

# Fact Sheet



## For Final Renewal Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Number: **R30-00300036-2016**  
Application Received: **October 5, 2015**  
Plant Identification Number: **003-00036**  
Permittee: **LCS Services, Inc.**  
Mailing Address: **P. O. Box 1070, Hedgesville, WV 25427**

*Revised: N/A*

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Physical Location:	Hedgesville, Berkeley County, West Virginia
UTM Coordinates:	243.35 km Easting • 4384.46 km Northing • Zone 17
Directions:	From I-81, take exit for State Route 9 (Berkeley Springs/Hedgesville); Go approximately 6 miles to Hedgesville and turn right onto County Route 901; Go approximately 1 mile, and take a left onto County Route 3/2 (Allensville Road); Go approximately 0.8 miles on Allensville Road and landfill entrance is on left.

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### Facility Description

SIC Code – 4953. North Mountain Sanitary Landfill is a municipal solid waste landfill that began operation in 1991. The landfill has the potential to receive approximately 120,000 tons of waste per year on the approximate 468.7 acre site of which 67 acres is permitted for waste disposal. Waste is brought to the landfill by truck and disposed of. The waste is spread and compacted with soil placed over the active area each day for cover. The landfill also has a flare for odor control and above ground tanks which are used for leachate treatment and storage.

**Emissions Summary**

<b>Plantwide Emissions Summary [Tons per Year]</b>		
<b>Regulated Pollutants</b>	<b>Potential Emissions</b>	<b>2014 Actual Emissions</b>
Carbon Monoxide (CO)	134.23	6.35
Nitrogen Oxides (NO <sub>x</sub> )	7.16	3.41
Particulate Matter (PM <sub>2.5</sub> )	20.87	Not Available
Particulate Matter (PM <sub>10</sub> )	24.23	Not Available
Total Particulate Matter (TSP)	101.82	56.6
Sulfur Dioxide (SO <sub>2</sub> )	3.00	0.92
Volatile Organic Compounds (VOC)	13.62	1.13

*PM<sub>10</sub> is a component of TSP.*

<b>Hazardous Air Pollutants</b>	<b>Potential Emissions</b>	<b>2014 Actual Emissions</b>
Total HAPs (each HAP < 10tpy)	7.37	2.56
HCl	4.12	1.16

*Some of the above HAPs may be counted as PM or VOCs.*

*The Facility has estimated uncontrolled emissions less than 50 megagrams per year (Mg/yr) of NMOC.*

**Title V Program Applicability Basis**

This facility has a design capacity over 2.5 million megagrams and 2.5 million cubic meters. Also, this facility has the potential to emit over 100 tons per year of Carbon Monoxide (CO). Due to this facility's design capacity and its potential to emit over 100 tons of criteria pollutants, LCS Services, Inc. is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

**Legal and Factual Basis for Permit Conditions**

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

This facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR6	Open burning prohibited.
	45CSR11	Standby plans for emergency episodes.
	45CSR13	New Source Review permits for stationary sources
	45CSR16	Standards of Performance for New Stationary Sources Pursuant to 40 CFR Part 60
	45CSR17	To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and other sources of Fugitive Particulate Matter
	45CSR23	To Prevent and Control Emissions from Municipal Solid Waste Landfills

	WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
	45CSR30	Operating permit requirement.
	40 C.F.R. Part 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
	40 C.F.R. Part 60 Subpart WWW	Standard of Performance for Municipal Solid Waste Landfills
	40 C.F.R. Part 61	Asbestos inspection and removal
	40 C.F.R. Part 82, Subpart F	Ozone depleting substances
State Only:	45CSR4	No objectionable odors.

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

**Active Permits/Consent Orders**

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (if any)
R13-2590	10-20-2004	N/A

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table," which may be downloaded from DAQ's website.

**Determinations and Justifications**

**Previously Registered under the General Permit**

Previously, this facility had been registered under the General Permit for Municipal Solid Waste Landfills (R30-MSWLGP-2011-00300036). With this renewal, the facility was not registered under the General Permit, and the General Permit for Landfills will not be renewed. Instead, it was issued a standard Title V Operating Permit. This required numerous formatting changes and the permit was rewritten for the standard Title V permit format.

**Section 4.0: Requirements for the Active 67 Acre Landfill**

Section 4.0 of this permit was written to address the Active 67 Acre Landfill and the Flare (Emission Unit IDs: 001 and Flare). The table below summarizes each permit condition's contents, regulatory citations, and NSR permit citations:

Condition Number	Summary of Requirements	Regulatory Citation	R13-2590 Condition
4.1.1	Requirements When Reported NMOC Emission Rate is $\geq 50$ Mg/yr.	45CSR23, 40 C.F.R. §60.757, and 40 C.F.R. §60.754(a)(3)	N/A
4.1.2	Requirements When Reported NMOC Emission Rate is $\geq 50$ Mg/yr. (when using site specific $C_{NMOC}$ )	45CSR23, 40 C.F.R. §60.757 and 40 C.F.R. §60.754(a)(4)	N/A
4.1.3	Installation of a landfill gas collection and control system	45CSR23, 40 C.F.R. §60.752, and 40 C.F.R. §60.753	N/A
4.1.4	LFG Collection and Control System Design Plan	45CSR23 and 40 C.F.R. §60.757(c)	N/A
4.1.5	Visible emissions from the flare (E1) limited to 20% opacity	45CSR§6-4.3	B.1
4.1.6	Condition 4.1.6. does not apply to smoke less than 40% percent opacity, for a period or periods aggregating no more than 8 minutes per start-up.	45CSR§6-4.4	B.1
4.1.7	No emission of particles of unburned or partially burned refuse or ash from the flare (E1) which are large enough to be individually distinguished in the open air.	45CSR§6-4.5	B.1
4.1.8	No objectionable odors from the flare (E1)	45CSR§6-4.6	B.1
4.1.9	No person shall construct, modify or relocate any incinerator without first obtaining a permit	45CSR§6-6.1	N/A
4.1.10	Only landfill gas generated from the municipal solid waste contained in the North Mountain Sanitary Landfill shall be burned in the flare (E1)	N/A	A.1
4.1.11	Use of an ultraviolet beam sensor and thermocouple at the pilot light or the flame itself to indicate the continuous presence of a flame in the flare.	N/A	A.2
4.1.12	Exit gas velocity limits from the flare (E1)	N/A	A.3
4.1.13	Emission limits from the flare (E1)	N/A	A.4 and B.1
4.1.14	Maximum landfill gas throughput to the flare (E1)	N/A	A.6
4.1.15	98% minimum destruction efficiency for the flare (E1)	N/A	A.5
4.1.16	HAPs identified in Permit Application R13-2590 as potential material constituents of the landfill gas utilized by the flare system (E1)	N/A	B.6
4.2.1	Visible emission checks of the flare (E1) to demonstrate compliance with 4.1.5 and 4.1.6.	45CSR§30-5.1.c.	N/A
4.3.1	Stack tests for the flare (E1)	45CSR§6-7.1.	N/A
4.4.1	Records of all emission data and operating parameters	45CSR23 and 40 C.F.R. §60.758	N/A
4.4.2	Records of the amount of landfill gas consumed/fed to the flare system to demonstrate compliance with conditions 4.1.12-4.1.15.	N/A	B.4
4.4.3	Documentation of all malfunctions of the flare system (E1)	N/A	B.5
4.4.4	Recordkeeping of the VEs required by Condition 4.2.1	45CSR§30-5.1.c.	N/A
4.5.1	Annual NMOC Emission Report	45CSR23 and 40 C.F.R. §60.757(b)	N/A
4.5.2	5-year NMOC Report	45CSR23 and 40 C.F.R. §60.757(b)(1)(ii)	N/A
4.5.3	Revision of 5-year NMOC Report	45CSR23 and 40 C.F.R. §60.757(b)(1)(ii)	N/A
4.5.4	Closure Report	45CSR23 and 40 C.F.R. §60.757(d)	N/A
4.5.5	Reporting of VE violations	45CSR§30-5.1.c.	N/A

### Section 5.0: Requirements for Leachate Pretreatment Tanks

Section 5.0 of this permit was written to address the Leachate Pretreatment Tanks (Emission Unit IDs: 009A and 009B). The table below summarizes each permit condition's contents, and regulatory citations:

Condition Number	Summary of Requirements	Regulatory Citation
5.2.1	Keep copies of all records required by 40CFR§60.116b	45CSR16, 40CFR§60.116b(a)
5.2.2	Records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel	45CSR16, 40CFR§60.116b(b)
5.2.3	Notification requirements when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values	45CSR16, 40CFR§60.116b(d)
5.2.4	Requirements for each vessel storing a waste mixture of indeterminate or variable composition	45CSR16, 40CFR§60.116b(f)

### Non-Applicability Determinations

The following requirements have been determined not to be applicable to the subject facility due to the following:

**40CFR§60.757(a)(3):** The design capacity of this facility is greater than 2.5 million megagrams and 2.5 million cubic meters. Therefore, amended design capacity reports are not required.

**40CFR61, Subpart M—National Emission Standard for Asbestos:** The facility does not accept asbestos waste.

**40CFR64—Compliance Assurance Monitoring (CAM):** The facility does not have a pollutant specific emissions unit with a control device used to meet an applicable standard or limit. The flare is for odor control and not to comply with any emission limits. Therefore, the facility is not subject to the CAM rule.

**40 CFR 63, Subpart AAAA—NESHAP for Municipal Solid Waste Landfills:** This facility is not subject to AAAA because: This MSW landfill is not a major source of HAPs; The MSW landfill is not collocated with a major source of HAPs; The MSW landfill is an area source with a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m<sup>3</sup>) but estimated uncontrolled emissions are less than 50 megagrams per year (Mg/yr) NMOC; and, this MSW landfill does not include a bioreactor, as defined in 40 C.F.R §63.1990.

### Request for Variances or Alternatives

None.

### Insignificant Activities

Insignificant emission unit(s) and activities are identified in the Title V application.

### Comment Period

Beginning Date: Tuesday, November 17, 2015  
Ending Date: Thursday, December 17, 2015

### Point of Contact

All written comments should be addressed to the following individual and office:

Rex Compston, P.E.  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304/926-0499 ext. 1209 • Fax: 304/926-0478  
[Rex.E.Compston@wv.gov](mailto:Rex.E.Compston@wv.gov)

### Procedure for Requesting Public Hearing

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

### Response to Comments (Statement of Basis)

The following comments were received via e-mail on December 10, 2015 from Paul Wentworth of US EPA Region III regarding this permit:

**Comment #1:** Attachment E Page 3 of the permit application shows applicable requirements which include:

45CSR23, 40 C.F.R. §60.757, and 40 C.F.R. §60.754(a)(3). 45CSR23, 40 C.F.R. §60.757 and 40 C.F.R. §60.754(a)(4). 45CSR23, 40 C.F.R. §60.752, and 40 C.F.R. §60.753. 45CSR23 and 40 C.F.R. §60.757(c).

Section 3.7.2 of the Permit contains the following language: “The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met. “

The section shown below is one of the requirements that are not applicable:

40CFR§60.757(a)(3): The design capacity of this facility is greater than 2.5 million megagrams and 2.5 million cubic meters. Therefore, amended design capacity reports are not required. The above requirements cannot be in the permit shield as not being applicable if they could be applicable at some later time. Please clarify.

**Comment #2:** Section 4.5.1. Annual NMOC Emission Report -. [The NMOC emission rate shall be calculated in accordance with the methodology contained in 40 C.F.R. §60.754(a)(1). The report shall include all data, calculations, sample reports and measurements used to estimate the emissions]

The calculation methodology contained in 40 C.F.R. §60.754(a)(1) should be incorporated within the draft/proposed permit.

**Comment #3:** §60.759 Specifications for active collection systems is not incorporated in the permit. Since the facility has a flare it is assumed that the land fill has a collection system, however, there is no mention of the system either in the permit or in the fact sheet and there is not discussion as to whether the facility meets the specifications in the requirement. Please clarify.

**Comment #4.** Have the following requirements listed in the permit (see below) been carried out and if so do they still need to be in the permit?

4.1.1. Requirements When Reported NMOC Emission Rate is  $\geq 50$  Mg/yr. - If the reported nonmethane organic compounds (NMOC) emission rate, in the initial, annual or revised 5-year report, is equal to or exceeds 50 megagrams per year, the permittee shall:

a. Submit a Landfill Gas (LFG) collection and control system design plan prepared by a professional engineer within 1 year of the NMOC emission report in compliance with 40 C.F.R. §60.752(b)(2), or

b. Within 180 days of the emission rate report, demonstrate, using a site specific NMOC concentration (Tier 2), that NMOC emissions do not equal or exceed 50 megagrams per year, submit a revised NMOC emission rate report, resume annual NMOC emission rate reporting, and retest the site specific NMOC concentration every 5 years. This shall be completed in accordance with 40 C.F.R. §60.754(a)(3).

**Comment #5:** This is the same comment as Comment #4 for regarding the language below:

4.1.2. Requirements When Reported NMOC Emission Rate is  $\geq 50$  Mg/yr. (when using site specific CNMOC) - If, using a site specific NMOC concentration, the NMOC emission rate is equal to or exceeds 50 megagrams per year, the permittee shall:

**Comment #6:** Is this language shown below still required in the permit if a landfill gas collection system has been installed?

4.1.3. Within 30 months of the first annual emission rate report in which the emission rate equals or exceeds 50 megagrams per year of NMOC and the permittee cannot demonstrate compliance with Tier 2 or Tier 3 calculations, the permittee shall install a landfill gas collection and control system which conforms to 40 C.F.R. §60.759 and:

a. Is designed to handle the maximum expected gas flow rate from the entire area of the landfill;

b. Collects gas from each area, cell or group of cells in which initial solid waste has been in place for a period of:

1. 5 years or more if active; or

2. 2 years or more if closed or at final grade;

**Comment #7:** Check the remaining language in the permit to see if any potential language is not currently applicable because the landfill collection system has been installed.

The Division of Air Quality (DAQ) provided the following responses via e-mail on December 15, 2015 to the above-mentioned comments:

**Response to Comment #1:** The excerpts from the application you included in the email mention 40CFR§60.757, but not 40CFR§60.757(a)(3) specifically. The permit does reference various parts of 40CFR§60.757, however the intention of the non-applicability determination was to state that only paragraph (a)(3) of 40CFR§60.757 did not apply. 40CFR§60.757(a)(3) is triggered when the design capacity is greater than 2.5mm Mg and 2.5mm m<sup>3</sup> and requires them to submit an

amended design capacity report. The landfill is larger than the trigger, so they won't trigger it as stated in the Fact Sheet again.

**Response to Comment #2:** We feel that incorporation by reference would be sufficient. 40 C.F.R. §60.754(a)(1) lists two complex equations and definitions of the terms in those equations. According to White Paper 2, incorporation by reference is appropriate for calculation methodologies.

**Response to Comment #3:** According to 40 C.F.R. §60.759(a), these specification only apply for facilities seeking to comply with 40 C.F.R. §60.752(b)(2)(i). Since the NMOC emissions are below 50 megagrams per year, the facility does not need to comply with 40 C.F.R. §60.752(b)(2)(i). The flares are not in place for compliance with 40CFR§60.752(b)(2)(i).

**Response to Comments #4-#6:** The facility has not exceeded 50 megagrams per year of NMOC emissions, therefore these requirements should remain in the permit in case the emissions ever exceed 50 megagrams per year.

The DAQ received a letter on November 23, 2015 from an individual regarding odors from the North Mountain Sanitary Landfill. Additionally, the DAQ received a letter dated December 14, 2015 from the Berkeley County Solid Waste Authority concerning landfill gas odors from the North Mountain Sanitary Landfill. The letter included a petition signed by 35 individuals and requested that the WV DEP require the applicant to no longer be allowed to discharge landfill gas odors outside of the landfill's property and to modify the draft permit to require the installation of an improved landfill gas odor collection system. The DAQ has determined that all current applicable requirements regarding odors and the landfill gas collection system have been included in the Draft/Proposed permit issued on November 17, 2015, and therefore, no changes were made as a result of the letters and petition from the Berkeley County Solid Waste Authority.