

JEFFERSON COUNTY DEPARTMENT OF HEALTH

AIR POLLUTION PROGRAM

TITLE V OPERATING PERMIT

Permittee: **Eastern Area Landfill, City of Birmingham**

Location: **2787 Alton Road
Birmingham, Alabama 35210**

Permit No: **4-07-0373-05**

Issuance Date: **August 10, 2023**


Expiration Date: **August 9, 2028**

Nature of Business: **Municipal Solid Waste Landfill**

| Emissions Unit No. | Emissions Unit Description |
|--------------------|---|
| 001 | Municipal Solid Waste Landfill – Physical Boundaries and Design Capacity Described by ADEM Solid Waste Disposal Facility Permit 37-12 |

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, 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, 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 Amendments of 1990 (CAAA), all conditions of this permit are Federally enforceable by EPA, The Jefferson County Board of Health and citizens in general. Those provisions which are not required by the CAAA 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 permit.


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

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| 1. | <p><u>Definitions</u></p> <p>For the purposes of this Title V 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 62” 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 68” shall be an acronym for Part 68 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>“Active Landfill” means a landfill in which solid waste is being placed or a landfill area that is planned to accept waste in the future. <i>40 CFR §60.761</i></p> <p>“ADEM” shall mean the Alabama Department of Environmental Management.</p> <p>“Asbestos-containing waste material” means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this subpart. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.</p> <p>“Award contract” means the MSW landfill owner or operator enters into legally binding agreements or contractual obligations that cannot be canceled or modified without substantial financial loss to the MSW landfill owner or operator. The MSW landfill owner or operator may award a number of contracts to install the collection and control system. To meet this increment of progress, the MSW landfill owner or</p> | <p>1.3</p> <p>61.141</p> <p>60.751</p> <p>258.2</p> <p>63.1990</p> <p>98.2</p> |

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| | <p>operator must award a contract or contracts to initiate on-site construction or installation of the collection and control system.</p> <p>“Bioreactor” means a portion of a municipal solid waste 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.</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 area” means a separately lined area of an MSW landfill in which solid waste is no longer being placed. If additional solid waste is placed in that area of the landfill, that landfill area is no longer closed. The area must be separately lined to ensure that the landfill gas does not migrate between open and closed areas. <i>40 CFR §60.761</i></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 40 CFR §60.7(a)(4). Once a notification of modification has been filed, and additional solid waste has been placed in the landfill, the landfill is no longer closed. <i>40 CFR §60.761</i></p> <p>“Closure” means that point in time when a landfill becomes a closed landfill. <i>40 CFR §60.761</i></p> <p>“Commercial Solid Waste” means all types of solid waste generated by stores, offices, restaurants, warehouses and other nonmanufacturing activities, excluding residential and industrial wastes. <i>40 CFR §60.761</i></p> <p>“Complete On-Site Construction” means that all necessary collection system components and air pollution control devices identified in the final control plan are on site, in place, and ready for operation.</p> <p>“Controlled Landfill” means any landfill at which collection and control systems are required under 40 CFR 60, Subpart WWW as a result of the nonmethane organic compounds (NMOC) emission rate. The landfill is considered controlled at the time a collection and control system design plan is prepared in compliance with either §60.762(b)(2)(i) or in compliance with a State or Federal Plan implementing 40 CFR 60, Subpart Cf. <i>40 CFR §60.761</i>.</p> <p>“Department” shall mean the Jefferson County Department of Health.</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 Department, 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 §60.761</i></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.</p> <p>“Disposal facility” means all contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste. <i>40 CFR §60.761</i></p> | |

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| | <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 applicable regulation is required. <i>40 CFR §60.761</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 §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>“Gust” means the highest instantaneous wind speed that occurs over a 3-second running average. <i>40 CFR §60.761</i></p> <p>“HAP” shall be an acronym for Hazardous Air Pollutant as listed in Appendix D of the Rules and Regulations.</p> <p>"Household waste" means any solid waste including garbage and trash derived from households (including, but not limited to, single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). Household waste does not include fully segregated yard waste. Segregated yard waste means vegetative matter resulting exclusively from the cutting of grass, the pruning and/or removal of bushes, shrubs, and trees, the weeding of gardens, and other landscaping maintenance activities. Household waste does not include construction, renovation, or demolition wastes, even if originating from a household. <i>40 CFR §60.761</i></p> <p>"Industrial solid waste" means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of the Resource Conservation and Recovery Act, 40 CFR 264 and 265. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas wastes. <i>40 CFR §60.761</i></p> | |

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| | <p>“Initiate On-site Construction” means to begin any of the following: Installation of the collection and control system to be used to comply with the emission limits as outlined in the final control plan; physical preparation necessary for the installation of the collection and control system to be used to comply with the final emission limits as outlined in the final control plan; or, alteration of an existing collection and control system to be used to comply with the final emission limits as outlined in the final control plan.</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 40 CFR §257.2. <i>40 CFR §60.761</i></p> <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 §60.761</i></p> <p>“Leachate Recirculation” means the practice of taking the leachate collected from the landfill and reapplying it to the landfill by any of one of a variety of methods, including pre-wetting of the waste, direct discharge into the working face, spraying, infiltration ponds, vertical injection wells, horizontal gravity distribution systems, and pressure distribution systems. <i>40 CFR §60.761</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 design capacity as of July 17, 2014. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion. <i>40 CFR §60.761</i></p> <p>“MSW” shall be an acronym for municipal solid waste.</p> <p>“Municipal solid waste landfill” or “MSW landfill” means an entire disposal facility in a contiguous geographic 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 §60.761</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 §60.761</i></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 40 CFR §60.764. <i>40 CFR §60.761</i></p> <p>“Nondegradable waste” means any waste that does not decompose through chemical breakdown or microbiological activity. Examples include, but are not limited to, concrete, municipal waste combustor ash, and metals. <i>40 CFR §60.761</i></p> <p>“NSPS” shall be an acronym for “New Source Performance Standards.”</p> <p>“Permittee” means the holder of an operating permit issued by the Department.</p> | |

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| | <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>“Segregated yard waste” means vegetative matter resulting exclusively from the cutting of grass, the pruning and/or removal of bushes, shrubs, and trees, the weeding of gardens, and other landscaping maintenance activities. <i>40 CFR §60.761</i></p> <p>"Sludge" means any nonhazardous solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant. <i>40 CFR §§60.761 & 258.2</i></p> <p>"Solid waste" means any garbage, or refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. 1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923). <i>40 CFR §§60.761 & 258.2</i></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>“Title V Operating Permit” means any permit issued pursuant to Chapter 18 of the Rules and Regulations.</p> <p>“VOC” shall be an acronym for volatile organic compound, which shall mean any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate and any other compound listed as excluded at 40 CFR §51.100(s)(1)) or Part 1.3 of the Rules and Regulations which participates in atmospheric photochemical reactions.</p> | |
| | Permitting Requirements | |
| 2. | <p><u>Basis for Permit</u></p> <p>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</p> | <p>AL Act 769 AL Act 612</p> |

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| | 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. | |
| 3. | <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. | AL Act 769 AL Act 612 |
| 4. | <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. | 18.2.4 |
| 5. | <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 and shall comply with the rule by the compliance date. | 18.5.6 18.4.8(h) 18.7.3 18.7.6 |
| 6. | <u>Noncompliance</u> The permittee shall comply with all terms and conditions of the permit. Noncompliance with any term or condition of 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. | 70.6(a)(6)(i) 18.5.6 |
| 7. | <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. | 18.5.7 |
| 8. | <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. | 1.18 |
| 9. | <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. | 1.15 |
| 10. | <u>Bypass 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. | 18.2.4 |

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| 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</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 |
| 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> | 18.5.11 Chapter 16 16.5 |
| 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</p> | 18.2.6 |

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| | another except as provided in Subparagraph 18.13.1(a)(5) of the Rules and Regulations. | |
| 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 a landfill, events triggering a new application include, but are not limited to, the approval by ADEM of an increase in design capacity.</p> | 1.5.15 60.7(a)(4) |
| 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> | 18.2.8(e) |
| 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> | 18.4.3 18.5.2 18.12.2(b) |
| 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> | 18.2.9 |
| 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> | 18.5.5 |
| 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: 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.</p> | 18.13.5 |

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| | <p>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.</p> <p>D. The Administrator, ADEM or the Department determines that this permit must be revised or revoked to assure compliance with the applicable requirements.</p> | |
| 24. | <p><u>Changes or Termination for Cause – No Stay of Permit Conditions</u></p> <p>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>Submission of Information</u></p> <p>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 to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. 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></p> <p>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> <p>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;</p> <p>B. Review and/or copy at reasonable times any records kept pursuant to the permit conditions;</p> <p>C. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices or operations required by the permit; and</p> <p>D. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.</p> <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></p> <p>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 |

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| 28. | <p><u>Minor Permit Modifications</u> 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. Such terms and conditions include: <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; 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 Paragraph 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> | 18.13.3(a)(1) 18.13.3 |
| 29. | <p><u>Significant Modifications</u> 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> | 18.13.4 |
| 30. | <p><u>Off-Permit Changes</u> 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; | 18.14 |

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| | <p>C. Is not subject to any requirement or standard under title IV of the Clean Air Act; and</p> <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>Alternative Operating Scenarios</u></p> <p>No alternative operating scenarios were identified by the permittee in its application.</p> | 18.5.13 |
| 33. | <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 |
| 34. | <p><u>Trading of Emissions Increases or Decreases</u></p> <p>The permittee did not request authorization to trade emissions increases and decreases.</p> | 18.5.14 |
| 35. | <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) |
| 36. | <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 | 18.11.2 18.7.1 |

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| | <p>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> <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> | |
| 37. | <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 landfill areas from becoming airborne. The permittee shall not cause or allow the discharge of visible emissions which travel beyond the property line of the landfill. 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 for the following sources of fugitive dust:</p> <p>A. Plant roads: the application of water and/or paving;</p> <p>B. Active landfill areas: the application of water and compaction;</p> <p>C. Closed landfill areas: maintenance of vegetation; and</p> <p>D. Daily cover activities: minimization of drop heights and compaction.</p> <p>Detailed compliance, monitoring and recordkeeping requirements are included in the emissions unit section. See Condition 6 for Landfill Operations and see Section C of General Condition 47 for reporting requirements.</p> | <p>6.2.1 6.2.2 18.2.4</p> |
| 38. | <p><u>Obnoxious Odors</u></p> <p>This Operating Permit is issued with the condition that, should obnoxious odors arising from the facility 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> |
| 39. | <p><u>Title IV Requirements (Acid Rain Program)</u></p> <p>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> | <p>18.5.1(b) 18.5.4</p> |
| 40. | <p><u>Title VI Requirements (Refrigerants)</u></p> <p>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.</p> <p>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.</p> <p>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> | <p>40 CFR 82 18.1.1(e)(10) 18.1.1(w)(4)</p> |

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| 41. | <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 non-friable 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> | <p>61.145 61.150 14.2.12 14.2.12(a)(1)</p> |
| 42. | <p><u>Prevention of Accidental Releases</u> The permittee shall comply with the requirements of Section 112(r) of the Act and 40 CFR 68 to prevent accidental releases of any substance listed pursuant to Section 112(r) or any other extremely hazardous substance. If the landfill has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR §68.115, the permittee shall comply with the requirements of this part no later than the latest of the following dates: A. June 21, 1999; B. Three years after the date on which a regulated substance is first listed under §68.130; or C. The date on which a regulated substance is first present above a threshold quantity.</p> | <p>112(r) 68.215(a)(1)</p> |
| 43. | <p><u>Storage of VOC</u> The permittee shall not place, store or hold in any stationary storage vessel a VOC with a true vapor pressure of 1.5 psia or greater under actual storage conditions unless the following requirements are met: A. Any storage vessel of more than 1,000-gallon capacity shall be equipped with a permanent submerged fill pipe or bottom fill pipe; and B. Any storage vessel of more than 40,000-gallon capacity shall be equipped with a vapor loss control device as provided by Section 8.3.2(b). The permittee shall not cause or allow the storage or disposal of VOC/HAP materials in a manner that would result in vaporization to the atmosphere.</p> | <p>8.3 18.2.4</p> |
| 44. | <p><u>Testing</u> A source emissions test may be required by this Department at any time. 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 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. A site-specific test plan and quality assurance program shall be included for sources subject to NESHAP. The methods for such testing shall be in accordance with methods and 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 or NESHAP shall include a test method performance audit as required by §60.8(g) or §63.7(c)(2)(iii)(A), respectively. The permittee shall submit the results of all emissions tests in written form to this Department within a time period specified by this Department; however, not to exceed 60 days from the test completion date.</p> | <p>1.9.1 1.10 18.2.5 18.2.8(c) 60.8(d) 60.8(e) 60.8(g) 63.7(a)(3) 63.7(b)-(d) 63.10(d)</p> |

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| 45. | <p><u>Retention of Records</u> Records of all required monitoring data, fuel consumption, analyses, reports, safety data sheet (SDS), 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) 60.768(a) |
| | Recordkeeping and Reporting | |
| 46. | <p><u>Recordkeeping</u> In addition to the specific records required to be maintained under the landfill emission unit requirements, the permittee shall maintain the following records needed for the annual computation of emissions:</p> <ul style="list-style-type: none"> A. The quantity of waste disposed on each day of operation; B. The number of days the landfill operated; C. The quantity of any landfill gas collected and controlled; D. The identity and quantity of fuels combusted by heavy equipment and/or stored onsite; E. The number of dump trucks admitted to the facility; F. All reports and notifications submitted to comply with this permit; G. Results of all required performance testing, monitoring and sampling; H. Records of required monitoring must include (as a minimum): <ul style="list-style-type: none"> 1. The date, place as defined in the permit, and time of sampling or measurements; 2. The date(s) analyses were performed; 3. The company or entity that performed the analyses; 4. The analytical techniques or methods used; 5. The results of such analyses; and 6. The operating conditions as existing at the time of sampling or measurement. and I. 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. | 1.9.1 18.5.1 70.6(a)(3)(C) |
| 47. | <p><u>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. 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, and will require submission of a "wet ink" original within 10 days thereafter. 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 ("CTAC"). 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. Title V Annual and Semiannual reports shall be submitted to the following 2 agencies at the following addresses:</p> <div style="display: flex; justify-content: space-between;"> <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> | 18.4.9 18.5.3(c) 18.7.1 18.7.4 18.7.5 18.11.2(b)(4) 18.7.6 61.154(j) |

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| | <p>Submissions to EPA may be (or may be required to be) submitted using CEDRI.</p> <p>A. Annual Production and Emissions Report, due February 10 of each year covering the previous calendar year including the following information:</p> <ol style="list-style-type: none"> 1. LandGEM report using best available information concerning annual landfill waste additions and the results of any site-specific testing; 2. The annual recalculation of the landfill's design capacity; 3. The quantity in tons of NMOC emissions that are destroyed by any collection and control system; 4. The quantity of all combustion fuels (including diesel, gasoline, natural gas and propane, but not including landfill gas) which are combusted within the landfill; 5. The number of vehicle miles traveled within the landfill by road type (paved or unpaved); 6. The annual throughput in gallons, the chemical or trade name, average storage temperature and average true vapor pressure of the contents of each storage tank with a capacity greater than 1,000-gallons; 7. The quantity of VOC and/or HAP material lost (evaporated to the atmosphere) as a result of spills and other mishaps; and 8. The actual calendar year emissions (point and fugitive) of all regulated air pollutants as defined in Chapter 18 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>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>B. Annual Title V Compliance Certification, covering the period from January 4 to January 3 of the following year, shall be submitted by February 3 each calendar year. 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 6. Such additional requirements as may be specified pursuant to §§114(a)(2) and 504(b) of the Act; and 7. 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>C. Title V 6-Month Monitoring Reports, due July 30 (covering January, February, March, April, May and June) and January 30 (covering July, August, September, October, November and December of the previous year), shall include the following:</p> <ol style="list-style-type: none"> 1. Monitoring of Daily Waste Acceptance Rate, as demonstrated by the submission of quarterly volume reports as submitted to ADEM; 2. Monitoring of fugitive dust control measures, including the days when the water truck was not able to be used effectively for wet suppression and the reason, or a statement that no such events occurred during the reporting period. | <p>1.9.2 1.5.15 18.7.1</p> <p>18.7.5</p> <p>1.9.2 1.5.15 18.5.3(c)(1)</p> |

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| | <p>3. The dates and brief descriptions of each time a work practice for landfilling operations was not performed and any corrective actions taken as a result, or a statement that no such events occurred during the reporting period; and</p> <p>4. Deviations from any permit term, condition or regulation.</p> <p>D. NMOC Emission Rate Report and results of Tier 2 testing within 60 days after the date of determining the NMOC concentration and corresponding NMOC emission rate according to §60.767(b). Annual NMOC emission reports may be submitted with the Annual Production and Emissions Report for years in which testing is not performed. NMOC emissions reports shall include the information listed in Emission Unit Condition 11.</p> <p>E. Annual Tier 4 surface emissions report as provided in §60.767(c)(4)(iii), if demonstrating compliance using Tier 4.</p> <p>F. Annual liquids addition report per 40 CFR §60.767(k), if applicable. (See Emission Unit Condition 17.)</p> <p>G. 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>H. 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. Notification of any increase in design capacity within 30 days of ADEM approval, including the new design capacity report; 3. Performance testing at least 30 days prior to scheduled testing; 4. Tier 4 Surface Emissions Monitoring (SEM) for methane scheduling at least 30 days prior to the planned monitoring event as required by §60.767(l). If there is a delay due to weather conditions, notify the Department no later than 48 hours before the delay and reschedule by phone or email. 5. Notify the Department within 2 working days of discovering a deviation or violation, including the probable cause and corrective actions taken; and 6. 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). 7. Any change in information already provided under 40 CFR 63 shall be submitted in writing within 15 calendar days after the change per §63.9(j); and 8. 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 36) 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>I. Results of any required testing or visible emissions observations must be submitted to the Department within 60 days of completion; and</p> | <p>60.767(b)</p> <p>60.767(c)(4)(iii)</p> <p>60.767(k)</p> <p>1.12.2 18.5.3(c)(2)</p> <p>18.2.4 61.154 60.767 63.9 60.7 18.5.3(c)(2) 18.11.2(b)(4)</p> <p>1.9.2</p> |
| | J. Compliance schedule progress reports according to the requirements of Section 18.7.4 of the Rules and Regulations if a compliance schedule is required. | 18.7.4 |
| 48. | <p>Electronic Reporting Requirements</p> <p>The permittee shall submit electronic reports following the procedure specified in §60.767(i)(2), which includes must submit reports to the EPA via the CEDRI (CEDRI can be accessed through the EPA's CDX) using the appropriate electronic report in</p> | <p>60.767(i) 60.768(i) 18.4.9</p> |

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| | <p>CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website (https://www3.epa.gov/ttn/chief/cedri/index.html).</p> <p>Any records required to be maintained by 40 CFR 60, Subpart XXX that are submitted electronically may be maintained in electronic format. If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator must submit the report to the Administrator at the appropriate address listed in 40 CFR 60.4 of this chapter. Once the form has been available in CEDRI for 90 calendar days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted. Printed reports shall also be submitted to the Department, including a signed certification by a responsible official that meets the requirements of Section 18.4.9 of the Rules and Regulations ("CTAC").</p> | |
| 49. | <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 under the Mandatory Greenhouse Gas Reporting rules. The threshold for reporting is annual 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 to EPA under 40 CFR 98 is required each calendar year.</p> | 40 CFR 98 |

SUMMARY OF REQUIREMENTS FOR LANDFILL OPERATIONS

Description: Municipal Solid Waste Landfill – Physical Boundaries and Design Capacity Described by ADEM Solid Waste Disposal Facility Permit 37-11

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

Pollutants Emitted:

| Pollutant | Regulatory Emission Limit | Applicable Regulations |
|--------------------------------------|---|--|
| NMOC (Non-Methane Organic Compounds) | The Lower Regulatory Threshold to Install Controls is 34 Megagrams/Year | 40 CFR 60, Subpart XXX Potentially Subject to 40 CFR 63, Subpart AAAA |
| Fugitive Dust | N/A | Part 6.2 |
| Obnoxious Odors | N/A | Section 6.2.3 |
| Asbestos | N/A | 40 CFR 61, Subpart M |

Pollution Control Devices: N/A

Reference Test Methods: For NMOC Concentration:
EPA Method 25 or 25C of 40 CFR 60, Appendix A
For Site-Specific Methane Generation Rate Constant:
EPA Method 2E of 40 CFR 60, Appendix A
For Tier 4 Surface Emission Monitoring:
EPA Method 21 of 40 CFR 60, Appendix A

Continuous Monitoring System: N/A

Monitoring Requirements: Daily Recordkeeping of Waste Acceptance Rate
Annual Calculation of NMOC Emission Rate

Recordkeeping Requirements: Condition 18 of this Emission Unit
General Condition 46

Testing Requirements: Conditions 13 & 14 of this Emission Unit
General Condition 44

Reporting Requirements: Annual Reporting of NMOC Emission Rate
Condition 11 of this Emission Unit
General Conditions 47 & 48

Applicable Regulations: Chapter 6
Chapter 18
40 CFR 60, Subpart WWW
40 CFR 61, Subpart M

| Emissions Unit No. | Emissions Unit Description |
|--------------------|---|
| 001 | Municipal Solid Waste Landfill – Physical Boundaries and Design Capacity Described by ADEM Solid Waste Disposal Facility Permit 37-12 |

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| 1. | <p><u>Applicability</u></p> <p>A. The emission unit “Municipal Solid Waste Landfill” includes the entire disposal facility as described in ADEM Solid Waste Disposal Facility Permit 37-12, including but not limited to areas where household and other permitted waste is placed for permanent disposal, and also includes all of the equipment and operations of the MSW landfill. The facility is subject to the following regulations:</p> <ol style="list-style-type: none"> 1. Part 6.2 of the Rules and Regulations (Fugitive Dust); 2. Chapter 18 of the Rules and Regulations (Major Source Operating Permits); 3. 40 CFR 61, Subpart M (Asbestos) and Subpart A (General Provisions); and 4. 40 CFR 60, Subpart XXX (Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction or Modification After July 17, 2014). <p>B. At the time of permit issuance, the landfill is not subject to the following regulations:</p> <ol style="list-style-type: none"> 1. The landfill will become subject to the NESHAP 40 CFR 63, Subpart AAAA if any of the following events occur: <ol style="list-style-type: none"> a. Uncontrolled emissions equal or exceed 50 Mg/yr NMOC as calculated according to 40 CFR §63.1959; or b. Emissions of HAP from the landfill or a collocated facility exceed 10 tons for any single HAP or 25 tons for total HAP; or c. Installation of a bioreactor, defined in 40 CFR §63.1990 to mean the controlled addition of any liquid other than leachate to raise the moisture content of the cell to at least 40% by weight to enhance anaerobic biodegradation. | <p>6.2 60.762(b) 70.3(a)(2) 18.3.1(b) 61.140 60.760</p> <p>63.1935</p> |
| 2. | <p><u>Design Capacity</u></p> <p>After the permittee has received approval for a vertical and/or horizontal expansion of the landfill from ADEM, the permittee shall submit to the Department a new permit application, including but not limited to the amended design capacity report and a copy of ADEM’s approval of the modification. The design capacity report shall include the information listed at 40 CFR §60.767(a).</p> | <p>18.2.4 1.5.15 60.767(a)(3)</p> |
| 3. | <p><u>Bioreactor</u></p> <p>The permittee shall submit an application to modify the permit prior to installing a bioreactor, defined as 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 (often in combination with recirculating leachate) to reach a minimum average moisture content of at least 40 percent by weight to accelerate or enhance the anaerobic (without oxygen) biodegradation of the waste. Installation of a bioreactor will cause 40 CFR 63, Subpart AAAA, to apply. Applicable requirements include, but are not limited to, the installation and operation of a landfill gas collection and control system.</p> | <p>18.2.4 1.5.15 63.1990 63.1935(b)</p> |
| 4. | <p><u>Closure Notice</u></p> <p>If the landfill is permanently closed, the permittee shall submit a closure report within 30 days of waste acceptance cessation. If a closure report is submitted, no additional waste may be placed into the landfill without filing a notification of modification as described under 40 CFR §60.7(a)(4).</p> | <p>60.762(e)</p> |

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| 5. | <p><u>Landfilling of Asbestos-Containing Waste Material</u></p> <p>If the landfill accepts asbestos-containing waste material, the permittee shall comply with the requirements of its solid waste permit, ADEM Admin. Code r. 335-13-4-.26(2), and 40 CFR 61, Sections 140 & 154. The permittee will notify the Department of any approval to accept asbestos within 2 days after the approval, including the date(s) that asbestos is to be received and disposed, and the permittee's plan for compliance with §61.154 prior to accepting asbestos. The permittee must certify compliance with §61.154 in the semi-annual report for each 6-month reporting period after asbestos has been accepted.</p> | 61.154 |
| 6. | <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 landfill areas 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:</p> <ul style="list-style-type: none"> A. Use vegetative cover to minimize fugitive dust from closed landfill cells. B. Plant roads may be paved to minimize fugitive dust. C. Use wet suppression to minimize fugitive dust from roads, active landfill areas and any area or activity observed or expected to cause fugitive dust. Wet suppression shall not be required during natural wet conditions. Wet suppression means using water trucks or any other means of spraying or applying water. Mixing of water with material during handling also constitutes wet suppression. <ul style="list-style-type: none"> 1. The indicator that water application is required is the visual observation of fugitive dust from vehicle traffic and/or act of wind. 2. Wet suppression is effective when the application of water prevents visible fugitive dust from crossing property lines. 3. Inspect the water truck on each day of use prior to operation and initiate corrective action with 24 hours of the inspection if any condition observed prevents the water truck from being used to apply sufficient water to prevent fugitive dust. 4. On a daily log (which may be in the form of a checklist), record the results of the water truck inspection, the amount of water applied, and the areas to which the water was applied, or, if the water truck was not used on a given day, the reason it was not used. 5. For the semi-annual report, maintain a record of the days when the water truck was not able to be used effectively for wet suppression, including the reason it was not used. It is not necessary to list wet days in the report. D. Use compaction of daily cover materials and minimize material drop heights for active landfilling operations. <ul style="list-style-type: none"> 1. Train employees who participate or supervise daily cover activities in work practices to minimize material drop heights and to attain and maintain adequate compaction to prevent fugitive dust. 2. Maintain records of training in fugitive dust management techniques. 3. For the semi-annual report, maintain a record of the date and a brief description of each time when a work practice was not properly performed and the corrective action(s) taken. | 6.2.1 6.2.2 18.2.4 |
| 7. | <p><u>Obnoxious Odors</u></p> <p>This permit is issued with the condition that, should obnoxious odors arising from the landfill 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 18.2.4 |

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| 8. | <p><u>Emission Rate Cutoff</u> The permittee shall install and operate a collection and control system according to 40 CFR 60, Subpart XXX if :</p> <p>A. The landfill has an NMOC emission rate greater than or equal to 34 megagrams/year (Mg/yr) NMOC (using Tiers 1, 2 or 3); or</p> <p>B. The landfill has an NMOC emission rate greater than or equal to 34 Mg/yr NMOC but less than 50 Mg/year (using Tiers 1 and 2), and Tier 4 surface emissions monitoring (SEM) shows a surface emission concentration of 500 parts per million methane or greater.</p> | 60.761 60.762(b)(2) |
| 9. | <p><u>Collection and Control System General Requirements</u> If emissions cannot be demonstrated to be less than the emission rate cutoff using Tier 1, 2, 3 or 4, the permittee will be required to install and startup a collection and control system that meets 40 CFR §60.762(b)(2)(ii)(C) or (D) and §60.762(b)(2)(iii). The compliance date shall be 30 months after the date the initial emission rate report (or the annual emission rate report) first shows that the NMOC emission rate equals or exceeds the emission rate cutoff. Thereafter, the system shall be operated in compliance with 40 CFR §60.762(b)(2)(iv). The initial performance test must be conducted within 180 days after the date the facility is required to achieve final compliance using the test methods specified in 40 CFR §60.764(d).</p> | 60.762(b) |
| 10. | <p><u>NMOC Emission Rate Calculation</u> Each year, the permittee shall calculate the NMOC emission rate using the appropriate equation(s) and procedures of 40 CFR §60.764 or 40 CFR §60.762(b)(2). The permittee shall use the current version of EPA's excel spreadsheet, LandGEM, to calculate these emissions. The default values to be used in both Equation 1 and Equation 2 are 0.05 per year for k, 170 cubic meters per megagram for Lo, and 4,000 parts per million by volume as hexane for the C_{NMOC}. Tiers 2 and 3 replace default values for C_{NMOC} and k, respectively, with site-specific values determined by testing. The calculated emission rate is then compared to the emission rate cutoff to determine whether collection and control of landfill gas emissions is required under the applicable regulation(s) using a tiered approach. If the calculated NMOC emission rate is equal to or greater than 34 megagrams per year using Tier 1, 2, or 3 procedures, the owner or operator must either: Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year as specified in §60.767(c) or (d); calculate NMOC emissions using a higher tier in §60.764; or conduct a Tier 4 surface emission monitoring demonstration using the procedures specified in §60.764(a)(6). The NMOC emission rate shall be recalculated annually until a collection and control system is required or the landfill is closed.</p> | 60.762(b) 60.764(a) |
| 11. | <p><u>NMOC Emission Rate Report</u> The NMOC emission rate report must be submitted to the Administrator annually following the electronic submission procedure specified in §60.767(i)(2), and in paper format to the Department, accompanied by a CTAC in accordance with 18.4.9.</p> <p>A. The NMOC emission rate report must contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures described above. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.</p> <p>B. If the estimated NMOC emission rate as reported in the annual report to the Director is less than the emission cutoff rate in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Department. This estimate shall be revised at least once every 5 years. If the actual</p> | 60.767(b) |

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| | waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Department. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. | |
| 12. | <p><u>Electronic Reporting for 40 CFR 60, Subpart WWW</u></p> <p>The permittee shall submit electronic reports following the procedure specified in §60.767(i) must submit reports to the EPA via the CEDRI (CEDRI can be accessed through the EPA's CDX) using the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the XML schema listed on the CEDRI website (https://www3.epa.gov/ttn/chief/cedri/index.html). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator must submit the report to the Administrator at the appropriate address listed in 40 CFR 60.4 of this chapter. Once the form has been available in CEDRI for 90 calendar days, the owner or operator must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted. Printed reports shall also be submitted to the Department, including a signed certification by a responsible official that meets the requirements of Section 18.4.9 of the Rules and Regulations ("CTAC").</p> | 60.767(i) 1.9.2 18.4.9 |
| 13. | <p><u>Tier 1 NMOC Emission Rate Calculation</u></p> <p>A. Calculate the NMOC emission rate using the appropriate equation(s) and procedures of 40 CFR §60.764(a)(1). Compare the result to the emission rate cutoff.</p> <p>B. If the NMOC emission rate calculated using Tier 1 is less than the emission rate cutoff, the permittee shall submit an emission rate report as provided in 40 CFR §60.767(b).</p> <p>C. If the Tier 1 NMOC emission rate is equal to or greater than the emission cutoff rate, the permittee shall do one of the following:</p> <ol style="list-style-type: none"> 1. Submit a gas collection and control system design plan within 1 year as specified in 40 CFR §60.767(c) and install and operate a gas collection and control system within 30 months according to 40 CFR §60.762(b)(2)(ii) and (iii); 2. Determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the Tier 2 procedures; or 3. Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the Tier 3 procedures. | 60.764(a)(2) |
| 14. | <p><u>Tier 2 Site-Specific NMOC Concentration Determination, NMOC Emission Rate and Recalculation</u></p> <p>A. The permittee shall follow the sampling and testing procedures of 40 CFR §60.764(a)(3) to determine the site-specific NMOC concentration. Install at least 2 sample probes per hectare, evenly distributed over the landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The probes should be evenly distributed across the sample area. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator must collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using EPA Method 25 or 25C 40 CFR 60, Appendix A. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the</p> | 60.764(a)(3) |

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| | <p>cylinder approaches ambient pressure where measurement accuracy diminishes. If more than the required number of samples is taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from EPA Method 25 or 25C by 6 to convert from C_{NMOC} as carbon to C_{NMOC} as hexane. The average NMOC concentration from the collected samples shall be used in place of the default value to recalculate the NMOC emission rate. Within 60 days after the date of determining the NMOC concentration and corresponding NMOC emission rate using the appropriate equation(s) and procedures of 40 CFR §60.764(a)(1), the owner or operator must submit the results according to §60.767(i)(1).</p> <p>B. If the NMOC emission rate calculated using Tier 2 is less than the emission rate cutoff, the permittee shall submit a periodic estimate of NMOC emissions in an NMOC emission rate report according to §60.767(b)(1), and must recalculate the NMOC mass emission rate annually as required under §60.762(b). The site-specific NMOC concentration must be retested every 5 years using the methods specified in this section.</p> <p>C. If the Tier 2 NMOC emission rate is equal to or greater than the emission cutoff rate, the permittee shall do one of the following:</p> <ol style="list-style-type: none"> 1. Submit a gas collection and control system design plan within 1 year as specified in §60.767(c) and install and operate a gas collection and control system within 30 months according to §60.762(b)(2)(ii) and (iii); 2. Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the Tier 3 procedures; or 3. Conduct a surface emission monitoring demonstration using the Tier 4 procedures. | |
| 15. | <p><u>Tier 3 Site-Specific Methane Generation Rate Constant Determination, NMOC Emission Rate and Recalculation</u></p> <p>A. The site-specific methane generation rate constant must be determined using the procedures provided in EPA Method 2E of 40 CFR 60, Appendix A. Estimate the NMOC mass emission rate using a site-specific methane generation rate constant (k), and the site-specific NMOC concentration (C_{NMOC}) instead of the default values and using the appropriate equation(s) and procedures of 40 CFR §60.764(a)(1). Compare the result to the emission rate cutoff.</p> <p>B. If the NMOC mass emission rate is less than the emission cutoff rate, recalculate the NMOC mass emission rate annually using the site-specific Tier 2 NMOC concentration and Tier 3 methane generation rate constant and submit a periodic NMOC emission rate report as provided in §60.767(b)(1) within 1 year after the first emission rate cutoff exceedance. The calculation of the methane generation rate constant is performed only once, and the value obtained from this test must be used in all subsequent annual NMOC emission rate calculations.</p> <p>C. If the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration and Tier 3 site-specific methane generation rate is equal to or greater than 34 megagrams per year, the owner or operator must either:</p> <ol style="list-style-type: none"> 1. Submit a gas collection and control system design plan within 1 year as specified in §60.767(c) and install and operate a gas collection and control system within 30 months according to §60.762(b)(2)(ii) and (iii); or 2. Conduct a surface emission monitoring demonstration using the Tier 4 procedures specified in §60.764(a)(6). | 60.764(a)(4) |
| 16. | <p><u>Tier 4 Surface Emission Monitoring</u></p> <p>A. Demonstrate that surface methane emissions are below 500 parts per million. Surface emission monitoring must be conducted on a quarterly basis using the following procedures. Tier 4 is allowed only if the landfill owner or operator can demonstrate that NMOC emissions are greater than or equal to 34 megagrams</p> | <p>60.764(a)(6) 60.767(c)(4) 60.767(l) 18.2.4</p> |

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| | <p>per year but less than 50 megagrams per year using Tier 1 or Tier 2. If both Tier 1 and Tier 2 indicate NMOC emissions are 50 megagrams per year or greater, then Tier 4 cannot be used. If a landfill has installed and operates a voluntary collection and control system, then the collection and control system must meet the criteria of 40 CFR 60.764(a)(6)(viii).</p> <ol style="list-style-type: none"> 1. Measure surface concentrations of methane along the entire perimeter of the landfill and along a pattern that traverses the landfill at no more than 30-meter intervals using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in §60.765(d). 2. The background concentration must be determined by moving the probe inlet upwind and downwind at least 30 meters from the waste mass boundary of the landfill. 3. Surface emission monitoring must be performed in accordance with section 8.3.1 of EPA Method 21 of 40 CFR 60, Appendix A, except that the probe inlet must be placed no more than 5 centimeters above the landfill surface; the constant measurement of distance above the surface should be based on a mechanical device such as with a wheel on a pole. <ol style="list-style-type: none"> a. The owner or operator must use a wind barrier, similar to a funnel, when onsite average wind speed exceeds 4 miles per hour or 2 meters per second or gust exceeding 10 miles per hour. Average on-site wind speed must also be determined in an open area at 5-minute intervals using an on-site anemometer with a continuous recorder and data logger for the entire duration of the monitoring event. The wind barrier must surround the SEM monitor, and must be placed on the ground, to ensure wind turbulence is blocked. The SEM cannot be conducted if average wind speed exceeds 25 miles per hour. b. Landfill surface areas where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover, and all cover penetrations must also be monitored using a device meeting the specifications provided in § 60.765(d). <p>B. The owner or operator must provide a notification of the date(s) upon which it intends to demonstrate site-specific surface methane emissions are below 500 parts-per-million methane, including a description of the wind barrier to be used during the SEM in the notification. Notification must be postmarked not less than 30 days prior to such date. If there is a delay to the scheduled Tier 4 SEM date due to weather conditions, including not meeting the wind requirements in §60.764(a)(6)(iii)(A), the owner or operator of a landfill shall notify the Health Officer by email or telephone no later than 48 hours before any known delay in the original test date, and arrange an updated date with the Health Officer by mutual agreement.</p> <p>C. Each owner or operator seeking to comply with the Tier 4 provisions must maintain records of surface emission monitoring as provided in §60.768(g) and submit a Tier 4 surface emissions report as provided in § 60.767(c)(4)(iii).</p> <p>D. If there is any measured concentration of methane of 500 parts per million or greater from the surface of the landfill, the permittee shall submit a gas collection and control system design plan within 1 year of the first measured concentration of methane of 500 parts per million or greater from the surface of the landfill according to §60.767(c) and install and operate a gas collection and control system according to §60.762(b)(2)(ii) and (iii) within 30 months of the most recent NMOC emission rate report in which the NMOC emission rate equals or exceeds 34 megagrams per year based on Tier 2.</p> <p>E. Quarterly SEM and annual reporting shall continue until a surface emissions reading of 500 parts-per-million methane or greater is found.</p> | |

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| | <p>F. Submit an annual Tier 4 surface emissions report as required by §60.767(c)(4)(iii). This report must be submitted electronically in accordance with §60.767(i)(2) and also submitted on paper to the Department. The initial Tier 4 surface emissions report must be submitted within 30 days of completing the fourth quarter of Tier 4 SEM that demonstrates that site-specific surface methane emissions are below 500 parts-per-million methane, and must be submitted annually thereafter. The Tier 4 surface emissions rate report must be submitted electronically within 1 year of the first measured surface exceedance of 500 parts-per-million methane.</p> | |
| 17. | <p><u>Liquids Addition</u> A landfill that has employed leachate recirculation or added liquids based on a Research, Development, and Demonstration permit (issued through Resource Conservation and Recovery Act (RCRA), subtitle D, part 258) within the last 10 years must submit annual electronic reports containing the following information:</p> <ul style="list-style-type: none"> A. Volume of leachate recirculated (gallons per year) and the reported basis of those estimates (records or engineering estimates). B. Total volume of all other liquids added (gallons per year) and the reported basis of those estimates (records or engineering estimates). C. Surface area (acres) over which the leachate is recirculated (or otherwise applied). D. Surface area (acres) over which any other liquids are applied. E. The total waste disposed (megagrams) in the areas with recirculated leachate and/or added liquids based on on-site records to the extent data are available, or engineering estimates and the reported basis of those estimates. F. The annual waste acceptance rates (megagrams per year) in the areas with recirculated leachate and/or added liquids, based on on-site records to the extent data are available, or engineering estimates. G. The initial report must contain Items A through F above on an annual basis for the most recent 365 days as well as for each of the previous 10 years, to the extent historical data are available in on-site records, and the report must be submitted no later than 13 months after the date of commenced modification. H. Subsequent annual reports must contain Items A through F above for the 365-day period following the 365-day period included in the previous annual report, and the report must be submitted no later than 365 days after the date the previous report was submitted. I. Landfills may cease annual reporting of items A through F above once they have submitted the closure report in § 60.767(e). | 60.767(k) |
| 18. | <p><u>Recordkeeping</u> The permittee shall maintain the following records for this emission unit as a minimum:</p> <ul style="list-style-type: none"> A. The amount and type of waste accepted for each active section of the landfill on a daily basis; B. The design capacity, the current amount of solid waste in-place and the year-by-year solid waste acceptance rate; C. Records of reports submitted to the Department and/or EPA; D. Readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in 40 CFR §60.769(a)(3)(1) as well as any nonproductive areas excluded from collection as provided in 40 CFR §60.769(a)(3)(ii); E. For each area in which leachate or other liquids are added, keep records of any engineering calculations or company records used to estimate the quantities of leachate or liquids added, the surface areas for which the leachate or liquids were applied, and the estimates of annual waste acceptance or total waste in place in the areas where leachate or liquids were applied per 40 CFR §60.767(k); F. For all asbestos-containing waste material received, records as required by 40 CFR §61.154(e)&(f); | <p>1.9.1 18.5.3 61.154 60.768</p> |

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| | <p>G. Records of actions taken consistent with Condition 6 of this emission section for control of fugitive dust, including</p> <ol style="list-style-type: none"> 1. Records pertaining to wet suppression, including the information required by Condition 6, Item C; and 2. Records pertaining to work practices used at active landfill areas to minimize fugitive dust, including the information required by Condition 6, Item D. <p>H. The type and quantity of fuels combusted by mobile equipment within the landfill;</p> <p>I. The number of vehicle miles travelled within the landfill by road type (paved or unpaved);</p> <p>J. At least 5 years up-to-date, readily accessible, on-site records including the first design capacity report in which the landfill exceeded 2.5 million megagrams or 2.5 million cubic meters, the current amount of solid waste in-place, and the year-by-year waste acceptance rate per 40 CFR §60.768(a);</p> <p>K. Records of the annual recalculation of site-specific density, design capacity, and supporting documentation for any conversions between mass and volume for these calculations as required by 40 CFR §60.768(f); and</p> <p>L. Records and reports of calculation performed for Tier 2, Tier 3 and/or Tier 4.</p> <p>M. Records of Tier 4 surface emission monitoring as provided in 40 CFR §60.768(g). These include:</p> <ol style="list-style-type: none"> 1. Calibration records: Date of calibration and initials of operator performing the calibration; calibration gas cylinder identification, certification date, and certified concentration; instrument scale(s) used; a description of any corrective action taken if the meter readout could not be adjusted to correspond to the calibration gas value; and if an owner or operator makes their own calibration gas, a description of the procedure used and information related to monitoring instrument calibrations conducted according to sections 8 and 10 of EPA Method 21 of 40 CFR 60, Appendix A. 2. Digital photographs of the instrument setup, including the wind barrier. The photographs must be time and date-stamped and taken at the first sampling location prior to sampling and at the last sampling location after sampling at the end of each sampling day, for the duration of the Tier 4 monitoring demonstration. 3. Timestamp of each surface scan reading, detailed to the nearest second, based on when the sample collection begins; and a log for the length of time each sample was taken using a stopwatch (<i>e.g.</i>, the time the probe was held over the area). 4. Location of each surface scan reading. The owner or operator must determine the coordinates using an instrument with an accuracy of at least 4 meters. Coordinates must be in decimal degrees with at least five decimal places. 5. Monitored methane concentration (parts per million) of each reading. 6. Background methane concentration (parts per million) after each instrument calibration test. 7. Adjusted methane concentration using most recent calibration (parts-per-million). 8. For readings taken at each surface penetration, the unique identification location label matching the label specified on any plot map of any collection system prepared to comply with 40 CFR §60.768(d). 9. Records of the operating hours of the gas collection system for any destruction device. | |

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 No. 335-1-1 | Organization |
| No equivalent provision | Section 335-1-1-.03 ¹ | Organization and Duties of the Commission |
| No equivalent provision | Section 335-1-1-.04 | Organization of the Department |
| 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 | 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 ² | Permit Procedures |
| Part 2.3 | Section 335-3-14-.03 | Standards for Granting Permits |
| Part 2.4 | Section 335-3-14-.04 ^{3, 4, 5} | Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration (PSD)] |
| Part 2.5 | Section 335-3-14-.05 ⁶ | 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 |

¹ ADEM amendments effective on December 7, 2018 have not been approved in the SIP by EPA.

² ADEM amendments effective on September 7, 2000 and July 11, 2006 have not been approved in the SIP by EPA.

³ Exceptions to approval as of July 3, 2019: Except for changes to 335-3-14-.04(2)(w)1., state effective July 11, 2006, which lists a 100 ton per year significant net emissions increase for regulated NSR pollutants not otherwise specified at 335-3-14-.04(2)(w).

⁴ Exceptions to approval as of July 3, 2019: Except for the significant impact levels at 335-3-14-.04(10)(b) which were withdrawn from EPA consideration on October 9, 2014.

⁵ Exceptions to approval as of July 3, 2019: Except for the second sentence of paragraph 335-3-14-.04(2)(bbb)2., as well as the second and fourth sentences of paragraph 335-3-14-.04(2)(bbb)3., which include changes from the vacated federal ERP rule and were withdrawn from EPA consideration by the State on May 5, 2017.

⁶ Exceptions to approval as of December 14, 2018: With the exception of: The portion of 335-3-14-.05(1)(k) stating "excluding ethanol production facilities that produce ethanol by natural fermentation"; and 335-3-14-.05(2)(c)3 (addressing fugitive emission increases and decreases). Also with the exception of the state-withdrawn elements: 335-3-14-.05(1)(h) (the actual-to-potential test for projects that only involve existing emissions units); the last sentence at 335-3-14-.05(3)(g), stating "Interpollutant offsets shall be determined based upon the following ratios"; and the NNSR interpollutant ratios at 335-3-14-.05(3)(g)1-4.

| JCDH Citation | State Citation | Title/Subject |
|--------------------------------------|--|--|
| 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 ⁷ | Section 335-3-3-.01 | Open Burning |
| Part 5.2 | Section 335-3-3-.02 ⁸ | Incinerators |
| Part 5.3 ⁹ , 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 |
| Part 6.1 ¹⁰ | Section 335-3-4-.01 | Visible Emissions |
| Part 6.2 | Section 335-3-4-.02 ¹¹ | 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 ¹² | Section 335-3-4-.05 | Small Foundry Cupola |
| Part 6.6 ¹³ | 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 |
| No equivalent provision | Section 335-3-4-.10 | Primary Aluminum Plants |
| 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-.13 ¹⁴ | Sintering Plants |
| 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 |
| Parts 7.6 through 7.36 | Sections 335-3-5-.06 through 335-3-5-.36 | TR SO ₂ Trading Program |
| Chapter 8 | Chapter No. 335-3-6 | Control of Organic Emissions |
| Part 8.1 ¹⁵ | 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 ¹⁶ | 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 |

⁷ 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.

⁸ Amendments to 335-3-3-.02 effective September 19, 1991 have not been approved into the SIP by EPA.

⁹ 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.”

¹⁰ ADEM has no equivalent to Section 6.1.8.

¹¹ ADEM 335-3-4-.02(4) was removed effective July 15, 1999, however, the provision is still included in the EPA-approved SIP.

¹² 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.

¹³ 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.

¹⁴ ADEM has removed and reserved this section, however it remains listed in the EPA approved SIP. See 40 CFR 52.50(c).

¹⁵ The definition of “low-use coating” at ADEM 335-3-6-.24(2)(d) is located at JCDH Part 1.3.

¹⁶ Amendments to 335-3-6-.26 effective September 21, 1989 and July 31, 1991 have not been approved into the SIP by EPA. 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)).

| JCDH Citation | State Citation | Title/Subject |
|---------------------------|--|--|
| No equivalent provision | Section 335-3-6-.31 ¹⁷ | Petroleum Refinery Sources |
| Part 8.11 | Section 335-3-6-.32 | Surface Coating |
| Part 8.12 | Section 335-3-6-.33 | Solvent Metal Cleaning |
| Part 8.13 | Section 335-3-6-.34 | Cutback and Emulsified Asphalt |
| No equivalent provision | Section 335-3-6-.35 ¹⁸ | Petition for Alternative Controls |
| Part 8.15 | Section 335-3-6-.36 | Compliance Schedules |
| Part 8.16 ¹⁹ | Section 335-3-6-.37 | Test Methods and Procedures |
| No equivalent provision | Section 335-3-6-.38 ²⁰ | Manufacture of Pneumatic Tires |
| 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 |
| No equivalent provision | Section 335-3-6-.42 ²¹ | Leaks from Petroleum Refinery Equipment |
| Part 8.22 | Section 335-3-6-.43 | 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 |
| No equivalent provision | Section 335-3-6-.46 ²² | Aerospace Assembly and Component and Component Coatings Operation |
| 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 | Manufacture of Laminated Countertops |
| Part 8.29 | Section 335-3-6-.50 | Paint Manufacture |
| Part 8.23 ²³ | 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 | New Combustion Sources |
| Parts 10.7 through 10.38 | Sections 335-3-8-.07 through 335-3-8-.38 | TR NO _x Annual Trading Program |
| Parts 10.39 through 10.70 | Sections 335-3-8-.39 through 335-3-8-.70 | TR NO _x Ozone Season Trading Program |
| No equivalent provision | Section 335-3-8-.71 | NO _x Budget Program |
| No equivalent provision | Section 335-3-8-.72 | NO _x Budget Program Monitoring and Reporting |
| 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 |

¹⁷ ADEM has removed and reserved this section, however it remains listed in the EPA approved SIP. See 40 CFR 52.50(c).

¹⁸ Amendments to 335-3-6-.35 effective July 31, 1991 have not been approved into the SIP by EPA.

¹⁹ 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 for VOC capture and control systems are located at ADEM 335-3-6-.37(13). JCDH 8.16.5 is reserved, and JCDH 8.16.13 is very brief.

²⁰ ADEM has removed and reserved this section, however it remains listed in the EPA approved SIP. See 40 CFR 52.50(c).

²¹ ADEM has removed and reserved this section, however it remains listed in the EPA approved SIP. See 40 CFR 52.50(c).

²² ADEM has removed and reserved this section, however it remains listed in the EPA approved SIP. See 40 CFR 52.50(c).

²³ Test Methods 204, 204A-204F are not included in the EPA-approved SIP.

| JCDH Citation | State Citation | Title/Subject |
|--------------------------------|--|--|
| 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 |
| No equivalent provision | Chapter No. 335-3-12²⁴ | Continuous Monitoring Requirements for Existing Sources |
| No equivalent provision | Chapter No. 335-3-13 | Control of Fluoride Emissions |
| Chapter 17 | Chapter No. 335-3-15 | Synthetic Minor Operating Permits |
| Part 17.1 | Section 335-3-15-.01 ²⁵ | Definitions |
| Part 17.2, except 17.2.8(h)(7) | Section 335-3-15-.02 | General Provisions |
| Part 17.3 | Section 335-3-15-.03 | Applicability |
| Part 17.4 ²⁶ | 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 | Transportation Conformity |
| Part 19.2 | Section 335-3-17-.02 | General Conformity |

²⁴ Amendments to 335-3-12-.02 effective September 7, 2000 have not been approved into the SIP by EPA.

²⁵ Amendments to 335-3-15-.01 effective January 16, 1997 have not been approved into the SIP by EPA. Only the first sentence of ADEM 335-3-15-.01(g) is approved into the SIP. JCDH does not include the unapproved language.

²⁶ The federally enforceable provisions of ADEM 335-3-15-.04(3)(c) are located at JCDH 2.1.7(a).