

JEFFERSON COUNTY DEPARTMENT OF HEALTH

AIR POLLUTION PROGRAM

TITLE V OPERATING PERMIT

Permittee: **Jefferson County Landfill No. 1**
Location: **101 Barber Boulevard
Gardendale, Alabama 35071**
Permit No: **4-07-1052-03**
Issuance Date: **December 31, 2020**
Expiration Date: **December 30, 2025**
Nature of Business: **Municipal Solid Waste Landfill**

Emissions Unit No.	Emissions Unit Description
001	Municipal Solid Waste Landfill – 18,952,387 Short Tons Design Capacity – Subject to NSPS, 40 CFR 60, Subpart WWW – Location Defined by ADEM Solid Waste Permit 37-43

This Permit is issued pursuant to and is conditioned upon the compliance with the provisions of the Jefferson County Board of Health Air Pollution Control Rules and Regulations, the applicable requirements of the Clean Air Act implementation plan for Alabama approved or promulgated by the United States Environmental Protection Agency (EPA) through rulemaking under title I of the Clean Air Act (identified in 40 CFR 52, Subpart B) and other applicable requirements as defined in section 18.1.1(e) of the Jefferson County Board of Health Rules and Regulations, Section 18 of the Alabama Air Pollution Control Act of 1971, Act No. 769 (Regular Session, 1971), Section 22-28-16 of the Alabama Air Pollution Control Act as amended, Orders of the Jefferson County Board of Health, Orders of the Director of the Alabama Department of Environmental Management (ADEM), and any applicable local, state or federal Court Order. This Permit is subject to the accuracy of all information submitted relating to the permit application and to the conditions appended hereto. It is valid from the date of issuance until the expiration date and shall be posted or kept under file at the source location described above and shall be made readily available for inspection at any reasonable time to any and all persons who may request to see it. This Permit is not transferable.

Pursuant to the Clean Air Act, conditions of this permit are federally enforceable by EPA, The Jefferson County Board of Health, ADEM and citizens in general. However, provisions that are not required by the Clean Air Act or under any of its applicable requirements, are considered to be Jefferson County provisions and are not federally enforceable by EPA and citizens in general. Those provisions are contained in separate Sections of this Operating Permit and are specifically identified as not being federally enforceable.


Jonathan Stanton, Director
Environmental Health Services

Approved: Mark Wilson, M.D.
Health Officer



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In addition to compliance with Alabama Air Pollution Control Act Number 769 (Regular Session, 1971) and Act Number 612 (Regular Session, 1982) and with all applicable Air Pollution Control Rules and Regulations, the conditions which are listed below are hereby contained in and made a part of this permit. For each citation to a Jefferson County Board of Health regulation provided in connection with a permit condition (other than for those permit conditions that are specifically identified in the permit as not being federally enforceable), Appendix A to this permit identifies the corresponding ADEM regulation that has been approved by EPA as part of the Clean Air Act implementation plan for Alabama (identified in 40 CFR 52, Subpart B). The corresponding ADEM regulations, together with the cited Jefferson County Board of Health regulations, serve as the origin and authority for the associated permit term or condition.

GENERAL PERMIT CONDITIONS

No.	General Permit Conditions	Regulations
	Definitions	
1.	<p>For the purposes of this Major Source Operating Permit, the following terms will have the meanings ascribed to in this permit:</p> <p>"40 CFR 51" shall be an acronym for Part 51 of Title 40 of the Code of Federal Regulations.</p> <p>"40 CFR 60" shall be an acronym for Part 60 of Title 40 of the Code of Federal Regulations.</p> <p>"40 CFR 61" shall be an acronym for Part 61 of Title 40 of the Code of Federal Regulations.</p> <p>"40 CFR 63" shall be an acronym for Part 63 of Title 40 of the Code of Federal Regulations.</p> <p>"40 CFR 82" is an acronym for Part 82 of Title 40 of the Code of Federal Regulations.</p> <p>"40 CFR 98" shall be an acronym for Part 98 of Title 40 of the Code of Federal Regulations.</p> <p>"Act" shall mean the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.</p> <p>"ADEM" shall mean the Alabama Department of Environmental Management.</p> <p>"Asbestos containing waste material" shall mean mill tailing or any waste that contains commercial asbestos and is generated by a source that is subject to 40 CFR 61, Subpart M.</p> <p>"Active landfill" means a landfill in which solid waste is being placed or a landfill that is planned to accept waste in the future. <i>40 CFR 60, Subpart WWW</i></p> <p>"Bioreactor" means an MSW landfill or portion of a MSW landfill where any liquid other than leachate (leachate includes landfill gas condensate) is added in a controlled fashion into the waste mass (with or without leachate recirculation) to reach a minimum average moisture content of at least 40% by weight to accelerate or enhance the anaerobic (without oxygen) biodegradation of waste. <i>40 CFR 63, Subpart AAAA</i></p> <p>"Carbon dioxide equivalent or CO₂e" means the number of metric tons of CO₂ emissions with the same global warming potential as one metric ton of another greenhouse gas, and is calculated using Equation A-1 of 40 CFR 98.</p> <p>"Closed landfill" means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under §60.7(a)(4). Once a notification of modification has</p>	<p>1.3 60.751 61.141 63.1990 98.2</p>

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	<p>been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed. <i>40 CFR 60, Subpart WWW</i></p> <p>"Department" shall mean the Jefferson County Department of Health.</p> <p>"Deviation" means any instance in which the permittee fails to meet any requirement or obligation established by regulation, including but not limited to any emission limitation, operating limit, work practice standard, or any permit term or condition, or fails to meet any term or condition adopted to implement an applicable requirement, including but not limited to emission limitations during periods of startup, shutdown or malfunction. A deviation is not always a violation. The determination of whether a deviation is a violation is at the discretion of the enforcement authority.</p> <p>"Design capacity" means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the State, local, or Tribal agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site specific density, which must be recalculated annually. <i>40 CFR 60, Subpart WWW</i></p> <p>"Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God. These are situations that require immediate corrective actions(s) to restore normal operation, and that cause the facility to exceed a technology based emission limitation set by the 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 preventative maintenance, careless or improper operation, or operator error.</p> <p>"Emission rate cutoff" means the threshold annual emission rate to which a landfill compares its estimated emission rate to determine if control under the regulation is required. <i>40 CFR 60, Subpart WWW</i></p> <p>"Emissions unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under Section 112(b) of the Act.</p> <p>"EPA" means the U.S. Environmental Protection Agency.</p> <p>"Fugitive emissions" means any pollutant released to the atmosphere that is not discharged through a system of equipment that is specifically designed to capture pollutants at the source, convey them through ductwork, and exhaust them using forced ventilation. Fugitive emissions include pollutants released to the atmosphere through windows, doors, vents, or other building openings. Fugitive emissions also include pollutants released to the atmosphere through other general building ventilation or exhaust systems not specifically designed to capture pollutants at the source.</p> <p>"GHG" shall be an acronym for greenhouse gases as listed in table A-1 of 40 CFR 98.</p> <p>"HAP" shall be an acronym for Hazardous Air Pollutant as listed in Appendix D of the Rules and Regulations.</p> <p>"Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile as those terms are defined under §257.2 of this title. <i>40 CFR 60, Subpart WWW</i></p>	

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	<p>"Lateral expansion" means a horizontal expansion of the waste boundaries of an existing MSW landfill. A lateral expansion is not a modification unless it results in an increase in the design capacity of the landfill. <i>40 CFR 60, Subpart WWW</i></p> <p>"Modification" means an increase in the permitted volume design capacity of the landfill by either horizontal or vertical expansion based on its permitted design capacity as of May 30, 1991. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion. <i>40 CFR 60, Subpart WWW</i></p> <p>"Municipal solid waste landfill" or "MSW landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA Subtitle D wastes (40 CFR §257.2) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion. <i>40 CFR 60, Subpart WWW</i></p> <p>"Municipal solid waste landfill emissions" or "MSW landfill emissions" means gas generated by the decomposition of organic waste deposited in an MSW landfill or derived from the evolution of organic compounds in the waste. <i>40 CFR 60, Subpart WWW</i></p> <p>"NSPS" shall be an acronym for "New Source Performance Standards."</p> <p>"NESHAP" shall be an acronym for "National Emission Standards for Hazardous Air Pollutants."</p> <p>"NMOC" means nonmethane organic compounds, as measured according to the provisions of §60.754. <i>40 CFR 60, Subpart WWW</i></p> <p>"Permittee" means the holder of an operating permit issued by the Department.</p> <p>"Responsible official" means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and the delegation of authority to such representatives is approved in advance by the Department.</p> <p>"Rules and Regulations" shall mean the Jefferson County Board of Health Air Pollution Control Rules and Regulations.</p> <p>"Source" shall mean any building, structure, facility, installation, article, machine, equipment, device, or other contrivance which emits or may emit any air contaminant. Any activity which utilizes abrasives or chemicals for cleaning or any other purpose (such as cleaning the exterior of buildings) which emits air contaminants shall be considered a source.</p> <p>"Stationary Source" means any building, structure, facility or installation that emits or may emit any regulated pollutant as defined in Part 18.1 of the Rules and Regulations or any pollutant listed in Appendix D of the Rules and Regulations.</p> <p>"Volatile Organic Compound" means any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any such organic compound other than those listed under Part 1.3 of the Rules and Regulations and/or under 40 CFR §51.100(s)(1).</p>	

No.	General Permit Conditions	Regulations
	In addition, the individual definitions as specified in each applicable rule, regulation, or standard shall be utilized where applicable.	
	General Conditions	
2.	<p><u>Basis for Permit</u> This Operating Permit is issued based on provisions contained in all existing Jefferson County Board of Health Air Pollution Control Rules and Regulations (hereinafter called Rules and Regulations in this permit). In the event amendments, revisions or additions are made to these Rules and Regulations, it shall be the responsibility of the permit holder (hereinafter called the permittee in this permit) to comply with such new Rules and Regulations. Additions and revisions to the conditions in this Operating Permit will be made by the Jefferson County Department of Health (hereinafter called the Department), if necessary, to assure that the Rules and Regulations are not violated.</p>	AL Act 769
3.	<p><u>Authority</u> Nothing in this Operating Permit or conditions appended thereto shall negate any authority granted to this Department or the Health Officer pursuant to Alabama Air Pollution Control Act No. 769 (Regular Session, 1971) and Act No. 612 (Regular Session, 1982) or any regulations promulgated thereunder.</p>	AL Act 769
4.	<p><u>Acceptance of Permit</u> The permittee is required to bring the operation of a source within the standards of Paragraph 18.2.8(a) of the Rules and Regulations. Commencing construction or operation of the source shall be deemed acceptance of all conditions specified. A Title V Operating Permit with revised conditions may be issued upon receipt of a new application if the permittee demonstrates that the source can operate within the standard of Paragraph 18.2.8(a) of the Rules and Regulations under the revised conditions. This Title V permit supersedes all permits previously issued by the Department to this facility. The permittee shall return the expired permit(s) to the Department within 30 days after this permit is issued.</p>	18.2.4
5.	<p><u>Compliance With Existing and Future Regulations</u> A. The permittee shall comply with all conditions of the Rules and Regulations. B. The permittee shall continue to comply with the applicable requirements with which the company has certified that it is already in compliance. C. The permittee shall comply in a timely manner with applicable requirements that become effective during the term of this permit, and shall follow any more detailed schedule of compliance set forth in the applicable requirement. D. The permittee shall be subject to MACT standards from the date of publication by EPA.</p>	18.5.6 18.4.8(h) 18.7.3 18.7.6
6.	<p><u>Noncompliance</u> Noncompliance with a permit will constitute a violation of the Act and the Rules and Regulations and may result in enforcement action; including but not limited to, permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.</p>	70.6(a)(6)(i) 18.5.6
7.	<p><u>Compliance Defense</u> The permittee shall not use as a defense in an enforcement action, that maintaining compliance with permit conditions would have required halting or reducing the permitted activity.</p>	18.5.7
8.	<p><u>Credible Evidence</u> Any credible evidence or information relevant to whether a source may have been in compliance with applicable requirements can be used to establish whether or a not an owner or operator has violated or is in violation of any rule or standard in these Regulations and/or any applicable provisions of 40 CFR 60.</p>	1.18 60.11(g)

No.	General Permit Conditions	Regulations
9.	<p><u>Circumvention</u> No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes any emission of air contaminants which would otherwise violate these rules and regulations.</p>	1.15 60.12
10.	<p><u>Bypass of Control Equipment Prohibited</u> The permittee shall not bypass, without prior approval from this Department, any air pollution control device. The permittee shall not shut down any air pollution control device unless such shutdown is accompanied by the corresponding shutdown of the respective source which the device is intended to control.</p>	18.2.4
11.	<p><u>Shutdown of Control Equipment</u> In the case of shutdown of air pollution control equipment for scheduled maintenance, the intent shall be reported to this Department at least 24 hours prior to the planned shutdown unless the scheduled shutdown is accompanied with the shutdown of the source being controlled, including the information listed in Section 1.12.1.</p>	1.12.1
12.	<p><u>Maintenance of Controls</u> If a control device is installed at the facility, the following requirements apply: A. The permittee shall equip each fabric filter particulate matter control device with a pressure differential measuring device to measure the pressure drop across the filter media in the control device. The device shall be installed in a location which is easily accessible for inspection by Department personnel. B. All air pollution control devices and capture systems for which this permit is issued shall be maintained and operated at all times in accordance with the manufacturer's specifications or alternative procedures approved by the Department so as to minimize the emissions of air contaminants. Procedures for ensuring that the above equipment is properly operated and maintained so as to minimize the emissions of air contaminants shall be maintained near the source and provided to the Department upon request. C. The permittee shall conduct routine inspections on all required control equipment. All inspection results and repair work performed on the pollution control device shall be recorded. These records shall be kept in a permanent form suitable for inspection.</p>	18.2.4 18.5.3(a)(2)
13.	<p><u>Nothing in this Operating Permit shall alter or affect the following:</u> A. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; B. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; C. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Act; or D. The ability of EPA to obtain information from a source pursuant to Section 114 of the Act.</p>	18.10.3
14.	<p><u>Additional Information and Corrected Information</u> The permittee shall submit any additional information to the Department to supplement or correct an application promptly after becoming aware of the need for additional or corrected information. Also, the permittee shall submit additional information concerning any new requirements which have become applicable after a complete application has been filed but before a draft permit is released. Any change in the information already provided pursuant to 40 CFR 63 shall be provided in writing within 15 calendar days after the change.</p>	18.4.7 63.9(j)
15.	<p><u>Display and Availability of Permit</u> The permittee shall keep this Operating Permit under file or on display at all times at the site where the source is located and shall make the permit available for inspection by any and all persons who may request to see it.</p>	18.2.2

No.	General Permit Conditions	Regulations
16.	<p><u>Payment of Fees</u> The permittee must have paid all fees required by the Rules and Regulations or the Operating Permit is not valid. Payment of operating permit fees required under Chapter 16 of the Rules and Regulations shall be made on or before the date specified under Section 16.5.1 of the Rules and Regulations of each year. Failure to make payment of fees within 30 days of the specified date shall cause the assessment of a late fee of 3% (of the original fee) per month or fraction thereof.</p>	<p>18.5.11 16.1 16.4 16.5</p>
17.	<p><u>Transfer</u> This permit is not transferable, whether by operation of law or otherwise, either from one location to another, from one piece of equipment to another or from one person to another except as provided in Subparagraph 18.13.1(a)(5) of the Rules and Regulations.</p>	<p>18.2.6</p>
18.	<p><u>New Air Pollution Sources and Changes to Existing Units</u> A new permit application must be made for new sources, replacements, alterations or design changes which may result in the issuance of, or an increase in the issuance of, air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants. For any new source or modification of an existing source subject to 40 CFR 63, the permittee shall submit an application as required by 63.5.</p>	<p>1.5.15 60.7(a)(4) 63.5</p>
19.	<p><u>Construction Not In Accordance with Applications</u> If the source permitted herein has not been constructed in accordance with the Operating Permit application and if the changes noted are of a substantial nature in that the amount of air contaminants emitted by the source may be increased or in that the effect is unknown, then the Operating Permit shall be revoked. No further application for an Operating Permit shall be accepted until the source has been reconstructed in accordance with the Operating Permit or until the permittee has proven to the Department that the change will not cause an increase in the emission of air contaminants.</p>	<p>18.2.8(e)</p>
20.	<p><u>Expiration</u> A source's right to operate shall terminate upon the expiration of this Operating Permit unless a timely complete renewal application has been submitted at least 6 months, but not more than 18 months before the date of expiration or the Department has taken final action approving the source's application for renewal by the expiration date. The expiration date of this Operating Permit is printed on the first page of this permit.</p>	<p>18.4.3 18.5.2 18.12.2(b)</p>
21.	<p><u>Revocation</u> This Operating Permit may be revoked for any of the following reasons: A. Failure to comply with any conditions of the permit; B. Failure to establish and maintain such records, make such reports, install, use and maintain such monitoring equipment or methods; and sample such emissions in accordance with such methods at such locations, intervals and procedures as may be prescribed in accordance with Section 1.9.2 of the Rules and Regulations; C. Failure to comply with any provisions of any Department administrative order issued concerning the permitted facility; D. Failure to allow entry and inspections by properly identified Department personnel; E. Failure to comply with the Rules and Regulations; or F. For any other cause, after a hearing which establishes, in the judgment of the Department, that continuance of the permit is not consistent with the purpose of the Act or Rules and Regulations.</p>	<p>18.2.9</p>
22.	<p><u>Severability</u> In case of legal challenge to any portion of this Title V Operating Permit, the remainder of the permit conditions shall continue in force.</p>	<p>18.5.5</p>

No.	General Permit Conditions	Regulations
23.	<p><u>Reopening for Cause</u> Under any of the following circumstances, this Operating Permit will be reopened and revised prior to the expiration of the permit:</p> <ul style="list-style-type: none"> A. Additional applicable requirements under the Clean Air Act become applicable to the permittee with a remaining permit term of 3 or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirements. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire. B. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into this permit. C. The Department, ADEM or EPA determines that this permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. D. The Administrator, ADEM or the Department determines that this permit must be revised or revoked to assure compliance with the applicable requirements. 	18.13.5
24.	<p><u>Changes or Termination for Cause – No Stay of Permit Conditions</u> 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 a planned change or anticipated noncompliance will not stay any permit condition.</p>	18.5.8
25.	<p><u>Furnishing Requested Information</u> The permittee shall furnish to the Department within 30 days, or for such other reasonable time as the Department may set, any information that the Department may request in writing copies of records required to be kept by the permit to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance. Upon receiving a specific request, the permittee shall also furnish to the Department copies of records required to be kept by the permit. For information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.</p>	18.5.10 70.6(a)(6)(v)
26.	<p><u>Entry and Inspections</u> The permittee shall allow the Department or authorized representative, upon presentation of credentials and other documents that may be required by law, to conduct the following:</p> <ul style="list-style-type: none"> A. Enter upon the permittee's premises where a source is located or emissions related activity is conducted or where records are kept pursuant to the permit conditions; B. Review and/or copy at reasonable times any records kept pursuant to the permit conditions; C. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices or operations required by the permit; and D. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements. <p>Denial of access upon proper identification is grounds for permit revocation.</p>	1.8 18.7.2 18.2.9(d)
27.	<p><u>Flexibility Changes</u> Certain changes (per Section 502 (b)(10) of the Act) can be made to this Operating Permit without a revision if no modification as defined in the Rules and Regulations would occur and the changes do not exceed the emissions allowed under this permit provided that written notification is sent to the Department and EPA at least 7 days before the change is made. The written notification shall describe the proposed change, the date of the change, any change in emissions, and any term or condition of the permit which is no longer valid due to the change.</p>	18.13.2

No.	General Permit Conditions	Regulations
28.	<p><u>Minor Permit Modifications</u></p> <p>Minor permit modification procedures may be used only for those permit modifications that:</p> <ul style="list-style-type: none"> A. Do not violate any applicable requirement; B. Do not involve significant changes to existing monitoring, reporting, or record keeping requirements in the permit; C. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; D. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. <p>Such terms and conditions include:</p> <ul style="list-style-type: none"> 1. A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Act; and 2. An alternative emissions limit approved pursuant to regulations promulgated under § 112(i)(5) of the Act; <ul style="list-style-type: none"> E. Are not modifications under any provision of title I of the Act; and F. Are not required by Part 18.12 of this Chapter to be processed as a significant modification. <p>An application requesting the use of minor permit modification procedures shall meet the requirements of Section 18.4.8 relative to the modification and shall include the information listed at 18.3.3(b). If the Department notifies the source that the modification does not qualify as a minor modification within 10 days after receiving the application, then the source shall apply for the change as a significant modification. Ten days after the application has been submitted to the Department, the source may make the change for which they applied unless the change does not qualify as a minor modification. After the source makes the change and until the Department takes final action on the permit application, the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. A permit shield granted under Part 18.10 shall not extend to minor permit modifications. The Department may not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Department that EPA will not object to issuance of the permit modification, whichever is first.</p>	<p>18.13.3(a)(1) 18.13.3</p>
29.	<p><u>Significant Modifications</u></p> <p>Modifications that are significant modifications under the PSD (Part 2.4) or nonattainment (Part 2.5) regulations, are modifications under the NSPS or NESHAPS regulations, or otherwise do not meet the requirements for minor permit modifications from Section 18.13.3 of the Rules and Regulations must be incorporated in the Operating Permit using the requirements for sources initially applying for an Operating Permit, including those for applications, public participation, review by affected States, review by ADEM, and review by EPA, as described in Parts 18.4 and 18.15 of the Rules and Regulations.</p>	<p>18.13.4</p>
30.	<p><u>Off-Permit Changes</u></p> <p>Any change which is not addressed or prohibited in the federally enforceable terms and conditions of the permit may be designated by the owner or operator as an off-permit change, and may be made without revision to the federally enforceable terms and conditions of the operating permit, provided that the change:</p> <ul style="list-style-type: none"> A. Meets all applicable requirements; B. Does not violate any federally enforceable permit term or condition; C. Is not subject to any requirement or standard under title IV of the Clean Air Act; and 	<p>18.14</p>

No.	General Permit Conditions	Regulations
	<p>D. Is not a modification under title I.</p> <p>The permittee must comply with all applicable state permitting and preconstruction review requirements. Any application pertaining to a change designated by the applicant as an off-permit change shall be submitted by the applicant to EPA in fulfillment of the obligation to provide written notice, provided, that no change meeting the criteria for an insignificant activity or trivial activity is subject to the procedures set forth in this condition.</p>	
31.	<p><u>Property Rights and Privileges</u></p> <p>No property rights of any sort or any exclusive privilege are conveyed through the issuance of this Operating Permit.</p>	18.5.9
32.	<p><u>Economic Incentives</u></p> <p>No permit revision shall be required under any approved economic incentives, marketable permit emissions trading and other similar programs or processes for changes that are provided for in the Operating Permit.</p>	18.5.12
33.	<p><u>Emission Reduction Plan</u></p> <p>Upon notification by this Department, the permittee shall submit an Air Pollution Emission Reduction Plan in a format approved by this Department concerning air contaminant emissions reductions to be taken during declared air pollution episodes.</p>	18.2.8(b)
34.	<p><u>Emergency Provision</u></p> <p>A. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emissions limitation under the Operating 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 preventative maintenance, careless or improper operation, or operator error.</p> <p>B. Exceedances of emission limits during emergencies (as defined above) at a facility may be exempted from being violations provided that:</p> <ol style="list-style-type: none"> 1. The permittee demonstrates that the event qualifies as an emergency as defined above; 2. The permittee can identify the cause(s) of the emergency; 3. At the time of the emergency, the permitted facility was being properly operated; 4. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; 5. The permittee submitted notice of the emergency to the Health Department within 2 working days of the time when emission limitations were exceeded due to the emergency, including those deviations attributable to upset conditions as defined in the permit, the probable cause of said deviations, and any corrective actions or preventive measures that were taken; 6. The permittee submitted a written documentation of what was reported in the notice of the emergency to the Department within 5 working days of the emergency; and 7. The permittee immediately documented the emergency exceedance in an "Emergency Log", which shall be maintained for 5 years in a form suitable for inspection upon request by a representative of the Department. <p>C. The permittee has the burden of proof to assert and establish that excess emissions were attributable to an emergency in any enforcement proceeding;</p> <p>D. This provision is in addition to any emergency or upset provision contained in any applicable requirement.</p>	18.11.2

No.	General Permit Conditions	Regulations
35.	<p><u>Obnoxious Odors</u> This Operating Permit is issued with the condition that, should obnoxious odors arising from the plant operations be verified by Department inspectors, measures to abate the odorous emissions shall be taken upon determination by this Department that these measures are technically and economically feasible.</p>	6.2.3
36.	<p><u>Title IV Requirements (Acid Rain Program)</u> Where an applicable requirement of Chapter 18 of the Rules and Regulations is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act (the acid rain program), both provisions shall be incorporated into the permit and shall be enforceable by the Department. Emissions exceeding any allowances that the permittee lawfully holds under title IV of the Act or the regulations promulgated thereunder are prohibited. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit revision under any other applicable requirement. No limit shall be placed on the number of allowances held by the permittee, however, allowances may not be used as a defense to noncompliance with any other applicable requirement. Any such allowance shall be accounted for according to the procedures established in the regulations promulgated pursuant to Title IV of the Act.</p>	18.5.1(b) 18.5.4
37.	<p><u>Title VI Requirements (Refrigerants)</u> Any facility having appliances or refrigeration equipment, including air conditioning equipment, which use Class I or Class II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR 82, Subpart A, Appendices A and B, shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR 82, Subpart F. A. No person shall knowingly vent or otherwise release any Class I or Class II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR 82, Subpart F. B. The responsible official shall comply with all reporting and recordkeeping requirements of 40 CFR §82.166. Reports shall be submitted to the U.S. EPA and the Department as required.</p>	40 CFR 82 18.1.1(e)(10) 18.1.1(w)(4)
38.	<p><u>Asbestos Demolition and Renovation</u> Demolition and renovation activities at this facility are subject to the National Emission Standard for Asbestos, 40 CFR 61, Subpart M. To determine the applicable requirements of the Standard, the permittee must thoroughly inspect the affected part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos-containing materials, prior to the commencement of the demolition or renovation operation. The permittee shall comply with all applicable sections of the Standard, including notification requirements, emission control and waste disposal procedures. The permittee shall also ensure that anyone performing asbestos-related work at the facility is trained and certified according to the Alabama Department of Environmental Management's regulations for Asbestos Contractor Certification.</p>	61.145 61.150 14.2.12 14.2.12(a)(1)
39.	<p><u>Prevention of Accidental Releases</u> The permittee shall comply with the requirements of §112(r) of the Act and 40 CFR 68 to prevent accidental releases of any substance listed pursuant to §112(r) or any other extremely hazardous substance.</p>	112(r) 40 CFR 68
40.	<p><u>Testing</u> A source emissions test may be required by this Department at any time. The Administrator may require a performance test for a source subject to NESHAP at any time authorized by section 114 of the Clean Air Act. The permittee shall provide each point of emission with sampling ports, ladders, stationary platforms, and other safety equipment to facilitate testing. The permittee shall notify the Department in writing at least 30 days prior to conducting any required emissions test on any source. This notice</p>	1.9.1 1.10.3 18.2.5 18.2.8(c) 60.8(d) 60.8(e) 60.8(g)

No.	General Permit Conditions	Regulations
	shall state the source to be tested, the proposed time and date(s) of the test, the purpose of the test, and the methods to be used. The methods for such testing shall be in accordance with procedures established by 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63 and any emissions unit specific permit requirements. Performance testing to demonstrate compliance with an NSPS shall include a test method performance audit as required by §60.8(g). The permittee shall submit the results of all emissions tests in electronic form to this Department within a time period specified by this Department; however, not to exceed 30 days from the test completion date unless a longer period is specified in the applicable subpart.	
	Facility-Specific General Conditions	
41.	<p><u>Fugitive Dust</u></p> <p>A. The permittee shall take reasonable precautions to prevent dust from any operation, process, materials handling and storage, transportation activity (including dust from paved and unpaved roads), or construction activity (including but not limited to the use, repair, alteration, and demolition of buildings) at the facility from becoming airborne.</p> <p>B. The permittee shall not cause or allow the discharge of visible emissions which travel beyond the property line of the facility.</p> <p>C. When dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any rule or regulation, the Health Officer may order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or gas-borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air.</p> <p>Airborne fugitive dust emissions shall be prevented and addressed as needed and as appropriate to weather conditions using any or all of the following pre-approved control measures specific to the following sources of fugitive dust:</p> <ol style="list-style-type: none"> 1. Wet suppression and compaction shall be used to prevent fugitive dust emanating from active and completed waste cells; 2. Unpaved plant or haul roads and grounds will be maintained in the following manner so that dust will not become airborne: <ol style="list-style-type: none"> a. By the application of water any time the surface of the road is sufficiently dry to allow the creation of dust emissions by the action of wind or vehicular traffic; b. By reducing the speed of vehicular traffic to a point below that at which dust emissions are created; c. By paving; d. By the application of binders (chemical dust suppressants) to the road surface at any time the road surface is found to allow the creation of dust emissions; or e. By any combination of the above methods which results in the prevention of dust becoming airborne from the ground or road surface. <p>Wet suppression may be accomplished by the application of water with or without the addition of surfactants, wetting agents or other additives to increase the effectiveness of wet suppression. Manufacturer's documentation of the contents of any chemical, surfactant, wetting agent, or other additive used for dust suppression shall be maintained and readily made available upon request by the Department. Other dust control methods not listed above may be used subject to Department approval.</p>	<p>6.2.1 6.2.2 6.2.3 18.2.4</p>
	Recordkeeping, Reports and Notifications for Entire Facility	
42.	<p><u>General Recordkeeping Requirements</u></p> <p>The permittee shall keep records of facility-wide operations, activities and materials which have the potential to release pollutants into the atmosphere in sufficient detail to</p>	<p>1.9.1 18.7.1</p>

No.	General Permit Conditions	Regulations
	<p>show compliance with permit conditions and to allow the annual calculation of emissions of regulated pollutants and HAP from each point and fugitive source and activity at the facility. In addition to the records required in the conditions specific to each emission unit, the permittee shall maintain records of the following:</p> <ul style="list-style-type: none"> A. The quantity of waste disposed; B. The quantity of any landfill gas collected and controlled; C. The identify and quantity of fuels combusted by heavy equipment and/or stored on-site; D. The number of dump trucks admitted to the facility; E. The hours of operation for heavy equipment (compactors, excavators, graders, etc.); F. The quantity of cover soil crushed; G. All reports and notifications submitted to comply with this permit; H. Results of all required performance testing, monitoring and sampling; I. Available SDS and/or other manufacturer supplied contents information relating to the VOC and HAP contents of materials used at the facility; and J. All spills or other mishaps of VOC/HAP materials. The record shall include the date, time, and quantity (gallons or pounds) of VOC/HAP materials involved in the spill or mishap. The permittee shall document the amount of VOC/HAP materials recovered and the amount that evaporated to the atmosphere. 	
43.	<p><u>Retention of Records</u> Records of all required monitoring data, fuel consumption, analyses, reports, MSDS, and other support information shall be retained for a minimum of 5 years from the date when the record was generated. Records must be readily accessible (on-site or retrievable within 4 hours) and suitable for inspection. Records may be kept in hard copy or electronically. Specific records to be made and retained are listed in the emission unit conditions.</p>	18.5.3(b) 60.758
44.	<p><u>Timing for Submission of Reports and Notifications</u> The permittee shall submit all reports and notifications required by any permit condition and by any applicable NESHAP and/or NSPS to the Department in electronic form. The reports may be sent by U. S. mail or by electronic mail. Reports submitted by US mail shall be postmarked on or before the due date. Reports submitted by electronic mail shall be received on or before the due date. Any application form, report or compliance certification required to be submitted pursuant to the Title V program regulations shall contain a certification by a responsible official that meets the requirements of Section 18.4.9 of the Rules and Regulations. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. Each report shall identify the company name and address, the beginning and ending dates of the reporting period, and the date of report completion. The records required for each emissions unit shall be used in preparing these reports and notifications. The annual compliance certification shall be submitted to the following 2 agencies:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Jefferson County Department of Health Air Pollution Control Program P.O. Box 2648 Birmingham, Alabama 35202-2648</p> </div> <div style="width: 10%; text-align: center;">and to</div> <div style="width: 45%;"> <p>EPA Region IV Atlanta Federal Center 61 Forsyth Street Atlanta, GA 30303</p> </div> </div> <p>The information to be included in each report is listed in General Conditions 45 – 48 below. The following reports and notifications are required to be submitted on the following schedule:</p> <ul style="list-style-type: none"> A. Annual Production and Emissions Report, due February 10 of each year covering the previous calendar year. B. Annual Title V Compliance Certification, covering the period from May 16 to May 15 of the following year, shall be submitted by June 15 each calendar year. 	18.4.9 18.5.3(c) 18.7.1 18.7.5 18.11.2(b)(4) 18.7.6 60.757(b) 60.676(f) 61.154(j)

No.	General Permit Conditions	Regulations
	<p>C. The Annual NMOC Emission Rate Report for 40 CFR 60, Subpart WWW may be included in the Annual Production and Emissions Report or with the results of Tier 2 testing.</p> <p>D. Title V 6-Month Monitoring Report, covering the periods of January 1 – June 30 (due July 30) and July 1 – December 30 (due January 30).</p> <p>E. Episodic prompt reporting of malfunctions, deviations, emergencies and violations from the permit within 2 working days of the malfunction, deviation, emergency or discovery of a violation.</p> <p>F. Notifications as follows:</p> <ol style="list-style-type: none"> 1. Notify the EPA Administrator at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited and covered as required by 61.154(j); 2. Performance testing at least 30 days prior to scheduled testing; 3. Notification of any increase in design capacity within 30 days of ADEM approval; 4. Notify the Department in writing within 2 working days of becoming subject to a federal Maximum Achievable Control Technology (MACT) standard pursuant to Section 112 of the Act (local requirement). <p>G. Results of any required testing or visible emissions observations within 45 days of completion.</p> <p>H. Compliance schedule progress reports if a compliance schedule is required.</p>	
45.	<p><u>Contents of Annual Production and Emissions Report</u></p> <p>The permittee shall submit by February 10th of each year to this Department an annual summary report for the previous calendar year in a format approved by this Department of the following production information for each emissions unit permitted herein:</p> <ol style="list-style-type: none"> A. 2 LandGEM reports using best available information concerning annual landfill waste additions and the results of any site-specific testing, and also using: <ol style="list-style-type: none"> 1. The default values specified in 40 CFR §60.754, Subpart WWW for the purpose of calculating NMOC for comparison to the emission rate cutoff; 2. The default values recommended by Ap-42 Section 2.4 for the purpose of calculating emissions for HAP and VOC from the landfill; B. The quantity in tons and megagrams of NMOC emissions generated by the landfill; C. The quantity in tons of NMOC emissions that are destroyed by any collection and control device; D. The quantity of cover soil crushed; E. The total equipment hours of operation of compactors, excavators and graders; F. The quantity of all combustion fuels (including diesel and propane, but not including landfill gas) which are combusted at the landfill; G. The number of vehicle miles traveled within the landfill by road type (paved or unpaved); H. The annual throughput in gallons, the chemical or trade name, average storage temperature in degrees Fahrenheit, and average true vapor pressure in psia of the contents of each storage tank with a capacity greater than 1,000 gallons; I. The quantity of VOC and/or HAP material emitted to the atmosphere as a result of spills and other mishaps; and J. The actual calendar year emissions (point and fugitive) of all regulated air pollutants as defined in Section 16.2.7 of the Rules and Regulations, including but not necessarily limited to TSP, PM₁₀, PM_{2.5}, NO_x, CO, VOC, and SO_x, and all HAP based upon the above calendar year records, and including the products of combustion of internal combustion engines. <p>The submission shall include a certification by a responsible official of the truth, accuracy and completeness of the report. Concurrence with the calculations by the Department shall be the basis for annual emission fees in accordance with Chapter 16 of the Rules and Regulations.</p>	<p>1.5.15 1.9.2 18.7.1</p>

No.	General Permit Conditions	Regulations
46.	<p><u>Contents of Title V Submissions</u></p> <p>Any document or report submitted under this requirement shall contain a certification of truth, accuracy, and completeness by a responsible official that meets the requirements of Section 18.4.9 of the Rules and Regulations. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. These documents shall be submitted to the Department and to EPA.</p> <p>A. Title V Annual Compliance Certification certifying compliance with terms and conditions contained in the permit, including emissions limitations, standards and work practices. The permittee shall provide a means for monitoring the compliance of its air pollution sources with the emissions limitation, standards and work practices listed or referenced within this permit. The compliance certification shall include the following:</p> <ol style="list-style-type: none"> 1. The identification of each term or condition of this permit that is being certified; 2. The emission unit or units to which the term or condition applies; 3. The compliance status; 4. Whether compliance has been continuous or intermittent; 5. The method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with the Rules and Regulations; and 6. Such other facts as the Department may require to determine the compliance status of the source, including but not limited to identifying each deviation that occurred. <p>B. Annual NMOC Emission Rate Report for 40 CFR 60, Subpart WWW: As required by §60.757(b), the permittee shall report the NMOC emission rate for each calendar year, or for a 5-year period coinciding with Tier 2 testing as allowed by §60.757(b)(1)(ii). The required information may be included in the annual emissions report and/or a Tier 2 test report.</p> <p>C. Title V 6-Month Monitoring Reports shall include the following:</p> <ol style="list-style-type: none"> 1. Monitoring of Waste Acceptance Rate, as demonstrated by the submission of quarterly volume reports as submitted to ADEM; and 2. Deviations from any permit term, condition or regulation. <p>D. Prompt Reporting of Malfunctions, Deviations, Emergencies and Violations: Malfunctions, deviations, violations of permit requirements and exceedances of emission limits during an emergency shall be reported within 2 working days, including the probable cause of said malfunctions, emergency, deviations or violations and any corrective actions or preventive measures that were taken. In the event of an emergency, written documentation demonstrating that the event falls under the Department's emergency provision (General Condition 34) must be submitted within 5 days of the event. This episodic reporting requirement is in addition to and does not replace periodic reporting requirements.</p>	<p>18.4.9 18.7.1 18.7.5 18.5.3(c)(2) 18.11.2(b)(4) 60.757(b)</p>
47.	<p><u>Compliance Schedule Progress Reports (if required)</u></p> <p>If any air pollution source owned or operated by the permittee is not in compliance with the emissions limitations, standards and work practices listed or referenced within this permit, the permittee shall submit progress reports including a statement of truth, accuracy and completeness of these reports shall be certified by a responsible official for that air pollution source. The first progress report shall be submitted within 3 months after the Operating Permit issuance date or within 3 months of the permittee or Department determining that the air pollution source is not in compliance. Subsequent reports shall be submitted every 6 months following the initial report. The progress reports shall contain the following:</p>	<p>18.4.8(h) 18.7.3 18.7.4</p>

No.	General Permit Conditions	Regulations
	<p>A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and/or dates when such activities, milestones or compliance were achieved; and</p> <p>B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.</p>	
48.	<p><u>Mandatory Greenhouse Gas Reporting (for informational purposes only)</u></p> <p>The permittee shall be aware that the facility may be required to report emissions of greenhouse gases directly to EPA under the Mandatory Greenhouse Gas Reporting rules. The reporting threshold is annual greenhouse gas emissions equal to 25,000 metric tons CO₂e, calculated using the methods presented in 40 CFR 98. Mandatory greenhouse gas reporting is made directly to EPA and is not an enforceable requirement of this Title V Operating Permit. It is the permittee's responsibility to determine whether reporting is required each calendar year.</p>	40 CFR 98

SUMMARY OF REQUIREMENTS FOR LANDFILL OPERATIONS

Description: Municipal Solid Waste Landfill – 18,952,387 Short Tons Design Capacity – Subject to NSPS, 40 CFR 60, Subpart WWW – Location Defined by ADEM Solid Waste Permit 37–43

Permitted Operating Schedule: 24 hours/day, 7 days/week, and 52 weeks/year

Type of Fuel Used:

Primary: None

Secondary: None

Pollutants Emitted:

Pollutant	Regulatory Emission Limit	Applicable Regulations
NMOC (Non-Methane Organic Compounds)	N/A	40 CFR 60, Subpart WWW Potentially Subject to 40 CFR 63, Subpart AAAAA
Fugitive Dust	N/A	Part 6.2
Obnoxious Odors	N/A	6.2.3
Asbestos	N/A	40 CFR 61, Subpart M

Pollution Control Devices: N/A

Reference Test Methods: For NMOC Concentration:
Collection: EPA Method 25 or 25C of 40 CFR 60, Appendix A
Analysis: EPA Method 18 of 40 CFR 60, Appendix A
For Site-Specific Methane Generation Rate Constant:
EPA Method 2E of 40 CFR 60, Appendix A

Continuous Monitoring System: N/A

Monitoring Requirements: Annual Calculation of NMOC Emission Rate

Recordkeeping Requirements: Condition 9 of this Emission Unit

Testing Requirements: Conditions 5 & 6 of this Emission Unit
General Condition 40

Reporting Requirements: Annual Reporting of NMOC Emission Rate
General Conditions 44 & 46.B

Applicable Regulations: Chapter 6
40 CFR 60, Subparts WWW & A
40 CFR 61, Subpart M

Emissions Unit No.	Emissions Unit Description
001	Municipal Solid Waste Landfill – 18,952,387 Short Tons Design Capacity – Subject to NSPS, 40 CFR 60, Subpart WWW – Location Defined by ADEM Solid Waste Permit 37-43

No.	Conditions for Landfill Operations Subject To 40 CFR 60, Subpart WWW	Regulations
1.	<p><u>Applicability</u></p> <p>The emission unit “Municipal Solid Waste Landfill” includes the entire disposal facility where household and other permitted waste is placed for permanent disposal and all of the equipment and operations of the MSW landfill, including but not limited to vehicles, roads, parking areas, rock crushing operations and solid waste transfer and disposal, is subject to Part 6.2 of the Rules and Regulations. The disposal facility is subject to 40 CFR 60, Subpart WWW and to Title V permitting based on date of construction (after May 30, 1991) and the design capacity, which exceeds 2.5 Million Megagrams. The landfill is subject to applicable parts of 40 CFR 61, Subpart M, regarding the disposal of asbestos-containing materials and standards for roadways. Stone crushing operations with a capacity exceeding 150 tons/hr for a portable operation or 25 tons/hr for a fixed operation are subject to 40 CFR 60, Subpart OOO, unless all materials processed are saturated with water. The permittee is subject to the general conditions of 40 CFR 60 and 40 CFR 61 except as noted in the applicable Subparts.</p> <p>The landfill will become subject to the NESHAP 40 CFR 63, Subpart AAAA if any of the following events occur:</p> <p>A. If uncontrolled emissions equal or exceed 50 Mg/yr NMOC as calculated according to 40 CFR §60.754(a), Subpart WWW;</p> <p>B. If potential emissions of HAP from the landfill or a collocated facility exceed 10 tons for any single HAP or 25 tons for total HAP; or</p> <p>C. If a bioreactor as defined at 40 CFR §63.1990 is installed.</p> <p>Because Subpart AAAA is not an applicable regulation at this time, requirements for Subpart AAAA are not included in this permit. The permittee shall submit an application to modify the permit prior to installing a bioreactor.</p>	<p>6.2 60.750 60.752(b) 60.670 63.1935</p>
2.	<p><u>Fugitive Dust</u></p> <p>The permittee shall take reasonable precautions to prevent dust from any operation, process, handling, storage, or transportation activity, including from dust from paved and unpaved roads and grounds in the source permitted herein from becoming airborne. The permittee shall not cause or allow the discharge of visible emissions which travel beyond the property line of the landfill. Specific dust control measures for this emission unit include, but are not limited to:</p> <p>A. Wet suppression shall be used to prevent fugitive dust emanating from plant roads, active and completed waste cells, rock crushing operations and grounds.</p> <p>B. Unpaved plant or haul roads and grounds will be maintained in the following manner so that dust will not become airborne:</p> <ol style="list-style-type: none"> 1. By the application of water any time the surface of the road is sufficiently dry to allow the creation of dust emissions by the act of wind or vehicular traffic; 2. By reducing the speed of vehicular traffic to a point below that at which dust emissions are created; 3. By paving; 4. By the application of binders (chemical dust suppressants) to the road surface at any time the road surface is found to allow the creation of dust emissions; or 5. By any combination of the above methods which results in the prevention of dust becoming airborne from the road surface. Other dust control methods not listed above may be used if approved by the Department. 	<p>6.2.1 6.2.2 18.2.4</p>

No.	Conditions for Landfill Operations Subject To 40 CFR 60, Subpart WWW	Regulations
3.	<p><u>Obnoxious Odors</u></p> <p>This Operating Permit is issued with the condition that, should obnoxious odors arising from the plant operations be verified by Department inspectors, measures to abate the odorous emissions shall be taken upon determination by this Department that these measures are technically and economically feasible.</p>	<p>6.2.3 18.2.4</p>
4.	<p><u>Annual NMOC Emission Rate Calculation</u></p> <p>Each year, the permittee shall calculate the NMOC emission rate using the appropriate equation(s) of §60.754(a)(1). Tier 1 calculations use default values for NMOC concentration and methane generation rate to estimate the NMOC emission rate. If the NMOC emission rate calculated by Tier 1 is less than 50 megagrams/year, the permittee shall submit an emission rate report as provided in 40 CFR §60.757(b)(1) and shall recalculate annually. If the NMOC emission rate is equal to or greater than 50 megagrams/year, the owner may either attempt to demonstrate that the actual NMOC emission rate is below the threshold using site specific testing (Tier 2 or Tier 3) or design and install an approved collection and control system consistent with the requirements of 40 CFR §60.752(b)(2). Tiers 2 and 3 add site-specific (tested) values that may be used to demonstrate that a collection and control system is not needed where Tier 1 calculations exceed the threshold. The NMOC emission rate shall be recalculated annually until the calculated emission rate is equal to or greater than 50 megagrams/yr or the landfill is closed.</p>	<p>60.752(b) 60.754(a)(1) 60.754(a)(2)</p>
5.	<p><u>Tier 2 Site-Specific NMOC Concentration Determination and Recalculation</u></p> <p>The permittee shall follow the sampling and testing procedures of 40 CFR §60.754(a)(3) to determine the site-specific NMOC concentration for all areas of the landfill in which waste has been retained for at least 2 years. The average NMOC concentration from the collected samples shall be used in place of the default value to recalculate the NMOC emission rate using the equations from 40 CFR §60.754(a)(1). This site-specific value is good for 5 years; the facility must be re-tested and a new site-specific NMOC concentration determined every 5 years if Tier 2 is used. If the NMOC emission rate calculated using Tier 2 is less than 50 megagrams/year, the permittee shall submit a revised emission rate report as provided in 40 CFR §60.757(b)(1) and §60.757(c)(1). If the Tier 2 NMOC emission rate is equal to or greater than 50 megagrams/year, the owner may either attempt to demonstrate that the actual NMOC emission rate is below the threshold using additional site specific testing (Tier 3 below) or design and install an approved collection and control system consistent with the requirements of 40 CFR §60.752(b)(2).</p>	<p>60.754(a)(3)</p>
6.	<p><u>Tier 3 Site-Specific Methane Generation Rate Constant Determination and Recalculation</u></p> <p>The permittee shall follow the sampling and testing procedures of 40 CFR 60, Appendix A, Method 2E to determine the site-specific methane generation rate constant. This site-specific methane generation rate constant and the average NMOC concentration from Tier 2 shall be used in place of the default value to recalculate the NMOC emission rate using the equations from paragraphs 40 CFR §60.754(a)(1)(i) and §60.754(a)(1)(ii). The site-specific methane generation rate constant need only be performed once; the value may be used as long as Tier 3 is used. The site-specific NMOC concentration from Tier 2 continues to require re-testing every 5 years. If the NMOC emission rate using Tier 3 is less than 50 megagrams/year, the permittee shall submit a revised emission rate report as provided in 40 CFR §60.757(b)(1) and §60.757(c)(3). If the Tier 3 NMOC emission rate is equal to or greater than 50 megagrams/year, the permittee shall design and install an approved collection and control system consistent with the requirements of 40 CFR §60.752(b)(2).</p>	<p>60.754(a)(4)</p>

No.	Conditions for Landfill Operations Subject To 40 CFR 60, Subpart WWW	Regulations
7.	<p><u>Collection and Control System</u> If the permittee cannot demonstrate that the NMOC emission rate is less than 50 megagrams/year, the permittee shall notify the Department within 2 days of discovery. Within 30 days, the permittee shall submit a compliance schedule for meeting the applicable requirements of 40 CFR 60, Subpart WWW for design, installation and operation of a collection and control system as required by §60.752(b)(2). The compliance schedule shall also address any additional requirements of 40 CFR 63, Subpart AAAA.</p>	60.752(b)(2) 63.1960 18.4.8(h) 18.7.3 18.7.4
8.	<p><u>Landfilling of Asbestos-Containing Waste Material</u> The permittee shall ensure that there are no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited or shall meet the requirements of §61.154(c). The permittee shall meet the fencing and signage requirements of §61.154(b).</p>	61.154
9.	<p><u>Recordkeeping</u> The permittee shall maintain the following records for this emission unit: A. The amount of waste accepted each calendar day; B. The days on which the water truck was operated to reduce fugitive dust; C. The design capacity, the current amount of solid waste in-place and the year-by-year solid waste acceptance rate; D. All test reports containing the results of testing performed for 40 CFR 60, Subpart WWW Tier 2 and/or Tier 3; E. Records documenting the nature, date of deposition, amount and location of non-degradable or non-productive (calculated using the formula at 60.759(a)(3)(ii)) waste excluded from any collection system; and F. For all asbestos-containing waste material received, records as required by §61.154(e)&(f).</p>	1.9.1 18.5.3 60.758 61.154 60.674(b) 60.676

APPENDIX A: CROSS-REFERENCE TABLE: JCDH AIR POLLUTION CONTROL RULES AND REGULATIONS TO STATE IMPLEMENTATION PLAN

The citations to Alabama regulations provided below refer to the version of the regulation that has been approved by the U.S. EPA as part of Alabama's Clean Air Act state implementation plan (SIP), as identified in 40 CFR 52, Subpart B. In the event that there is a discrepancy between the information provided in the table below and the federal regulatory table identifying the Alabama SIP at 40 CFR 52, Subpart B, the federal regulatory table governs.

JCDH Citation	State Citation	Title/Subject
Chapter 1	Chapter No. 335-3-1	General Provisions
Part 1.1	Section 335-3-1-.01	Purpose
Part 1.3	Section 335-3-1-.02 ¹	Definitions
Part 1.7	Section 335-3-1-.03	Ambient Air Quality Standards
Part 1.9	Section 335-3-1-.04	Monitoring, Records, and Reporting
Part 1.10	Section 335-3-1-.05	Sampling and Test Methods
Part 1.11	Section 335-3-1-.06	Compliance Schedule
Part 1.12	Section 335-3-1-.07	Maintenance and Malfunctioning of Equipment; Reporting
Part 1.13	Section 335-3-1-.08	Prohibition of Air Pollution
Sections 3.2.1 – 3.2.4 & Part 3.4	Section 335-3-1-.09	Variances
Part 1.15	Section 335-3-1-.10	Circumvention
Part 1.16	Section 335-3-1-.11	Severability
Part 1.17	Section 335-3-1-.12	Bubble Provision
Part 1.18	Section 335-3-1-.13	Credible Evidence
Part 1.20	Section 335-3-1-.15	Emissions Inventory Reporting Requirements
Chapter 2	Chapter No. 335-3-14	Air Permits
Part 2.1	Section 335-3-14-.01	General Provisions
Part 2.2, except 2.2.4(h)	Section 335-3-14-.02	Permit Procedures
Part 2.3	Section 335-3-14-.03	Standards for Granting Permits
Part 2.4	Section 335-3-14-.04 ^{2,3}	Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration (PSD)]
Part 2.5	Section 335-3-14-.05 ⁴	Air Permits Authorizing Construction in or Near Nonattainment Areas
Chapter 4	Chapter No. 335-3-2	Air Pollution Emergency
Part 4.1	Section 335-3-2-.01	Air Pollution Emergency
Part 4.3	Section 335-3-2-.02	Episode Criteria
Part 4.4	Section 335-3-2-.03	Special Episode Criteria
Part 4.5	Section 335-3-2-.04	Emission Reduction Plans
Part 4.6	Section 335-3-2-.05	Two Contaminant Episode
Part 4.7	Section 335-3-2-.06	General Episodes
Part 4.8	Section 335-3-2-.07	Local Episodes
Part 4.9	Section 335-3-2-.08	Other Sources
Section 4.2.3	Section 335-3-2-.09	Other Authority Not Affected
Chapter 5	Chapter No. 335-3-3	Control of Open Burning and Incineration
Sections 5.1.1 – 5.1.5 ⁵	Section 335-3-3-.01	Open Burning

¹ Revisions of the definition of VOC to exclude *trans* 1-chloro-3,3,3-trifluoroprop-1-ene (Solstice™ 1233zs(E)), 2,3,3,3-tetrafluoropropene, and 2-amino-2-methyl-1-propanol (AMP) have not been approved into the SIP.

² Revisions to the following provisions have not been approved as SIP changes by EPA: the permitting applicability statement for greenhouse gases at ADEM 335-3-14-.04(1)(k) (JCDH 2.4.1(k)) and the definition of replacement unit at ADEM 335-3-14-.04(2)(bbb) (JCDH 2.4.2(bbb)).

³ As of Sept. 26, 2012 Section 335-3-14-.04 does not include Alabama's revision to adopt the PM_{2.5} SILs threshold and provisions (as promulgated in the October 20, 2010 PM_{2.5} PSD Increment-SILs-SMC Rule at 40 CFR 1.166(k)(2) and the term "particulate matter emissions" (as promulgated in the May 16, 2008 NSR PM_{2.5} Rule (as 40 CFR 51.166(b)(49)(vi)).

⁴ The following provisions are not part of the EPA-approved SIP: the portion of 335-3-14-.05(1)(k) (JCDH 2.5.1(k)) stating "excluding ethanol production facilities that produce ethanol by natural fermentation"; 335-3-14-.05(2)(c)3. (JCDH 2.5.2(c)(3)) which addresses fugitive emission increases and decreases; 335-3-14-.05(1)(h) (JCDH 2.5.1(h)) stating the actual-to-potential test for projects that only involve existing emissions units; the last sentence at 335-3-14-.05(3)(g) (JCDH 2.5.3(g)), stating "Interpollutant offsets shall be determined based on the following ratios"; and the NNSR interpollutant ratios at 335-3-14-.05(3)(g)1.-4. (JCDH 2.5.3(g)(1)-(4)).

⁵ See also Guidelines & Standard Operating Procedures for Issuance of Open Burning Authorizations at the end of Chapter 5. ADEM 335-3-3-.01(2)(b)(6) also prohibits open burning during declared air stagnation advisories and drought emergencies.

JCDH Citation	State Citation	Title/Subject
Part 5.2	Section 335-3-3-.02	Incinerators
Part 5.3 ⁶ , except 5.3.4	Section 335-3-3-.03	Incineration of Wood, Peanut, and Cotton Ginning Waste
Chapter 6	Chapter No. 335-3-4	Control of Particulate Emissions
Sections 6.1.1 & 6.1.2	Section 335-3-4-.01 ⁷	Visible Emissions
Part 6.2	Section 335-3-4-.02 ⁸	Fugitive Dust and Fugitive Emissions
Part 6.3	Section 335-3-4-.03	Fuel Burning Equipment
Part 6.4	Section 335-3-4-.04	Process Industries—General
Part 6.5 ⁹	Section 335-3-4-.05	Small Foundry Cupola
Part 6.6 ¹⁰	Section 335-3-4-.06	Cotton Gins
Part 6.7	Section 335-3-4-.07	Kraft Pulp Mills
Part 6.8	Section 335-3-4-.08	Wood Waste Boilers
Part 6.9	Section 335-3-4-.09	Coke Ovens
Part 6.10	Section 335-3-4-.11	Cement Plants
Part 6.12	Section 335-3-4-.12	Xylene Oxidation Process
No equivalent provision	Section 335-3-4-.14	Grain Elevators
No equivalent provision	Section 335-3-4-.15	Secondary Lead Smelters
Chapter 7	Chapter No. 335-3-5	Control of Sulfur Compound Emissions
Part 7.1	Section 335-3-5-.01	Fuel Combustions
Part 7.2 is not equivalent	Section 335-3-5-.02	Sulfuric Acid Plants
No equivalent provision	Section 335-3-5-.03	Petroleum Production
No equivalent provision	Section 335-3-5-.04	Kraft Pulp Mills
No equivalent provision	Section 335-3-5-.05	Process Industries—General
Chapter 8	Chapter No. 335-3-6	Control of Volatile Organic Compound (VOC) Emissions
Part 8.1 ¹¹	Section 335-3-6-.24	Applicability
Part 8.2	Section 335-3-6-.25	VOC Water Separation
Part 8.3	Section 335-3-6-.26 ^{12, 13}	Loading and Storage of VOC
Part 8.4	Section 335-3-6-.27	Fixed-Roof Petroleum Liquid Storage Vessels
Part 8.5	Section 335-3-6-.28	Bulk Gasoline Plants
Part 8.6	Section 335-3-6-.29	Gasoline Terminals
Part 8.7, except 8.7.4(b) & 8.7.5(e)	Section 335-3-6-.30	Gasoline Dispensing Facilities Stage 1
Part 8.11	Section 335-3-6-.32	Surface Coating
Part 8.12	Section 335-3-6-.33 ¹⁴	Solvent Metal Cleaning
Part 8.13	Section 335-3-6-.34	Cutback and Emulsified Asphalt
Part 8.15	Section 335-3-6-.36	Compliance Schedules
Part 8.16 ¹⁵	Section 335-3-6-.37	Test Methods and Procedures
Part 8.18	Section 335-3-6-.39	Manufacture of Synthesized Pharmaceutical Products
Part 8.20, except 8.20.8	Section 335-3-6-.41	Leaks from Gasoline Tank Trucks and Vapor Collection Systems

⁶ JCDH has no equivalent for ADEM 335-3-3-.03(5), which states “Each incinerator subject to this Rule shall be properly designed, equipped, and maintained for its maximum rated burning capacity and shall be equipped with an underfire forced air system, an over-fire air recirculation secondary construction system, and variable control damper, all of which shall be electronically controlled to insure the optimum temperature range for the complete combustion of the amount and type of material waste being charged into the incinerator. Each such incinerator shall be equipped with a temperature recorder which shall be operated continuously with the incinerator, and the temperature records shall be made available for inspection at the request of the Director.”

⁷ ADEM 335-3-4-.01(1) & (2) are included in the EPA-approved SIP, however, the remaining provisions are not SIP-approved.

⁸ ADEM 335-3-4-.02(4) was removed effective July 15, 1999, however, the provision is still included in the EPA-approved SIP.

⁹ All allowable emissions rates in Table 6-3 should be construed to have 2 significant figures, consistent with ADEM 335-3-4-.05, Table 4-3.

¹⁰ All allowable emissions rates in Table 6-4 should be construed to have 1 significant figure, consistent with ADEM 335-3-4-.06, Table 4-4.

¹¹ The definition at ADEM 335-3-6-.24(2)(d) is located at JCDH Part 1.3.

¹² The EPA-approved SIP excludes only 11 compounds from the definition of VOC at ADEM 335-3-6-.26(1) (JCDH 8.3.1). The SIP-approved exemptions are listed in ADEM 335-3-1-.02(1)(gggg)(JCDH Part 1.3) as numbered exemptions 1-10 and 20).

¹³ The EPA-approved SIP requires a disposal system in conjunction with equipment required by ADEM 335-3-6-.26(2)(c)1.(i) (JCDH 8.3.2(c)(1)(i)).

¹⁴ ADEM 335-3-6-.33(5)(n) (JCDH 8.12.5(n)) is not included in the approved SIP.

¹⁵ Federally enforceable testing provisions for perchloroethylene dry cleaning systems are located at ADEM 335-3-6-.37(5) and federally enforceable testing provisions for capture efficiency are located at ADEM 335-3-6-.37(13).

JCDH Citation	State Citation	Title/Subject
Part 8.22	Section 335-3-6-.43 ¹⁶	Graphic Arts
Part 8.23	Section 335-3-6-.44	Petroleum Liquid Storage in External Floating Roof Tanks
Part 8.24	Section 335-3-6-.45	Large Petroleum Dry Cleaners
Part 8.26	Section 335-3-6-.47	Leaks from Coke by-Product Recovery Plant Equipment
Part 8.27	Section 335-3-6-.48	Emissions from Coke by-Product Recovery Plant Coke Oven Gas Bleeder
Part 8.28	Section 335-3-6-.49 ¹⁷	Manufacture of Laminated Countertops
Part 8.29	Section 335-3-6-.50	Paint Manufacture
Part 8.23 ¹⁸	Section 335-3-6-.53	List of EPA Approved and Equivalent Test Methods and Procedures for the Purpose of Determining VOC Emissions
Chapter 9	Chapter No. 335-3-7	Control of Carbon Monoxide Emissions
Part 9.1	Section 335-3-7-.01	Metals Productions
Part 9.2	Section 335-3-7-.02	Petroleum Processes
Chapter 10	Chapter No. 335-3-8	Control of Nitrogen Oxides Emissions
Part 10.1	Section 335-3-8-.01	Standards for Portland Cement Kilns
Part 10.2	Section 335-3-8-.02	Nitric Acid Manufacturing
Part 10.3	Section 335-3-8-.03	NO _x Emissions from Electric Utility Generating Units
Part 10.4	Section 335-3-8-.04	Standards for Stationary Reciprocating Internal Combustion Engines
Part 10.5	Section 335-3-8-.05 ¹⁹	New Combustion Sources
Chapter 11	Chapter No. 335-3-9	Control of Emissions from Motor Vehicles
Part 11.1	Section 335-3-9-.01	Visible Emission Restriction for Motor Vehicles
Part 11.2	Section 335-3-9-.02	Ignition System and Engine Speed
Part 11.3	Section 335-3-9-.03	Crankcase Ventilation Systems
Part 11.4	Section 335-3-9-.04	Exhaust Emission Control Systems
Part 11.5	Section 335-3-9-.05	Evaporative Loss Control Systems
Part 11.6	Section 335-3-9-.06	Other Prohibited Acts
Part 11.7	Section 335-3-9-.07	Effective Date
Chapter 17	Chapter No. 335-3-15	Synthetic Minor Operating Permits
Part 17.1	Section 335-3-15-.01 ²⁰	Definitions
Part 17.2, except 17.2.8(h)(7)	Section 335-3-15-.02 ²¹	General Provisions
Part 17.3	Section 335-3-15-.03	Applicability
Part 17.4 ²²	Section 335-3-15-.04	Synthetic Minor Operating Permit Requirements
Part 17.5, except 17.5.2	Section 335-3-15-.05	Public Participation
Chapter 19	Chapter No. 335-3-17	Conformity of Federal Actions to State Implementation Plans
Part 19.1	Section 335-3-17.01 ²³	Transportation Conformity
Part 19.2	Section 335-3-17-.02	General Conformity

¹⁶ The following provisions are not included in the EPA-approved SIP: the last 4 sentences of ADEM 335-3-6-.43(1)(c) (JCDH 8.22.(c)), provision ADEM 335-3-6-.43(1)(f) (JCDH 8.22.1(f)) and all provisions of ADEM 335-3-6-.43(5) & (6) (JCDH 8.22.5 and 8.22.6).

¹⁷ Current ADEM 335-6-.49(4) & (5) (JCDH 8.28.4 and 8.28.5) are not included in the EPA-approved SIP. The SIP-approved version of ADEM 335-6-.49(4) (JCDH 8.28.4) is "Compliance with this Rule shall be demonstrated via certification by the adhesive manufacturer as to the composition of the adhesive, if supported by actual batch formulation records. Sufficient data to determine as-applied formulation is different from the as-purchased adhesive."

¹⁸ Test Methods 204, 204A-204F are not included in the APR-approved SIP.

¹⁹ ADEM 335-3-8-.05 was approved into the SIP as ADEM 335-3-8-.14 but was renumbered when CAIR provisions were removed.

²⁰ Only the first sentence of ADEM 335-3-15-.01(g) is approved into the SIP. JCDH does not include the unapproved language.

²¹ ADEM 335-3-15-.02(10) is not included in the EPA-approved SIP. JCDH does not include the unapproved provision.

²² JCDH Part 17.4 does not include the federally enforceable provisions of ADEM 335-3-15-.04(1)(g) and (3)(c).

²³ The reference to July 1, 2012 in ADEM 335-3-14-.01 and JCDH Part 19.1.1 has not been approved into the SIP.