401-615(1)(2) (effective 10/17/02)
3	Fugitive emissions	WAC 173 400-040(4)(a) (effective 4/1/11) and NSRP-27-CLF-08 condition 3.5 (issued 8/19/09)		Take reasonable precautions to prevent release and use reasonable and available methods to control fugitive emissions		1..The Permittee shall perform monthly audit of the facility to assure that the minimum precautions and reasonably available control technology are being applied for preventing unreasonable fugitive emissions, fugitive dust and release of particulate air pollutants from landfill operations, storage, handling, or transporting of materials in the permitted facility. For the purposes of this condition, reasonable precautions shall include, but are not limited to the following: i. Promptly cleaning up all spills. ii. Using a street sweeper on paved roadways and staging areas as necessary to minimize dust accumulation. iii. Spraying water or dust abatement materials on powdery dry back fill areas, storage piles and unpaved roadways as necessary to minimize fugitive dust. (WAC 173- 401-615(1) (effective 10/17/02))
4	Fugitive dust	WAC 173-400-040(9) (effective 4/1/11) and NSRP-27-CLF-08 condition 2.6 (issued 8/19/09)		Take reasonable precautions to prevent release and use reasonable and available methods to control fugitive dust from becoming airborne		
5	Odors	WAC 173-400-040(5) (effective 4/1/11)	X	Odors which may unreasonably interfere with use and enjoyment of property owners shall not be allowed and recognized good		1. The Permittee shall perform monthly audits/inspection of the facility to assure that the reasonable minimum precautions and reasonably available control technology are being applied for preventing unreasonable nuisance odors and release of air pollutants from landfill operations, storage, handling, or transporting of materials in the permitted facility. For the purposes of this condition, reasonable precautions shall include, but are not limited to the following:

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				practice and procedures shall be employed to reduce odors to a reasonable minimum.		i. Applying daily cover to the landfill waste. ii. Promptly cleaning up all spills. WAC 173-401-615(1) (effective 10/17/02) 2. The Permittee shall notify YRCAA no later than 72 hours of receipt of any complaints. Receipt of a complaint may be used in conjunction with other material evidence to show a violation but is not necessarily a violation of the applicable requirement. Conversely, absence of complaint may be used in conjunction with other material evidence to show no violation. If and when the source of the complaint represents a potential threat to human health or safety, the Permittee shall take corrective action as soon as possible but in no case later than 12 hours after discovery or any confirmed complain. The Permittee shall maintain a log at the plant site and/or the Solid Waste Administration Office for a five year period of any and all complaints received. The log shall be available to YRCAA during inspections or upon request. The log shall include but not limited to: i. ....The time and date of the complaint, ii. Who originated the complaint (person, anonymous caller, YRCAA complaint referral, etc.), iii. What actions were taken to determine the cause of the complaint (e.g., an inspection revealed an equipment or control device failure), iv. What action(s) were taken, if any, to remedy the cause of the complaint (e.g., the equipment or control device was repaired), and v. What action(s), if any, will be taken to reduce the likelihood of future complaints. WAC 173-401-615(1)(2) (effective 10/17/02)
6	Emissions detrimental to person's health, safety or welfare or property.	WAC 173-400-040(6) (effective 4/1/11)		No emissions shall be allowed which are detrimental to person's health, safety or welfare or property from the Facility.		1. The Permittee shall notify YRCAA no later than 72 hours of receipt of any complaints. Receipt of a complaint may be used in conjunction with other material evidence to show a violation but is not necessarily a violation of the applicable requirement. Conversely, absence of complaint may be used in conjunction with other material evidence to show no violation. If and when the source of the complaint represents a potential threat to human health, welfare or safety, the Permittee shall take corrective action as soon as possible but in no case later than 12 hours after discovery or any confirmed complain. The Permittee shall maintain a log at the plant site and/or the Solid Waste Administration Office for a five year period from any present time of all complaints received. The log shall be available to YRCAA during inspections or upon request. The log shall include at minimum: i. The time and date of the complaint;



Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
						<ul style="list-style-type: none"> <li>ii. Who originated the complaint (person, anonymous caller, YRCAA complaint referral, etc.);</li> <li>iii. What actions were taken to determine the cause of the complaint (e.g., an inspection revealed an equipment or control device failure);</li> <li>iv. What action(s) were taken, if any, to remedy the cause of the complaint (e.g., the equipment or control device was repaired); and</li> <li>v. What action(s), if any, will be taken to reduce the likelihood of future complaints? WAC 173-401-615(1)(2) (effective 10/17/02)</li> </ul>
7	Sulfur dioxide	WAC 173-400-040(7) (effective 4/1/11)		Emission less than or equal ( $\leq$ ) 1,000 ppm, dry basis, and for combustion processes, corrected to 7% O <sub>2</sub> , for 60 consecutive minute average.	EPA Method 6 (40CFR Part 60, App. A, effective 10/28/87)	<p>Compliance certification:</p> <p>The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)(c)(1) (effective 11/4/93)</p>
8	Concealment and masking	WAC 173-400-040(8) (effective 4/1/11)		No masking materials shall be used. No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant.		<p>Compliance certification:</p> <p>The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)(c)(1) (effective 11/4/93)</p>
9	Emission standards: General process units	WAC 173-400-060 (effective 2/10/05)		$\leq$ 0.23 grams per dry cubic meter (0.1 grains per dry standard cubic foot) of exhaust gas	EPA Method 5 (40CFR Part 60, App. A, effective 6/16/87)	<p>Source Testing:</p> <p>No source testing is required at this time for these conditions. The YRCAA holds and maintains the authority as provided in WAC 173-400-105(4) (effective 4/1/11) to require source testing for cause at any time when deemed necessary.</p> <p>Compliance certification:</p>
10	PM <sub>10</sub> Emission Standards from Combustion sources	WAC 173-400-050 (1)(3) (effective 4/1/11)		$\leq$ 0.1 grains per dry standard cubic foot (0.23 grams per dry cubic meter) Concentration to be	EPA Method 5 (40CFR Part 60, App. A, effective	<p>The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)(c)(1) (effective 11/4/93)</p>

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				adjusted to 7% oxygen.	6/16/87)	
11	Varying air emissions rate according to atmospheric conditions	WAC 173-400-205 (effective 3/22/1991)	X	Prohibited except according to air pollution episode requirements.		
12	Operation and Maintenance (O&M)	NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 2.3		Maintain O&M, update once per year and implement routinely.		<p>1. The Permittee shall develop and maintain an Operations and Maintenance (O&amp;M) Plan based on rules and regulation, industry standards or Facility's operation experience for any and all process and control for this operation. The Permittee shall at all times comply with the (O&amp;M) Plan. Whenever any modification or any other operating procedures are instituted, the O&amp;M documents shall be updated and any modification shall be implemented to reflect changes. The O&amp;M Plan shall include at minimum the following:</p> <ul style="list-style-type: none"> <li>• The required schedule of maintenance of air contaminant emitting equipment as specified by the equipment manufacturer;</li> <li>• Landfill cell management operational specifications relevant to air emission control;</li> <li>• A Fugitive Dust Control Plan (FDCP) approved by YRCAA;</li> <li>• An Odor Impact Minimization Plan (OIMP) approved by YCRAA; and</li> <li>• A record of plan reviews and updates for O&amp;M Plan, FDCP, and OIMP Plan.</li> <li>•</li> </ul> <p>2. The Permittee shall review and update O&amp;M plan once per calendar year</p>
13		NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 2.7		All areas on which travel by waste hauling vehicles routinely occurs shall be paved, except within 150 feet of an existing or planned cell. Paved areas shall be regularly cleaned and swept.		<p>1. Paved areas shall be regularly cleaned and swept. All other roadways shall be maintained at all times.</p> <p>2. The Permittee shall comply with O&amp;M plan requirements.</p>

<b>Item #</b>	<b>Pollutants / Regulatory Citation</b>	<b>Applicable Requirement</b>	<b>State only</b>	<b>Emission Limit or Brief Description of Requirements</b>	<b>Reference Test / Compliance Method</b>	<b>Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)</b>
14	Fugitive dust	NSR # NSRP-27-CFL- 08 (issued 8/19/2009) Operating condition 2.8		Minimize Track out		Track out shall be minimized for all vehicles leaving the site. This may include tire washing, road sweeping, road washing or other methods, as needed.
15	Outdoor burning	NSR # NSRP-27-CFL- 08 (issued 8/19/2009) Operating condition 2.9, WAC 173-425 & YRCAA Reg. 1 Sec. 3.03		No outdoor burning shall be conducted on-site, unless authorized in writing by YRCAA.		No additional monitoring required.
16	Petroleum Contaminated Soils (PCP)	NSR # NSRP-27-CFL- 08 (issued 8/19/2009) Operating condition 2.10		Limits of the Total Petroleum Hydrocarbons (TPH) Petroleum Contaminated Soils (PCP) No Petroleum Contaminated Soils (PCS) with hydrocarbon concentration levels exceeding the Method A Soil Cleanup Levels specified in WAC 173-340		Maintain records, including the TPH analyses for each batch of soil accepted. A "batch" is soils originating from the same excavation.

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				(Model Toxics Control Act Cleanup Regulation) shall be accepted at the Facility unless specific written approval is obtained from YRCAA.		
17	Recordkeeping	NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 5.3 and 3.3		Records of daily number of hours of landfill operation, tons of refuse accepted, time, location, and duration of excess opacity events, receipt of odor nuisance complaints.		<p>The Permittee shall record the daily number of hours of landfill operation, tons of refuse accepted, time, location, and duration of excess opacity events, receipt of odor nuisance complaints. The permittee shall retain all required records for at least the past five years from any present time. Records shall be reasonably accessible to YRCAA and be made available upon request. Records of periodic activities performed to comply with this condition shall include at minimum the date and time of performance and the name of the operator performing the activity.</p> <p>Maintenances of the above records may be in a paper or electronic format. Records shall be retrievable in 4 hours. The required records shall be maintained at the facility site or other accessible location when requested by the APCO of YRCAA or his representative.</p>
18	Criteria pollutants and TAPs	WAC 173-400-036 (effective 4/1/11)		Relocation of portable sources		The Permittee shall obtain a NSR permit when triggered and submit a relocation notification when moving to another location within the YRCAA jurisdiction when applicable.
19	NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 3.10	NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 3.10		Revision of regulation. The laws and regulations may be superseded or revised without notice. It is the Permittee's responsibility to stay current with these changes governing their business and therefore is expected		No additional monitoring required

Item #	Pollutants / Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				to comply with all new laws and regulations immediately upon their effective date. Laws and regulation updates will be incorporated into existing permits or upon renewal of said permits		

## 2.2 Unit Specific Requirements

In addition to the facility wide requirements in Table 1, the following specific emission unit/process shall also comply with the cited specific requirements as indicated in Tables 2, 3 and 4 in this section.

### 2.2.1 Municipal Solid Waste Landfill Cells 1 and 2

**Table 2. Municipal Solid Waste Landfill Operation Requirements for Cell 1 and 2**

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
20	New Source Performance Standard (NSPS)	40 CFR Part 60 Subpart A, §60.7(a)(4), §60.7(b), §60.7(f), (effective 2/12/1999)		Recordkeeping and Notification  Startup, shutdown or malfunction  Maintain a file record		<p>The Permittee shall furnish the Administrator written notification of activities listed in 40 CFR §60.7(a). The Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the affected source; any malfunction of the air pollution equipment; or any periods during which a Continuous Monitoring System (CMS) for emissions or monitoring device is inoperative. Each summary report form shall contain the information and be in the format described in 40 CFR §60.7(d). For purposes of this requirement, the Administrator, shall be:</p> <div><div>Air Pollution Control Officer Yakima Regional Clean Air Agency 329 N. 1<sup>st</sup> Street Yakima, WA. 98901</div><div>Regional Administrator, Region 10 U. S. Environmental Protection Agency, OAQ 1200 Sixth Avenue, Suite 900 Seattle, WA. 98101</div></div> <p>(40 CFR part 60, 7/1/08)</p> <p>The Permittee shall maintain records of the occurrence and duration of any startup or shutdown, in the operation of an affected facility subject to a NSPS.</p> <p>The Permittee shall Maintain a file of all measurements, maintenance, reports, and performance testing results required by applicable NSPS in a permanent location suitable for inspection for a five year period from any present time. WAC 173-401-615(1), (2) &amp; (3) (effective 11/4/93)</p>
21	Visible emissions	NSR # NSRP-27-CFL-		Five percent 5% visible emission limit due to	EPA Method 9, 40 CFR 60 Appendix A	Visible emissions due to landfill operations shall not exceed five percent opacity at the property boundary, as measured by EPA Method 9 or 22 (whichever is applicable) of Title 40, Code of Federal Regulations, Part 60, Appendix A.

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		08 (issued 8/19/2009) Operating condition 2.4 and 2.5		landfill operation at the property boundary		<p>If opacity is greater than five percent as indicated above, the Permittee shall immediately stop the operation in question and take corrective action as directed in the O&amp;M plan until visible emissions are below the respective opacity limit. Corrective actions may include the following:</p> <ol style="list-style-type: none"> <li>1. Verify and certify that the affected operation is performing according to its design functions within the acceptable design parameters and is being operated according to O&amp;M procedures. Therefore, it must be checked against any operational conditions that have resulted in compliance in the past. If the equipment is not performing according to design and O&amp;M procedures, the Permittee must take corrective action within 48 hours to correct the problem; or</li> <li>2. Conduct an opacity evaluation by a certified opacity reader in accordance with 40 CFR 60, Method 9 within 48 hours to verify compliance with the opacity limit.</li> </ol> <p>These records shall be maintained at the plant site for a five year period from any present time and made available during inspections or when requested by YRCAA. (WAC 173-401-615(1), 10/17/02)</p>
22	New Source Performance Standard (NSPS)	40 CFR Part 60 §60.11(d) (effective 2/24/1997)		Minimize air emissions. Any affected facility shall be operated and maintained at all times consistent with good air pollution control practices for minimizing emissions.		<ol style="list-style-type: none"> <li>1. The Permittee shall perform monthly audits of the facility to assure that the minimum precautions and reasonable measures are being applied for preventing unreasonable nuisance odors, fugitive emissions, fugitive dust and release of particulate air pollutants from landfill operations, storage, handling, or transporting of materials in the permitted facility. For the purposes of this condition, reasonable precautions shall include, but are not limited to the following: <ol style="list-style-type: none"> <li>i. Promptly cleaning up all spills.</li> <li>ii. Using a street sweeper on paved roadways and staging areas as necessary to minimize dust accumulation.</li> <li>iii. Spraying water or dust abatement materials on powdery dry back fill areas, storage piles and unpaved roadways as necessary to minimize fugitive dust. WAC 173-401-615(1) (effective 11/4/93)</li> </ol> </li> <li>2. The Permittee shall notify YRCAA no later than 72 hours of receipt of any complaints. Receipt of a complaint may be used in conjunction with other material evidence to show a violation but is not necessarily a violation of the applicable requirement. Conversely, absence of complaint may be used in conjunction with other material evidence to show no violation. If and when the source of the complaint represents a potential threat to human health or safety, the Permittee shall take corrective action as soon as possible but in no case later than 12 hours after</li> </ol>

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
						<p>discovery or any confirmed complain. The Permittee shall maintain a log at the plant site for a five year period after a complaint(s) are received. The log shall be available to YRCAA during inspections or upon request. The log shall include at minimum:</p> <ul style="list-style-type: none"> <li>i. The time and date of the complaint;</li> <li>ii. Who originated the complaint (person, anonymous caller, YRCAA complaint referral, etc.);</li> <li>iii. What actions were taken to determine the cause of the complaint (e.g., an inspection revealed an equipment or control device failure);</li> <li>iv. What action(s) were taken, if any, to remedy the cause of the complaint (e.g., the equipment or control device was repaired); and</li> <li>v. What action(s), if any, will be taken to reduce the likelihood of future complaints? WAC 173-401-615(1) &amp; (2) (effective 11/4/93)</li> </ul>
23	WAC 173-400-110 and NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 3.8 and 5.4	WAC 173-400-110 and NSR # NSRP-27-CFL-08 (issued 8/19/2009) Operating condition 3.8 and 5.4		LFG collection system. The Permittee shall determine the applicability, timing and emission rate and meet the requirements for LFG collection system and apply for NSR		The Permittee shall comply with the reporting requirements of 40 CFR Part 60 Subpart WWW. As required by 40 CFR 60.754(a)(2), the Permittee shall calculate and report annual Tier I NMOC emission rate for the entire landfill to compare with the 50 megagram per year NMOC emission rate threshold for installing a landfill gas collection and control system. The Permittee may also recalculate annual NMOC emissions for the entire landfill using a site-specific NMOC concentration (Tier II, 40 CFR 60.754(a)(3)) and a site-specific methane generation rate constant (Tier III, 40 CFR 60.754(a)(4). If and when the Permittee is required to install a landfill gas collection and control system pursuant to NSPS Subpart WWW (Based on the obtained data from the chosen Tier), the system shall be designed, installed and operated according to all applicable NSPS Subpart WWW standards, including but not limited to control device, wellhead, and surface methane emissions monitoring pursuant to the operation standards in 40 CFR 60.753 (effective 10/17/2000).
24	New Source Performance Standard (NSPS)	40 CFR Part 60 §60.12 (effective 3/8/1974)		Circumvention: No owner or operator in the permitted Facility can alter or install equipment or process for the purpose of concealing		<p>Compliance certification:</p> <p>The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)(c)(1) (effective 11/4/93)</p>



Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR’s) WAC 173-401-630(1)			
				emissions which would otherwise constitute a violation of any applicable requirements.					
25	New Source Performance Standard (NSPS)	40 CFR Part 60 subpart WWW §60.752(b) (effective 4/10/2000) NSRP-27-CLF-08, Condition 5.4 & 5.5		Calculate the Non-Methane Organic Compounds (NMOC) emission rates for the landfill as described and applicable to the source in Subpart WWW& §60.754	Using 40 CFR Part 60 subpart WWW As per procedures in section §60.754(a)	<p>The Permittee shall submit an NMOC emission rate report to:</p> <table><tr><td>Air Pollution Control Officer Yakima Regional Clean Air Agency 329 N. 1<sup>st</sup> Street Yakima Yakima, WA. 98901</td><td>And,</td><td>EPA, Region 10 Office of Air, Waste and Toxics 1200 Sixth Avenue, Suite 900 Seattle, WA. 98101</td></tr></table> <p>(1) Annually, OR (2) If the estimated NMOC emission rate as reported in the annual report is less than 50 Mg/yr in each of the next 5 years, the Permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of annual reports.</p> <p>If option (2) is chosen, the NMOC 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-year estimate, a revised 5-year estimate shall be submitted to YRCAA and EPA.</p> <p>The NMOC emission rate report shall include all data, calculations, sample reports, and measurements used to estimate the annual or 5-year NMOC emissions. YRCAA or EPA may request additional information as may be necessary to verify the reported NMOC emission rate. (40 CFR 60.4(a), 7/1/08; 40 CFR 60.757(b), 7/1/08)</p>	Air Pollution Control Officer Yakima Regional Clean Air Agency 329 N. 1 <sup>st</sup> Street Yakima Yakima, WA. 98901	And,	EPA, Region 10 Office of Air, Waste and Toxics 1200 Sixth Avenue, Suite 900 Seattle, WA. 98101
Air Pollution Control Officer Yakima Regional Clean Air Agency 329 N. 1 <sup>st</sup> Street Yakima Yakima, WA. 98901	And,	EPA, Region 10 Office of Air, Waste and Toxics 1200 Sixth Avenue, Suite 900 Seattle, WA. 98101							
26	New Source Performance Standard (NSPS)	40 CFR 60.757(a)(3) NSRP-27-CLF-08, Condition 5.5		Amended Design Capacity.	Reporting	An amended design capacity report shall be submitted to YRCAA and USEPA, at the addresses below. The notification shall include the increase in the design capacity of the landfill. The last amended design capacity report for CLF was submitted on January 20, 2010.			

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						<div style="display: flex; justify-content: space-between;"> <div> Air Pollution Control Officer  Yakima Regional Clean Air Agency  329 N. 1<sup>st</sup> Street Yakima  Yakima, WA. 98901 </div> <div> And, EPA, Region 10  Office of Air, Waste and Toxics  1200 Sixth Avenue, Suite 900  Seattle, WA. 98101 </div> </div>
27	New Source Performance Standard (NSPS)	40 CFR 60.758(a)		MSW Landfill Recordkeeping Including design capacity.		<p>Electronic and/or paper format records shall be maintained and be retrievable within 4 hours.</p> <p>The landfill records required by NSPS Subpart WWW, Order of Approvals and other air emission laws shall be kept for at least 5 years or as applicable and be up- to-date from any current present time. All records include the latest design capacity report, the current amount of solid waste in place, and the year-by-year waste acceptance rate shall be readily accessible when requested by the APCO of YRCAA or his representative,</p>
28	National Emission Standards for Hazardous Pollutants (NESHAP) 40CFR Part 61, Subpart M And YRCAA Reg. 1 Section 3.07. (When Triggered)	40 CFR Part 61 subpart M, Asbestos NESHAP, §61.154. (effective 01/16/1991)		<b>When triggered:</b> In any active waste disposal site where asbestos-containing waste has been deposited: (1) No visible emissions to outside air from all asbestos materials which have been deposited to an area designated as asbestos disposal site in the Facility or met paragraph (c) or (d) of section 61.154; OR (2) cover with ≥ 6 inches of compacted nonasbestos-containing material at the end of each operating day; OR (3) cover with a		<b>If and when triggered:</b> 1. For all the asbestos materials deposited on the designated asbestos landfill area in the permitted site, the Permittee is required to comply with the following monitoring, record keeping and reporting requirements: 1.1 The Permittee shall maintain asbestos waste shipment records containing at minimum the following information: i. The name, address, and telephone number of the waste generator and transporter (shipper); ii. The quantity of the asbestos-containing waste material in cubic meters or cubic yards; iii. The presence of improperly enclosed or uncovered asbestos-containing waste material not sealed in leak-tight containers. The Permittee shall report in writing to YRCAA by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. The Permittee must submit a copy of the waste shipment record along with the report; and iv. The date of the receipt. 1.2 The Permittee shall send a copy of the signed waste shipment record to the waste generator as soon as possible but no longer than 30 days after receipt of asbestos or asbestos-containing wastes. 1.3 The Permittee shall attempt to reconcile with the waste generator any discrepancy between the quantity of waste indicated on the waste shipment records and the quantity actually received. The Permittee must report in writing to YRCAA if the discrepancy is not resolved within 15 days after receiving the waste. The Permittee must submit a copy of the waste shipment record along

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				<p>resinous or petroleum-based dust suppression agent that effectively binds dust and control wind erosion at the end of each operating day.</p> <p>Dust suppression agents not specified in paragraph (c) of section 61.154 may be used upon prior approval by YRCAA and /or EPA administrator.</p>		<p>with the report which describes the discrepancy and attempts to reconcile such waste records.</p> <p>1.4 The Permittee must retain a copy of all records and reports for at least a 2 year period. [40 CFR Part 61 subpart M, Asbestos NESHAP, ' 61.154(e)(4).]</p> <p>1.5 The Permittee shall maintain, until closure, records of the location, depth and area, and quantity in cubic yards/tons of asbestos-containing waste materials within the disposal site on a map or diagram of the disposal area. [40 CFR Part 61 subpart M, Asbestos NESHAP, ' 61.154(f).]</p> <p>[40 CFR Part 61 subpart M, Asbestos NESHAP, § 61.154(j).]</p>
29	National Emission Standards for Hazardous Pollutants (NESHAP) 40 CFR Part 61, Subpart M	40 CFR Part 61 subpart M, Asbestos NESHAP, §61.154(b). (effective 01/16/1991)		<p><b>When triggered:</b></p> <p>Areas of disposal of asbestos-containing waste material must: (1) have a natural barrier that adequately deters access by the general public; OR (2) cover with ≥ 6 inches of compacted noasbestos-containing material at the end of each</p>		<p><b>If and when triggered:</b></p> <p>Compliance certification: The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)c)1) (effective 11/4/93)</p>

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				operating day; OR (3) Unless a natural barrier adequately deters access by the general public, either a fencing and warning signs must be installed and maintained as specified in §61.154(b). And the perimeter of the asbestos disposal site must be fenced to adequately deter public access.		
30	National Emission Standards for Hazardous Pollutants (NESHAP)	40 CFR Part 61 subpart M, Asbestos NESHAP, §61.154(d). (effective 01/16/1991)		<b>When triggered:</b> The Permittee may use alternative control measures for emissions of deposited asbestos materials only after prior written approval from YRCAA and EPA administrator and according to the procedures in §61.149(c)(2)		<b>If and when triggered:</b> The Permittee shall not use alternative control measures for emissions of deposited asbestos materials without prior written approval from YRCAA and EPA administrator and according to the procedures in §61.149(c)(2). If and when YRCAA approve an alternative the MRRR will then be specified.
31	National	40 CFR Part 61		<b>when triggered:</b> The Permittee shall		<b>If and when triggered:</b> Upon closure of the asbestos disposal site, the Permittee shall submit to YRCAA and

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
	Emission Standards for Hazardous Pollutants (NESHAP)	subpart M, Asbestos NESHAP, §61.154(g), (h). (effective 01/16/1991)		notify YRCAA and the EPA administrator of planned closure of an active asbestos disposal site and comply with all provisions of §61.151.		EPA Administrator a copy of records of quantities of asbestos and asbestos-containing materials delivered to the disposal site. Such records shall also include specific locations of all asbestos waste disposal areas in the site. The Permittee shall furnish upon request by YRCAA or the EPA Administrator or authorized representatives during routine inspection, all records maintained in compliance with this requirement. [40 CFR Part 61 subpart M, Asbestos NESHAP, §61.154(g), (h).]
32	National Emission Standards for Hazardous Pollutants (NESHAP)	40 CFR subpart M, §61.154(j), (effective 01/16/1991)		<b>When triggered:</b> Notify YRCAA and EPA in writing at least 45 days prior to excavating or otherwise disturbing any asbestos containing waste material that has been deposited at the site and is covered.		<b>If and when triggered:</b> The Permittee shall notify YRCAA and the EPA administrator in writing at least 45 days prior to any planned activities which will disturb any asbestos containing waste material that has been deposited on the landfill site and is covered. Any change in the actual excavation start date shall be submitted to YRCAA or EPA Administrator 10 days prior to actual start date and in no event shall excavation be commenced without such notification. Initial notification shall include: i. Scheduled excavation starting and completion dates; ii. Reason/s for disturbing the waste; iii. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. YRCAA or the EPA Administrator may require changes in the emission control procedures to be used; and iv. Location of any temporary storage site and final disposal site of excavated asbestos-containing material [40 CFR §61.154(j), 7/1/08]
33	NSPS and NSR condition	40 CFR 60.757 and NSRP-27-CLF-08, Condition 5.4		Design capacity and NMOC Emission Rate.	40 CFR 60.757(b)(1)(ii)	The Permittee shall comply with the reporting requirements of 40 CFR Part 60 Subpart WWW, as specified in 40 CFR §60.757 in relation to the design capacity.
34	NSR condition	NSRP-27-CLF-08, Condition 5.6		If a landfill gas collection and control system is required, a NSR application shall	Submit an NMOC emission rate report to YRCAA and EPA (1)	If and when a landfill gas collection and control system becomes required, a NSR application shall be submitted and approved by YRCAA prior to installation.

Item #	Pollutants/ Regulatory Citation	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference Test / Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
				be submitted and approved by YRCAA prior to installation.	annually, or (2) each 5-year period according to 40 CFR 60.757(b)(1)(ii) Tier II testing (conducted May 5 – 7, 2010) resulted in site-specific CNMOC = 425 ppmv as hexane. (CLF Submitted 5-year NMOC emission report to YRCAA on July 1, 2010.)	

## 2.2.2 Wood Wastes and Yard Debris Reclaiming Area and Yard Waste Grinding/Chipping Operation.

A yard waste grinding/chipping operation moves between the two facilities owned by Yakima County Public Service-Solid Waste Division; namely Terrace Heights and Cheyne landfills. In addition to the facility-wide requirements in Table 1 above, requirements specified in Table 3 below are applicable to the wood wastes and yard debris reclaiming area. There are no on-going testing requirements specific to the debris reclaiming area.

**Table 3. Requirements for the Wood Waste Chipper/Grinder**

Item #	Pollutants or Regulatory Citations	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference or Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
35	Visible Emissions	WAC 173-400-040		No visible emission shall be allowed beyond the property boundary line		Compliance certification: The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)c)1) (effective 11/4/93)
36	Fuel Sulfur Limit	WAC 173-400-035(3)		Diesel Fuel with Sulfur Content of 0.0015 % by weight or less.		The Permittee must keep the records of ULSD (sulfur content of 0.0015 % by weight or less) in hard copy or electronic form. These records can be maintained on-site or off-site for at least five years and must be readily available to the permitting authority on request.
37	Record retention requirements	WAC 173-400-035(4)(c)		Record retention requirements		The Permittee must keep the records of the current engine and equipment activity in hard copy or electronic form. These records can be maintained on-site or off-site for at least five years and must be readily available to the permitting authority on request.
38	Annual emissions and schedule of operation			Annual emissions and schedule of operation		Air emission from the grinding operation shall be submitted to YRCAA with the annual air emission report for the Facility. The total grinded materials and number of hours the grinder operates shall be recorded daily and maintained on site for this Facility and a copy must be sent to YRCAA with the annual report.
39	Operation and Maintenance (O&M)	WAC 173-400-101(4)		Maintain O&M, update as necessary and implement routinely.		1. The Permittee shall develop and maintain an Operations and Maintenance (O&M) Plan based on manufacturer specifications for the yard waste grinder. The Permittee shall at all times comply with the (O&M) Plan. The Plan shall be based on the wood chipper/grinder manufacturers operations manual or plant operations experience. Whenever any physical modification of the grinder and/or the engine, or any other operating procedures that affect emissions to the atmosphere are instituted, the O&M documents shall be updated and any modification shall be implemented to reflect changes. The O&M procedures shall include but not be limited to: i. required lubrication of moving parts of the chipper/grinder and ancillary

Item #	Pollutants or Regulatory Citations	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference or Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
						<p>equipment per manufacturer's recommendation, if any;</p> <p>ii. required chipper/grinder engine scheduled maintenance, i.e., injector calibration, timing check, as recommended by the manufacturer;</p> <p>iii. inspection and replacement of ancillary equipment or parts for normal wear and tear as specified by the equipment manufacturer, if any.</p> <p>2. The O &amp; M and inspections records as well as opacity evaluation records shall be maintained and shall contain the following:</p> <p>i. Date and time of inspection.</p> <p>ii. Equipment stack, vent, or other identification.</p> <p>iii. Operational status/condition of the associated equipment.</p> <p>iv. Observed results and conclusions.</p> <p>v. Description of corrective action taken to resolve any observed opacity.</p> <p>vi. Date and time opacity problem is resolved.</p> <p>vii. EPA Method 9 or 22 (whichever is applicable) (effective 12/23/71) results when opacity evaluation is conducted.</p> <p>viii. Name of person(s) performing the inspection, measurement, or monitoring.</p> <p>These records shall be maintained at the plant site for at least 5 years and be made available during inspections or when requested by YRCAA personnel.</p>



### 2.2.3 Specific Limits and Conditions to Cell Number 2.

The following are specific limits and requirements are for cell #2.

**Table 4. Specific Requirements and limits for Cell Number 2**

Item #	Pollutants or Regulatory Citations	Applicable Requirement	State only	Emission Limit or Brief Description of Requirements	Reference or Compliance Method	Monitoring Reporting Recordkeeping Requirements (MRRR's) WAC 173-401-630(1)
40	BACT and T-BACT -	NSRP-27-CLF-08, (issued 08/19/09) Approval Conditions 2.1		Expansion must satisfy BACT, T-BACT and develop and implement an Operation and Maintenance (O&M) plan for CLF.		Continue to comply with NSPS Subpart WWW as detailed in the Title V application. The O&M plan will be maintained on-site and made available upon request.  Compliance certification: The certification shall be submitted with the semiannual monitoring report (described in Section 4.0 of this permit). WAC 173-401-630(5)c)1) (effective 11/4/93)
41		NSRP-27-CLF-08, (issued 08/19/09) Approval Conditions 2.11		Cell #2 and Septage Lagoons		No additional monitoring requirements.  Order of Approval permit authorized CLF expansion for Cell #2 and septage lagoon as shown in Figures 1 at the Statement of Basis.
42	Cell 2 Emission Limits -	NSRP-27-CLF-08, (issued 08/19/09) Approval Conditions 4.1, 4.2, 5.2 and 5.2		Cell 2 emissions are limited to: <ul style="list-style-type: none"> <li>Acrylonitrile = 57.3 lb/yr;</li> <li>H<sub>2</sub>S = 162.5 lb/yr;</li> <li>Vinyl Chloride = 45.7 lb/yr.</li> </ul>		Calculate and submit the annual emissions to YRCAA based on total LFG generation (EPA's LandGEM and annual waste acceptance in Cell 2) and default AP-42 TAP concentrations in LFG (actual TAP concentrations measured in the LFG may also be used). The calculated emissions for Cell 2 shall be submitted with the annual emission inventory (described in Section 4.0 of this permit) and as detailed in in 40 CFR Part 60 Subpart WWW and condition 20 of Table 1 above. WAC 173-401-630(5)c)1) (effective 11/4/93)

### 3.0 General Monitoring and Recordkeeping Requirements

Unless otherwise specified, recordkeeping shall be sufficient to fulfill the reporting requirements associated with monitoring. If details of Monitoring, Reporting and Recordkeeping are not specified above (i.e., Monitoring Recordkeeping and Reporting column of section 2.0), the Permittee shall provide specific monitoring, reporting and recordkeeping sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit in accordance with WAC 173-401-615(1)(b) (effective 10/17/02). However, the following MRRR must be maintained at all times:

- 3.1 The Permittee shall keep for at least 5 years up-to-date, readily accessible records of the design capacity/amended design capacity report, which triggered §60.752(b), the current amount of solid waste in place, and the year-by-year actual waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [40CFR Part 60, subpart WWW §60.758 (a), effective 3/12/96]
- 3.2 When triggered : The Permittee shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or non-degradable waste excluded from gas collection as provided in §60.759 (a)(3)(i) as well as any nonproductive areas excluded from gas collection as provided in §60.759 (a)(3)(ii). [40CFR Part 60, subpart WWW §60.758 (d)(2), effective 3/12/96]
- 3.3 Recordkeeping of Emissions-Related Changes: The Permittee shall provide a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes in accordance with WAC 173-401-615(2)(b) (effective 11/4/93).
- 3.4 Records and Monitoring: Upon notification by YRCAA, the Permittee shall keep records on the type and quantity of emissions from the permitted facility and other information deemed necessary to determine compliance to the emission limitations and control measures of this permit. [WAC 173-400-105 (effective 10/14/96)]
- 3.5 Required Recordkeeping for Monitoring: Whenever applicable, records of required monitoring shall include at minimum the following:
  - 3.5.1 Date, place as defined in the permit, and time of sampling or measurement;
  - 3.5.2 Date analyses were performed;
  - 3.5.3 Company or entity performing the analyses;
  - 3.5.4 Analytical methods used;
  - 3.5.5 Results of such analyses, and
  - 3.5.6 Operating conditions existing at the time of sampling or measurement.[WAC 173-401-615(2)(a) (effective 11/4/93)]

- 3.6 Documentation and Monitoring Records on File: The Permittee shall maintain and keep all required records and monitoring data and support information for a period of at least the past five years from any present date. Supporting information include all calibration and maintenance records, all original strip-chart recordings of continuous monitoring instruments (when required), and copies of all reports required by this permit. All such records shall be made available to the office of the YRCAA director or authorized YRCAA personnel when requested during routine or compliance inspections, or at any time deemed necessary in accordance with the rules and regulation of the FCAA, RCW, WAC and YRCAA regulation 1. [WAC 173-401-615(2)(c), effective 11/4/93]

## **4.0 General Reporting Requirements**

The following requirements are applicable to the entire Facility and to any specific reporting stipulation as unit specific requirement in Section 2.0, Permit-specific Terms and Conditions.

- 4.1 The Permittee shall submit the design capacity or amended design capacity and report it to the YRCAA and EPA administrator no later than 90 days (of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters pursuant to §60.757(a)(3), the current design capacity of the landfill is 8.2 million tons).

The initial design capacity or amended design capacity report shall contain the following information:

- 4.1.1 The date(s) of initial construction or any subsequent reconstruction of the landfill.
- 4.1.2 A map or plot of the landfill, providing the size and location of the landfill, and identifying all the areas where solid waste may be landfilled according to the provisions of this Title V permit.
- 4.1.3 The maximum design capacity or amended design capacity of the landfill. A copy of any permit issued to the Permittee which limit the maximum designed capacity if the landfill shall be included in this report. If the maximum design capacity or amended design capacity of the landfill is not specified in any permit, the Permittee must submit appropriate documentation which will demonstrate how such maximum designed capacity is determined.

The Permittee shall submit a report to YRCAA and EPA administrator of any amendment to the operations of the permitted landfill site which result in any increase of the reported maximum designed capacity. The amended designed capacity report shall be submitted within 90 days of the issuance of a new source review permit, or the placement of waste in additional land, or the change in operating procedures which will result in increased maximum design capacity, whichever occurs first.

- 4.2 The Permittee shall keep readily accessible submitted records generated in Section 3.0, Monitoring and Recordkeeping Requirements as specified in this permit. Such documents shall also be provided to YRCAA and EPA Administrator upon request. [40CFR, Part 60,

subpart WWW §60.758 (a)(2), effective 3/12/96]

#### 4.3 Report recipient:

4.3.1 All reports referenced in all reporting requirements shall be addressed to:

Air Pollution Control Officer  
Yakima Regional Clean Air Agency  
329 North 1<sup>st</sup> Street  
Yakima, WA 98901

4.3.2 When specified, in addition to the report recipient in 4.3.1, reports shall also be sent to:

Regional Administrator, Region 10  
U. S. Environmental Protection Agency, OAQ  
1200 Sixth Avenue  
Seattle, WA. 98101

#### 4.4 Emissions Inventory:

The Permittee shall submit, within 105 days of the beginning of each calendar year, an inventory of the emissions from all emission sources/equipment including fugitive emissions from the entire Facility on the appropriate forms provided by YRCAA. [WAC 173-400-105(1) (effective 9/15/01)]. Fugitive emissions from generation points shall be quantified as being discharged to emission points. WAC 173-401-520 (effective 11/4/93).

#### 4.5 State Greenhouse Gas Reporting:

The Permittee shall comply with the applicable requirements given in WAC 173-441 for reporting emissions of greenhouse gases. [WAC 173-441 (effective 12/1/10)].

#### 4.6 Monitoring Report:

The Permittee shall submit to YRCAA the required monitoring reports at least once every six months. At minimum, reports shall be submitted no later than **October 15<sup>th</sup>** for the first six calendar months (January 1<sup>st</sup> through June 30<sup>th</sup>) and **April 15<sup>th</sup>** for the second six calendar months (July 1<sup>st</sup> through December 31<sup>st</sup>). All instances of deviations from the permit requirements shall be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520. One of the semi-annual reports shall be submitted with the annual emissions inventory report. [WAC 173-401-615(3)(a) (effective 11/4/93)]

#### 4.6 Deviation or Noncompliance Report:

The Permittee shall report to the YRCAA any deviation and/or failure to comply with any

requirement of this Operating Permit within 30 days after the date of deviation and/or non-compliance. This report shall include probable cause and remedial steps taken by the Permittee to comply and prevent recurrence of similar incident(s). In case of breakdown or upset conditions which result in exceedance(s) to air emission limits or non-compliance with any requirement of this Permit, the Permittee shall take immediate corrective action. The Permittee shall report the event(s) by the next working day through telephone, fax or e-mail followed by a written account *within thirty days* of the incident(s). Deviation and/or upset condition considered as unavoidable as defined in WAC 173-400-107 (effective 9/20/93) shall be treated as provided in Condition 16 of Section I (Permit General Terms and Conditions). For any deviations which represent a potential threat to human health or safety, the Permittee must report the deviation as soon as possible, but in no case later than twelve hours after the deviation is discovered. The Permittee shall maintain a contemporaneous record of all deviations. [WAC 173-401-615(3)(b) (effective 11/4/93)]

## 5.0 Compliance Certification

At the end of each calendar year, the Permittee shall evaluate the compliance status of the Facility with the applicable requirements of this Operating Permit. The Compliance Certification for the operation of the permitted Facility must be submitted within **105 days of the beginning of each calendar year**, to the EPA and the YRCAA at the following address:

Air Pollution Control Officer  
Yakima Regional Clean Air Agency  
329 N. 1<sup>st</sup> St.  
Yakima, WA. 98901-2303

and,

Regional Administrator, Region 10  
U. S. Environmental Protection Agency, OAQ  
1200 Sixth Avenue  
Seattle, WA. 98101

The Compliance Certification may be submitted on forms provided by YRCAA (when applicable) or at a minimum, must include the following (WAC 173-401-630 (5) effective 11/4/93):

- 5.1 The compliance status of the Facility with each of the requirements in Sections 1.0, 2.0, 3.0, 4.0, and 5.0 of this Permit;
- 5.2 The method(s) used for determining how compliance is achieved at the time of the certification and throughout the reporting period;
- 5.3 Indication that compliance with each of the requirements in Sections 1.0, 2.0, 3.0, 4.0 and 5.0 of this permit is continuous or intermittent. If intermittent, the Permittee must provide a deviation report consistent with the reporting requirements in Section 4.3; and

- 5.4 The certificate shall also include a certification that Insignificant Emission Units were operated normally and performed their designed function and that no changes were made during the certification period which would cause emissions increase or violate applicable requirements.

## **6.0 Permit Shield**

### **6.1 Requirements Shielded by Permit Conditions**

Compliance with the conditions of this permit is considered compliance with the applicable requirements indicated in Section 2.1 Table 1 (Overall Facility Requirements), and Section 2.2 Tables 2,3 and 4(Unit Specific Requirements) above. [WAC 173-401-640(1) (effective 11/4/93)]

### **6.2 Non-Applicable or Exempt Requirements Covered by the Permit Shield**

The requirements shown in Section 1.6 (Rule Applicability to Source and Permit Shield) statement of basis have been determined not to apply to the permitted facility due to either inapplicability of the requirement or the exclusion of the permitted facility and/or any operations therein from the category of activities subject to the stated requirements. The basis for determination of inapplicability or exemption is indicated with each requirement (Table 1, Statement of Basis). This permit shall shield the permitted facility from requirements specified in Section 2.0 above unless applicability of the requirement is triggered by any future action which will change applicability conditions or cause emissions to increase. [WAC 173-401-640(2) (effective 11/4/93)]

### **6.3 Permit Shield Limitations**

As provided in WAC 173-401-640(4) (effective 11/4/93), nothing in this permit shall alter or affect the liability of the Permittee for:

- 6.3.1 The provisions of Section 303 of the FCAA (emergency orders), including the authority of the Administrator under that section,
- 6.3.2 The liability of an owner or operator of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance,
- 6.3.3 The applicable requirements of the acid rain program, consistent with section 408(a) of the FCAA,
- 6.3.4 The ability of EPA to obtain information from the Permittee pursuant to section 114 of the FCAA, or
- 6.3.5 The ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in chapter 252, Laws of 1993.