

Fact Sheet



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

Permit Number: **R30-04700111-2008**
Application Received: **June 15, 2007**
Plant Identification Number: **04700111**
Permittee: **Capels Landfill, LLC**
Facility Name: **Copper Ridge Landfill**
Mailing Address: **P.O. Box 629, Welch, WV 24801**

Physical Location: Welch, McDowell County, West Virginia
UTM Coordinates: 447.36 km Easting • 4,147.73 km Northing • Zone 17
Directions: I-64/77 south to Exit 44 (Harper Road). Take right off exit onto WV3/Harper Road and go 11 miles until road becomes WV99/Bolt. Stay on WV99 for 4.5 miles, then turn left onto CR15/Bolt Road and go 1.3 miles where Bolt Road becomes CR1/Glen Fork Road, continuing another 6.6 miles to CR5/Saulsville-Ravenscliffe Road. Go 5.5 miles where CR5 becomes WV97. Continue 7.4 miles and turn left onto WV10 (Pineville). Go 0.8 miles, and turn right onto WV16. Go 17 miles and make a right onto CR7. Follow CR7 to Capels and the entrance to Copper Ridge Landfill on the right (CR 7/2).

Facility Description

Copper Ridge Landfill is a new 106-acre municipal solid waste landfill that began operation in late 2007 and operates under SIC Code 4953. The landfill accepts municipal solid waste, construction/demolition debris (CDD) and approved residual waste streams. Copper Ridge will receive approximately 50,000 tons of waste per month. Waste will be brought to the landfill by railcar and truck. The bails from the railcars will be loaded onto trucks for transport to the active cell. The waste will be spread and compacted. Soil will be placed over the active area each day for cover.

Emissions Summary

Plantwide Emissions Summary [Tons per Year]		
Regulated Pollutants	Potential Emissions*	Actual Emissions (N/A)
Carbon Monoxide (CO)	43.5	
Nitrogen Oxides (NO _x)	16.9	
Particulate Matter (PM ₁₀)	264.5	
Total Particulate Matter (TSP)	712.6	
Sulfur Dioxide (SO ₂)	4.57	
Volatile Organic Compounds (VOC)	143.08	

PM₁₀ is a component of TSP.

Hazardous Air Pollutants	Potential Emissions*	Actual Emissions (N/A)
Toluene	26.0	
Aggregate Total	78.5	

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

*Note: PTE is for both active and future phases of operation

Non-Methane organic compounds (NMOC) – The projected closure year is 2045 with a projected maximum potential NMOC emission rate of 2286 Mg/yr in year 2046. The projected NMOC emission rate of 50 Mg/yr, triggering the requirements for the construction of a collection and control system, is estimated to occur in 2012. The NMOC emissions were estimated by USEPA Landfill Gas Emissions Model (LANDGEM) software using the model default values.

CO, VOC, and HAP emissions were also estimated by using LANDGEM software.

Title V Program Applicability Basis

This facility has the potential to emit over 100 tons per year of criteria pollutants (264.5 tpy PM₁₀, 143.08 tpy VOC), over 10 tons per year of a single hazardous air pollutant (HAP) (26.0 tpy Toluene), and over 25 tons per year of aggregated HAP. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, over 10 tons per year of a single HAP, and over 25 tons per year of aggregate HAPs, Capels Landfill, LLC is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

This facility has a design capacity over 2.5 million megagrams and over 2.5 million cubic meters. Due to this facility's design capacity, the Capels Landfill, LLC 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	To Prevent And Control Air Pollution From Combustion Of Refuse.
45CSR11	Standby plans for emergency episodes.
45CSR13	Permits For Construction, Modification, Relocation and Operation of 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
45CSR30	Operating permit requirement.
45CSR34	Emission Standards For Hazardous Air Pollutants For Source Categories Pursuant To 40 CFR Part 63
WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
40 C.F.R. Part 60, Subpart WWW	Standards of Performance for Municipal Solid Waste Landfills
40 C.F.R. Part 60, Subpart OOO	Standards of Performance for Nonmetallic Processing Plants
40 C.F.R. Part 61	Asbestos inspection and removal
40C.F.R. Part 63, Subpart AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
40 C.F.R. Part 82, Subpart F	Ozone depleting substances

State Only:

45CSR4	No objectionable odors.
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Each State and Federally-enforceable condition of the draft Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the draft Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the draft 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, 45CSR15, 45CSR34 and 45CSR30.

Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (<i>if any</i>)
R13-2698	April 17, 2007	

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 B," which may be downloaded from DAQ's website.

Determinations and Justifications

1. 45CSR6 - *To Prevent and Control Air Pollution from the Combustion of Refuse.*
 - While no flares exist at this time, the permittee has stated that a flare system will be installed upon the need to either prevent objectionable odors or because NMOC emission estimates are greater than 50 Mg/yr, whichever occurs first.
2. 45CSR7 - *To Prevent And Control Particulate Matter Air Pollution From Manufacturing Processes And Associated Operations*
 - The clay screening unit and associated operations are subject to the 20% opacity standard as well as the mass particulate limit established for a "type a" process operation. The opacity limit has been streamlined with the more stringent opacity requirements of 40 CFR 60, Subpart OOO. The 45CSR7 mass particulate limit, based on a maximum hourly processing rate of 322 tons per hour (644,000 lb/hr), is 50 pounds per hour, which is significantly more than the 2.74 lb/hr limit established in permit R13-2698. Therefore, the mass particulate limit has also been streamlined with the more stringent particulate limit established in permit R13-2698.
3. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants.*
 - The rock crushing unit and generator will be permitted by a subcontractor hired by the landfill. This equipment has been listed in the equipment table of the Title V permit for the purpose of showing that it is an emission unit.
4. 45CSR17 – *To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter.*
 - This rule sets a standard for fugitive particulate matter, which is not to be discharged beyond the facility boundary lines which causes statutory air pollution.

Compliance with this standard will be met by the facility submitting a control plan if the Director finds the facility in violation of this rule.
5. 40 C.F.R. 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants*
 - This rule establishes limits for fugitive emissions from the clay screening plant and other affected sources (i.e., crushers, etc.). The proposed facility will process nonmetallic minerals (e.g., clay) and therefore is subject to this Subpart. Limitations include a visible emission limit of 15% opacity. Capels Landfill proposes to use partial enclosures and water sprays to achieve compliance.
6. 40 C.F.R. 60, Subpart WWW – *Standards of Performance for Municipal Solid Waste Landfills*, and 45CSR23 – *To Prevent and Control Emissions from Municipal Solid Waste Landfills*
 - This rule sets standards based on design capacity and nonmethane organic compounds (NMOC). The facility will maintain records of all emission data and operating parameters necessary to show compliance. If necessary the facility will demonstrate compliance by submitting a landfill gas collection and control system design plan. The facility will also demonstrate compliance by

submitting an initial NMOC emission report, annual NMOC emission report, 5-year NMOC report, revision of 5-year NMOC report, and/or closure report, where applicable.

Since the design capacity is greater than 2.5 Mg, amended design capacity reports under 40 CFR §60.757(a)(3) are not required. Therefore, the current design capacity and the requirement to report an amended design capacity will not be included in the “Source Specific Requirements” section of the Title V permit.

- The initial design capacity report and the initial NMOC emission rate report have been submitted. Therefore, these reporting requirements have not been included in the permit.
7. 40 C.F.R. 63, Subpart AAAA - *National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills*
- This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This facility is a new MSW landfill and is defined as a “major” source. It has a design capacity greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m³). This subpart requires the facility to comply with 40 CFR Subpart WWW. When the facility is required to install a collection and control system pursuant to 40 CFR§60.752(b)(2) of Subpart WWW it will be required to comply with 40 CFR §§63.155(b) and 63.1960 through 63.1980 of Subpart AAAA by the date it is required to install the collection and control system.
8. 40 C.F.R. 60, Subpart Kb - *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification.*
- The leachate tank has a capacity greater than 75 cubic meters (m³) and commenced construction after July 23, 1984. The leachate is composed primarily of water and contains trace amounts of volatile organic liquids (VOL). The vapor pressure of the VOL stored in the tank is expected to be well below 3.5 kPa. An example of this low vapor pressure is reflected in EPA Region 4’s Applicability Determination Index (API) determination in 1994 for leachate tanks that had a VOL vapor pressure of only 6.37 x10⁻⁴ kPa. At the time of the determination, the tanks in the API were only subject to the record keeping of tank dimensions and capacity analysis sections of Subpart Kb. This subpart has since been amended and does not apply to tanks storing VOL with a true vapor pressure less than 3.5 kPa. Therefore, 40 CFR 60, Subpart Kb is considered to be non-applicable to the leachate tank located at this facility.
9. Rock Crushing Unit
- The facility will utilize a contractor for rock crushing on an as needed basis. The equipment will be owned and operated by the contractor and will be located on the facility property on a temporary basis whenever the facility has a need for it. Since the equipment will not remain on site and is not owned or operated by the facility the rock crushing unit will not require a Title V operating permit. The contractor will be responsible for any New Source Review (NSR) permitting requirements.

Non-Applicability Determinations

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

40 C.F.R. 60 Subpart Kb	The Leachate Tanks VOL vapor pressures are less than 3.5 kPa
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40 C.F.R. 60 Subpart III	The engine for the “Trackmobile” locomotive and the engine for clay screening operation are not “stationary” internal combustion engines as defined in 40 CFR §60.4219 of this subpart.
40 CFR 64	The facility does not have a pollutant specific emissions unit with a control device to meet an applicable standard or limit. Therefore, the facility is not subject to the Compliance Assurance Monitoring (CAM) rule.
40 CFR §60.657(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.

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: **June 6, 2008**

Ending Date: **July 7, 2008**

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

Frederick Tipane
Title V Permit Writer
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

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.

Point of Contact

Frederick Tipane
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0499 ext. 1215 • Fax: 304/926-0478

Response to Comments (Statement of Basis)

The following changes have been made to the permit and fact sheet in response to comments received from the USEPA:

The language in the parenthesis at the end of permit condition 5.1.4.a.ii. has been changed from “*Tier 3*” to “*see section 5.1.5. Tier 3 Requirements*”

The note “PTE is for both active and future phases of operation” has been added at the end of the “Emission Summary” table in the fact sheet.

The paragraph following the “Emission Summary” table in the fact sheet has been revised to include “The projected NMOC emission rate of 50 Mg/yr, triggering the requirements for the construction of a collection and control system, is estimated to occur in 2012.”

The second bullet under item 6 in the “Determination and Justification” section of the fact sheet has been added to include a discussion regarding initial capacity and NMOC emission reporting.