

SIERRA ESTRELLA LANDFILL, INC. - MARICOPA

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1. Introduction

A. General Background

This permit renewal pertains to an existing solid waste landfill facility, owned and operated by Sierra Estrella Landfill, Inc., a subsidiary of Waste Management Arizona Landfills, an Arizona Corporation. The facility opened in 1994, with an overall site area of about 300 acres. The facility, commonly known as the Sierra Estrella Landfill, is located on 22087 North Ralston Road, Maricopa, Arizona, upon a parcel also identified by Pinal County Assessor's Parcel #510-79-002C4. The source is in an area classified as "attainment" for all pollutants.

This Renewal "V20655.000" makes the following minor changes in the permit as submitted by the applicant:

- Lined landfill area containing MSW has been reduced from 48.5 acres to 27.1 acres.
- Design capacity of the landfill has been reduced from 17,418,000 tons to 16,100,000 tons.
- Fugitive emissions from the paved roads was revised based on the reduction in the number of vehicle miles traveled per day to dispose 650 tons per day.
- Fugitive emissions from the paved roads was revised based on the reduction in the number of vehicles per day to dispose 650 tons per day.
- Fugitive emissions from the unpaved roads was revised based on the reduction in the number of vehicle miles traveled per day to dispose 650 tons per day.
- Fugitive emissions from the unpaved roads was revised based on the reduction in the number of vehicles per day to dispose 650 tons per day.

This landfill has been inactive since the start of 2000. As part of the permit renewal V20634.000, Permittee is proposing an alternative scenario in which they would begin accepting rate at a much larger rate than previously planned, and due to the increase in vehicle traffic and increase in landfill equipment, the landfill's potential to emit (PTE) would increase. Also, with this alternative operating scenario (AOS), the site would reach the capacity that would trigger the requirement to install controls by the year 2010. Therefore, Permittee has included emissions calculations that reflect the use of a flare, and it has been included in the Equipment List. In accordance with this permit, once the gas generation threshold is triggered, the Permittee will have to submit a revision application to have the collection and control system included in the permit, as well as all the applicable requirements. The Technical Support Document (TSD) for this facility and the application for the permit renewal contain additional information on the alternative scenario.

The principal business activity consists of providing a controlled and managed repository for solid wastes. Examples of such wastes include municipal solid waste, construction debris, demolition material, dead animals, auto shredder fluff, incinerator ash, non-infectious medical wastes, dried waste water treatment plant sludge and petroleum contaminated soils. Asbestos materials are independently managed and segregated in a controlled area.

The natural decomposition of the waste materials, and to some extent the evaporation of volatile compounds in the waste materials, constitute the primary sources of emissions. The complex nature of those emissions qualifies them for regulatory analysis from several different perspectives, including consideration as volatile organic compounds ("VOCs"), as landfill gas ("LFG"), which is measured by a surrogate, namely non-methane organic compounds or "NMOC" measured as hexane), and as one or more hazardous air pollutants ("HAPs").

Traffic delivering waste materials generates particulate emissions ("PM₁₀") or dust. In addition, the daily application of a cover layer of soil also produces PM₁₀ emissions, resulting from soil stockpiling, cover layer distribution, and wind erosion. Soil is typically used as a daily cover material; however, other alternatives as expressly approved under this permit may also be used. Diesel-driven equipment also emit oxides of nitrogen ("NO_x") and sulfur dioxide ("SO₂") and may operate at the facility.

The facility design includes a liner system, which collects any liquids, or leachate, that drains from the mass of waste materials. A collection system and pump allows the leachate to be extracted, collected, and

eventually sprayed back onto lined cells in the facility, effectively amounting to a leachate drying system. Eventually, any volatile fraction will evaporate or decompose, and those compounds will escape as emissions.

This facility falls subject to a number of regulatory requirements; the three primary requirements include:

- 40 CFR Part 60, Subpart WWW ("the Landfill NSPS") regulates emissions of LFG. The Landfill NSPS requires that once calculated LFG emissions exceed a certain threshold, a capture-and-control system must be designed and installed. The Landfill NSPS defines a method for calculating emissions as a function of the amount of waste deposited in the facility, and other variables. Upon exceeding the emission threshold of 50 Mg. of NMOC, the permittee is obliged to begin the design process leading to installation of a capture-and-control system.
- A National Emission Standard for Hazardous Air Pollutants ("the Asbestos NESHAP") requires that asbestos-containing waste materials be properly identified, documented and handled.
- The Stratospheric Ozone Protection Program established by Clean Air Act Title VI requires, with only limited exceptions, that refrigerants be properly removed from various appliances prior to disposal in a landfill facility. This facility does not allow final disposal of "white goods," including major consumer appliances and other similar equipment items, without proper certification of evacuation.

A complete list of equipment from which emissions are allowed by this permit is given in Section 11. of this permit.

2. Listing of Federally Enforceable Applicable Requirements [Mandated by 40 CFR §70.5(c)(4)] (Code §§3-1-060.B.2.d, 3-1-081.A.2, 3-1-081.A.8.a)

- A. SIP-approved PGCAQCD Regulations. Those specific provisions of the Pinal-Gila Counties Air Quality Control District ("PGCAQCD") Regulations, as adopted by the Pinal County Board of Supervisors on March 31, 1975, and approved by the Administrator as elements of the Arizona State Implementation Plan ("SIP") at 43 FR 50531, 50532 (11/15/78), and specifically the following rules:

7-3-1.2	Emission Standards - Particulate Emissions - Fugitive Dust
7-3-1.3	Emission Standards - Particulates - Open Burning
7-3-1.7.E	Fuel Burning Equipment - Particulate Emissions

- B. SIP-approved PGCAQCD Regulations. Those specific provisions of the Pinal-Gila Counties Air Quality Control District Regulations, as last amended by the Pinal County Board of Supervisors on June 16, 1980, and approved by the Administrator as elements of the Arizona SIP at 47 FR 15579 (4/12/82), specifically, the following rules:

7-3-1.1	Visible Emissions; General
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- C. SIP-approved PCAQCD Regulations. Those provisions of the Pinal County Air Quality Control District Code of Regulations, as last amended on 10/12/95, and approved by the Administrator as elements of the Arizona SIP at 61 FR 15717 (4/9/96), specifically, the following rules:

§1-3-140.74a.viii	Definitions (specifically, "insignificant activities")
§3-1-010	Purpose (Permits and Permit Revisions)
§3-1-040	Applicability and classes of permits
§3-1-081	Permit Terms

- D. The following specific elements of 40 CFR Part 60, Subpart WWW (as amended 1998) Standards of Performance for Municipal Solid Waste Landfills:

40 CFR §60.750	Applicability, designation of affected facility, and delegation of authority.
§ 60.751	Definitions.
§ 60.752	Standards for air emissions from municipal solid waste landfills.
§ 60.754	Test methods and procedures.

§ 60.755	Compliance provisions.
§ 60.757	Reporting requirements.
§ 60.758	Recordkeeping requirements.

- E. CAA §608 (11/15/90); 40 CFR Part 82, Subpart F - Recycling and Emissions Reduction (9/7/95); regulations pertaining to use and handling of ozone-depleting substances.
- F. 40 CFR §61.154 (1/16/91) National Emission Standard for Asbestos, Standard for active waste disposal sites.
- G. PCAQCD Permit A20500 §B.I.E.3 (4/22/94) - Daily cover requirement, as amended by this Permit V20618.000 (6/30/03).

3. Compliance Certification

- A. Compliance Plan [**Mandated by 40 CFR §70.5(c)(8)**] (*Code §§3-1-081.C, 3-1-083.A.7*)

As the Permittee is currently in compliance, the compliance plan consists of continued adherence to the requirements of this permit and those requirements set forth in applicable regulations and statutes.

- B. Compliance Schedule [**Mandated by 40 CFR §§ 70.5(c)(8), 70.6(c)(3)**] (*Code §§3-1-060.B.1, 3-1-083.A.7.c*)

As the Permittee is currently in compliance, no compliance schedule to attain compliance is required.

4. Authority to Construct [**Federally enforceable - Code §§3-1-010, 3-1-040 (as amended 10/12/95) approved as a SIP Element at 61 FR 15717 (4/9/96)**]

Emissions from this facility, specifically the equipment described in "Equipment Schedule" section below, and the operating configuration more fully described in the application for permit, already fall subject to the independent Federally enforceable limitations identified elsewhere in this permit. Therefore, based on the regulations in effect upon the date of issuance of this permit and on a finding that allowable emissions from the equipment described in the Equipment Schedule will neither cause nor contribute to a violation of any ambient air quality standard even without any additional limitations, and a further finding that this does not constitute a "major source" within the meaning of Code §3-3-203, this permit constitutes authority to construct and operate such equipment.

5. Emission Limitations and Related Requirements [**Mandated by 40 CFR §70.6(a)(1)**] (*Code §3-1-081.A.2*)

- A. Allowable Emissions [**Federally enforceable - Code § 3-1-081.A.2. (as amended 10/12/95), as limited by §1-1-105 (10/12/95), approved as SIP Elements at 61 FR 15717 (4/9/96)**]

Permittee is authorized to discharge or cause to discharge into the atmosphere those emissions of air contaminants as set forth below. Unless exempted under Code §3-1-040.C., or authorized by a separate permit, by this permit or by a revision or operational change allowed under Chapter 3, Article 2 of the Code, Permittee shall not commence construction of, operate or make any modification to this source in a manner which will cause emissions of any regulated air pollutant in excess of the de minimis amount.

- B. New Source Performance Standard - Municipal Solid Waste Landfills [**Federally enforceable pursuant to 40 CFR Part 60, Subpart WWW**] (*Code §6-1-030.73 (6/25/97)*)

Unless otherwise specified, the following regulatory section references all relate to the New Source Performance Standards, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills (the "Landfill NSPS"), 40 CFR §60.750 et seq.

- 1. Prevailing Standards

Permittee shall comply with §§60.750, 60.751, 60.752, 60.754, 60.755, 60.757 and 60.758.

2. Control Requirement Trigger; Monitoring Prior to Installation of Controls

- a. Unless the facility is closed, then at least until Permittee actually installs a capture-and-control system, Permittee shall annually, or on such other schedule as may be allowed under §60.752.b, submit a report defining the estimated NMOC emission rate. The report shall reflect the requirements of §60.754.a., and shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions, as required under §60.757.b.2. Copies of the annual report shall be submitted to the District, and to the EPA Regional Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901). Reports shall be due within 30 days of the anniversary date that triggers the reporting requirement. Specifically, unless otherwise approved in writing by the Control Officer or the Administrator:
 - i. Tier 1 analyses shall rely on the default values for L_0 , k and CNMOC; in accord with §60.754.a.1.i and §60.754.a.1.ii
 - ii. Tier 2 analyses shall rely on the default values for L_0 and k in accord with §60.754.a.1.i and §60.754.a.1.ii The average CNMOC value shall be calculated in accord with §60.754.a.3.
 - iii. Tier 3 analyses shall rely on the default value for L_0 , CNMOC and k values shall be determined in accord with §60.754.a.3.
- b. In accord with 40 CFR §60.757.d, if the facility ceases to accept waste for deposition, then within 30 days of such event, Permittee shall notify the Control Officer, and the EPA Regional Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901), in writing. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR §60.7.a.4.

3. Control System Design; Permit Revision Application

When a NMOC emission rate report, as calculated in accord with 40 CFR §60.754.a, indicates that emissions exceed the 50 Mg./yr. (55 ton-per-year) emission rate cutoff specified in §60.752.b.2, then Permittee shall either:

- a. Within one year of the date of that report, submit a control system design, prepared by a professional engineer to meet the requirements of 40 CFR §60.743.b.2.ii, to the Control Officer for approval, as required under §60.752.b.2., as well as an application for a corresponding permit revision to incorporate such changes to this permit as may be required to accommodate the proposed control system physical configuration, operational requirements and compliance requirements arising under those provisions of Part 60, Subpart WWW identified elsewhere in this permit section. Additionally, Permittee shall send a copy of the control system design to EPA Regional Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901). The final system design and the terms of a revised permit will each require approval by both the Control Officer and the Administrator; or
- b. To the extent allowed under §60.757.c, resubmit within 180 days a revised NMOC emissions report(s), recalculated under Tier 2 and/or Tier 3 as set forth in §60.754.a, to determine if the estimated emission rate still exceeds the emission rate cut off. Permittee may invoke any variable values allowed above for an initial Tier 2/Tier 3 analysis. If the revised NMOC emission report under Tier 2 and/or Tier 3 still indicates emissions in excess of the emission rate cutoff, Permittee shall comply with subparagraph 2.a. of this paragraph. Otherwise, Permittee shall resume annual reporting under subparagraph 1.a. of this paragraph.

- C. Asbestos NESHAP Emission Standards; Standard for Active Waste Disposal Sites [*Currently federally enforceable; 40 CFR Part 61, Subpart M*] (Code §§7-1-030, 7-1-060)
1. Signage Requirement

When actively operating, the Permittee shall post and maintain a prominent sign at or prior to the facility gatekeeper, indicating that "LOADS WITH ASBESTOS-CONTAINING MATERIALS MUST BE DECLARED TO THE GATEKEEPER."
 2. Records; Regulated Asbestos-containing Waste Area Definition

Permittee shall maintain, until facility closure, records of the location, depth, area and quantity (in volume) of asbestos-containing waste material, as well as a map or diagram showing the disposal area.
 3. Records; Regulated asbestos-containing Waste Deposition Activity

Receipt, handling and disposal of asbestos containing waste received from sources covered by 40 CFR §61.159 (asbestos mills), 40 CFR §61.150 (demolition, renovation, fabricating and manufacturing), or 40 CFR §61.155 (asbestos conversion operations) must meet the following standards:

 - a. Waste Shipment Records Required

Asbestos containing waste may only be accepted when the transporter presents a complete waste shipment record, identifying:

 - i. the name, address and telephone number of the waste generator;
 - ii. the name, address and telephone number of the transporter; and
 - iii. the quantity of asbestos-containing waste material, expressed in cubic yards or cubic meters.
 - b. Waste Shipment Receiving Requirements

At the time of accepting asbestos containing waste for disposal, the Permittee shall:

 - i. Record the date of receipt of the material.
 - ii. Record the presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers.
 - iii. Inspect the materials, determine whether or not the quantity of asbestos containing waste material differs from the quantity indicated on the waste shipment record, and record any discrepancies. *Report discrepancies as outlined in §7. below.*
 - iv. Inspect the materials to determine the presence, and quantity, of improperly enclosed or uncovered asbestos-containing waste, or any asbestos-containing waste material not sealed in leak-tight containers. *Report discrepancies as outlined in §7. below.*
 - c. Generator Return Notification Requirement

As soon as possible, and within 30 days after receipt of the asbestos containing waste, the Permittee shall send a copy of the signed waste shipment record to the waste generator.
 - d. Daily Cover/Suppressant Application Requirement

At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, all asbestos containing waste materials that have been deposited at the site during the operating day or previous 24-hour period shall:

- i. be covered with at least 6 inches of compacted non-asbestos containing material, or
- ii. be covered with a resinous or petroleum based dust suppressant agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Used, spent, or other waste oil may not be used as a dust suppression agent.

4. Asbestos Cell Re-opening Notification Requirement

At least 45 days before excavating or otherwise disturbing any asbestos-containing waste material that has been deposited and covered at the site, Permittee shall notify the Control Officer in writing. The notice shall include:

- a. The scheduled starting and completion dates
- b. The reason for disturbing the waste
- c. The procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material.
- d. The location of any temporary storage site and the final disposal site.

If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Control Officer at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification.

D. Stratospheric Ozone and Climate Protection Emission Limitations [*Currently federally enforceable; 40 CFR Part 82 Subpart F*] (Code §§1-3-140.15, 1-3-140.58.k)

1. General Prohibition; Public Notice Required [*Currently federally enforceable; 40 CFR §82.156.f.3*]
 - a. Permittee shall generally prohibit the disposal of appliances, refrigerators, air conditioners, freezers, chillers, coolers, or other equipment that either contain or once contained refrigerants regulated under Subpart F.
 - b. At or near the gatekeeper's facility, when the facility is active, the Permittee shall provide a clearly visible warning sign, requiring customers to alert the gatekeeper to the presence of such equipment in a load of waste materials.
 - c. Permittee may allow customers to leave such items at the permitted facility, provided the items are placed in a segregated area, and at least once every twelve months, Permittee has all of those items removed from the site by a qualified party. Within the meaning of this paragraph, a "qualified party" is one who has submitted a certification to the Administrator of the EPA under 40 CFR §§82.154.e and 82.162, affirming that such person is complying with the various requirements pertaining to refrigerant recovery and recycling.
 - d. Permittee shall obtain from the "qualified party" described in the preceding paragraph a written verification of submittal to the Administrator of the necessary certification.

2. Signed Written Statement Required for Disposal of Small Appliances, Motor Vehicle Air Conditioners, or Motor-vehicle-air-conditioner-like Appliances. [*Currently federally enforceable; 40 CFR §82.156.f.2*]

If Permittee elects to allow disposal of small appliances, motor vehicle air conditioners ("MVAC"), or MVAC-like appliances, Permittee shall first obtain a signed written statement verifying that all refrigerant that had not leaked previously has been recovered evacuated from the appliance(s) previously, in accord with either 40 CFR §§82.156.g or 82.156.h. The written statement must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered or a contract that the refrigerant was to be removed prior to delivery for disposal.

3. Copy of Written Certification Required for Disposal of Other Appliances Not Covered Above. [*Currently federally enforceable; 40 CFR §82.154.e*]

If Permittee elects to allow disposal of appliances or devices that contain(ed) and use(d) class I or class II substances as refrigerants and is (or was) used for household or commercial purposes (other than small appliances, MVACs and MVAC-like appliances allowed under the preceding subsection), including air conditioners, refrigerators, chillers or freezers, unless a that person first provides the Permittee with a signed written statement, affirming that a certification has previously been submitted to the Administrator, attesting to compliance with the refrigerant recycling/recovery requirements of 40 CFR §82 Subpart F.

4. Due Diligence Required

Permittee shall exercise reasonable efforts to observe and screen load contents to assure compliance with the stratospheric ozone related emission limitations and prohibitions set forth above.

E. Particulate Emissions Limitations

1. Opacity Limits [*Federally enforceable - PGCAQCD Reg. 7-3-1.1 (amended 6/16/80) approved as a SIP Element at 47 FR 15579 (4/12/82)*]

The opacity of any plume or effluent shall not be greater than 40 percent as determined by Reference Method 9 in the Arizona Testing Manual.

2. Opacity Limits (Locally Enforceable Only §2-8-300)

The opacity of any plume or effluent from any point source not subject to a New Source Performance Standard adopted under Chapter 6 of the Code, and not subject to an opacity standard in Chapter 5 of the Code, shall not be greater than 20% as determined in Method 9 in 40 CFR 60, Appendix A. There are currently no affected facilities at this source.

3. Generic Control Requirement; Reasonable Precaution Requirement [*Federally enforceable - PGCAQCD Reg. 7-3-1.2 (3/31/75) approved as a SIP Element at 43 FR 50531 (11/15/78); Code §4-2-040., as limited by §1-1-105 (10/12/95), approved as SIP Elements at 61 FR 15717 (4/9/96)*](§4-2-040)

- a. In managing site-traffic, excavating, moving, stockpiling or placing fill or cover material; Permittee shall exercise reasonable precautions to effectively prevent fugitive dust from becoming airborne. Dust and other types of particulates shall be kept to a minimum by such measures as wetting down, covering, landscaping, paving, treating or by other reasonable means.

- b. 1. Other than when internal haul roads are already visibly damp due to either rainfall or earlier water spraying, water spraying shall be used by the Permittee to control dust emissions from unpaved or unstabilized travel roadways. Daily application of the amount of water per day listed in the following table shall be presumptively adequate to comply with

the requirement of this subparagraph.

Tons refuse per day	Approximate gallons per day
300 or less	1000
301 to 600	5,000
601 to 1000	10,000
1001 to 1500	15,000
over 1500	20,000

2. Waste shipments may be wetted with water or waste liquids to assist in the control of dust during the landfilling process.

c. Permittee shall not cause, suffer, allow or permit transportation of material likely to give rise to airborne dust without taking reasonable precautions to prevent particulate matter from becoming airborne.

F. Fuel Use Limitations (Code §5-23-1010.F.)

Permittee shall only use "low sulfur" diesel fuel, having a sulfur content of less than 0.90% by weight.

G. General Maintenance Obligation. *[Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.11(d)]*

At all times, including periods of start-up, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate the permitted facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

H. Additional Applicable Limitations

1. Open Burning Prohibition *[Federally enforceable - PGCAQCD Reg. 7-3-1.3 (3/31/75) approved as a SIP Element at 43 FR 50531 (11/15/78)]*

Unless authorized by a separate permit, open burning shall be prohibited.

2. Asbestos NESHAP Compliance *[Currently federally enforceable; 40 CFR Part 61, Subpart M]* (Code §§7-1-030, 7-1-060)

Permittee shall comply with Code §§7-1-030.A. and 7-1-060 and 40 CFR Part 61, Subpart M, when conducting any renovation or demolition activities at the facility.

3. Stratospheric Ozone and Climate Protection *[Currently federally enforceable; 40 CFR Part 82 Subpart F]*

When servicing any on-site heating or cooling equipment that uses a closed-cycle refrigeration system, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction.

4. Daily Cover Requirement. *[Apparently federally enforceable under PCAQCD Permit A20500 §B.I.E.3 (4/22/94), and authority derived from EPA SIP-approval of predecessor PGAQCD NSR-program; see 43 FR 50531 (11/15/78)]*

Permittee shall cover disposed solid waste with at least six inches of earthen material or approved alternate cover as designated below, at the end of each operating day, or at more frequent intervals if necessary. Approved alternate cover materials include:

- a. Auto shredder fluff;
- b. Wood chips;
- c. Tire chips;

d. foam.

6. Compliance Demonstration [Mandated by 40 CFR §70.6(c)] (Code §§3-1-060.b.2.d, 3-1-081.A.2, 3-1-083)

A. Monitoring and Testing [Mandated by 40 CFR §70.6(a)(3)] (Code §3-1-083)

1. Fuel Use Monitoring (Code §5-23-1010.F)

Permittee shall demonstrate compliance with the fuel-sulfur limitation by maintaining fuel documentation which demonstrates diesel fuel delivered was "low sulfur" diesel fuel.

2. Soil Moisture Content Determination; Emission Inventory Revision (Code §§3-1-103, 3-7-590.C.1)

To accurately quantify actual regulated emissions associated with the use of soil as daily cover, when the tipping rate exceeds 750 tons-per-day, as averaged over the preceding twelve months, Permittee shall commence a soil-moisture testing program. Permittee shall prepare and submit for the Control Officer's approval a testing program, which at a minimum shall employ ASTM or other recognized testing methods.

The soil obtained for testing shall be collected from the bottom cut of soil stockpiled for the purposes of application of daily cover, and shall be obtained prior to the application of water for dust control. The soil testing program shall proceed on a quarterly basis, for not less than one year in order to achieve a site-specific seasonally representative soil moisture content. Since the program is not meant to be a perpetual obligation, the program shall cease upon written notification by the Director that the intent and purpose of the program has been fulfilled. Subsequent emission inventory submittal shall use the test-determined average soil moisture content in calculating emissions under AP-42 Section 13.2.4-6 Eq. (1).

3. Leachate Recycling Monitoring and Testing (Code §§1-3-140.10, 3-1-103, 5-24-1030.D)

To allow verification of the projected data upon which this permit is based, Permittee shall determine and record the volume of leachate withdrawn from the collection system.

B. Recordkeeping [Mandated by 40 CFR §70.6(a)(3)] (Code §3-1-083.A.2)

1. General NSPS-related Recordkeeping Requirements

a. Monitoring-related Records [Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR Part 60, Subpart A, namely 40 CFR §60.7(f)]

Permittee shall maintain, either at the source or a file of all measurements, including monitoring-system-, monitoring-device-, and performance-testing measurements; all monitoring system performance evaluations; all monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required pursuant to any federally enforceable provision of this permit, recorded in a permanent form suitable for inspection.

b. Excess Emission Records [Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.7(b)]

Permittee shall maintain records of the occurrence and duration of any start-up, shutdown, malfunction or period of excess emissions in the operation of the permitted facility or any air pollution control equipment.

2. Dust Suppression Activity Records [Federally enforceable - PGCAQCD Reg. 7-3-1.2 (3/31/75) approved as a SIP Element at 43 FR 50531 (11/15/78); Code §4-2-040., as limited by §1-1-105 (10/12/95), approved as SIP Elements at 61 FR 15717 (4/9/96)]

To provide a reasonable demonstration of effort with regard to applying water for purposes of dust suppression, Permittee shall maintain a daily log for each day the facility is active, and shall enter either:

- a. the quantity of water applied; or
- b. the reason why water was not applied (e.g. "it rained all day.", "traffic was below the threshold that triggers a watering requirement," or "the haul roads were visibly damp.")

3. Landfill-NSPS-specific Records [*Federally enforceable pursuant to 40 CFR §60.758.a and 60.758.b and Code §§1-3-140.15 and 1-3-140.58.k*]

Permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

4. Stratospheric Ozone and Climate Protection [*Currently federally enforceable; 40 CFR Part 82 Subpart F*]

If Permittee elects to allow disposal of devices that once used refrigerants for cyclical heating or cooling, Permittee shall retain records adequate to show continuing compliance, including as necessary:

- a. Copies of the signed written statements, affirming regarding refrigerant removal from small appliances, motor vehicle air conditioners, or motor-vehicle-air-conditioner-like appliances, shall be kept on-site; and
- b. Copies of the signed written statements from those disposing of appliances not covered under the preceding sub-paragraph, verifying customer-compliance with the certification requirements under 40 CFR §82.154.e; or
- c. Copies of verifications from "qualified parties" into whose hands Permittee is disposing of such items, as outlined above.

5. Daily Cover Requirement. [*Apparently federally enforceable under PCAQCD Permit A20500 §B.I.E.3 (4/22/94), and authority derived from EPA SIP-approval of predecessor PGAQCD NSR-program; see 43 FR 50531 (11/15/78)*]

- a. Permittee shall maintain records showing that cover was applied on at least a daily basis during active days; equipment operating logs may be used for this purpose.
- b. Permittee shall maintain records showing, on a calendar-month-basis, the quantity of auto shredder fluff either used as daily cover at the facility.

7. Reporting Obligations

A. Regular Compliance Reporting [*Mandated by 40 CFR §§70.6(a)(3)*] (*Code §3-1-083.A.3.a*)

Permittee shall submit a semi-annual report to the Control, and also to the Administrator of the US EPA, containing a summary of the information required to be recorded pursuant to this permit. The summary shall clearly show that Permittee has complied with the operational and emissions limitations under this permit. All instances of deviations from permit requirements shall be clearly identified in such reports. For brevity, such deviation reports may incorporate by reference any - written supplemental upset reports filed by Permittee during the reporting period. The report shall be submitted to the District within 30 days after the end of each calendar half. Appendix A of this permit is a form which may be used for the report.

B. Regular Compliance/Compliance Progress Certification [*Mandated by 40 CFR §70.6(c)(5)*] (*Code §3-1-083.A.4*)

Permittee shall annually submit a certification of compliance with the provisions of this permit. The certification shall be separately submitted to both the District and to the Enforcement Office (AIR 5), EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901. The certification shall:

1. Be signed by a responsible official, as defined in Code §3-1-030.18;
2. Identify each term or condition of the permit that is the basis of the certification;
3. State the compliance status with respect to each such term or condition;
4. State whether compliance with respect to each such term or condition has been continuous or intermittent;
5. Identify the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
6. Be postmarked within thirty (30) days of the start of each calendar year.

C. Annual Emissions Inventory [Code §§3-1-103, 3-7-590.C.1.]

Since this source would be subject to an ADEQ permitting requirement, Permittee shall complete and submit to the District an annual emissions inventory, disclosing actual emissions for the preceding calendar year. The submittal shall be made on a form provided by the District. The inventory is due by the latter of March 31, or ninety (90) days after the form is furnished by the District.

D. Reporting Operational Changes

1. Asbestos NESHAP Emission Standards; Standard for Active Waste Disposal Sites; Closure Notification [***Currently federally enforceable; 40 CFR Part 61, Subpart M***] (Code §§7-1-030, 7-1-060)
 - a. Closure Notification Requirement

Upon facility closure, Permittee shall:

 - i. Submit to the Control Officer a copy of the asbestos waste disposal locations and quantities.
 - ii. Comply with all of the requirements of 40 CFR §61.151, including those pertaining to post-closure obligations.

E. NSPS Reporting [***Federally enforceable pursuant to Code §6-1-030.1 and 40 CFR §60.7(a)(4)***]

1. Generally.

Permittee shall provide to the District and to the Regional EPA Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901) notification of any physical or operational change which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR § 60.14(e) or 40 CFR Part 60, Subpart WWW. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.

2. Landfill NSPS Annual Emission Estimate Reports

See §5.B. above.

F. Deviation Reporting Requirement [***Mandated by 40 CFR §§70.6(a)(3)(iii)(B), 70.6(g)***] (Code §3-1-

083.A.3.b.)

Permittee shall report any deviation from the requirements of this permit along with the probable cause for such deviation, and any corrective actions or preventative measures taken to the District within ten days of the earlier of date the Permittee learned, or should have learned, of the deviation unless earlier notification is required by the provisions of this permit.

- G. Asbestos NESHAP Reporting Requirements [*Currently federally enforceable; 40 CFR Part 61, Subpart M*] (Code §§7-1-030, 7-1-060)
1. Receipt, handling and disposal of asbestos containing waste received from sources covered by 40 CFR §61.159 (asbestos mills), 40 CFR §61.150 (demolition, renovation, fabricating and manufacturing), or 40 CFR §61.155 (asbestos conversion operations) must meet the following standards:
 - a. If Permittee discovers improperly enclosed or uncovered asbestos-containing waste materials, or any asbestos-containing waste material not sealed in leak-tight containers, Permittee shall by the following working day report in writing to the Control Officer, as well as to any additional local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, reporting the incident and submitting a copy of the waste shipment record.
 - b. If Permittee discovers a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, Permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, Permittee shall immediately report in writing to the Control Officer, as well as to any additional local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the waste generator, describing the discrepancy, the attempts to reconcile the discrepancy, and submit an accompanying copy of the waste shipment record.

8. Fee Payment [*Mandated by 40 CFR §§70.6(a)(7), 70.9*] (Code §3-1-081.A.9)

As an essential term of this permit, an annual permit fee shall be assessed by the District and paid by Permittee in accord with the provisions of Code Chapter 3, Article 7 generally, and Code §3-1-081.A.9 specifically. The annual permit fee shall be due on or before the anniversary date of the issuance of an individual permit, or formal grant of approval to operate under a general permit. the District will notify the Permittee of the amount to be due, as well as the specific date on which the fee is due.

9. General Conditions

- A. Term [*Mandated by 40 CFR §70.6(a)(2)*] (Code §3-1-089)
- This permit shall have a term of five (5) years, measured from the date of issuance.
- B. Basic Obligation [*Mandated by 40 CFR §§70.4(b)(15), 70.6(a)(6(i), 70.6(a)(6)(ii), 70.7.b*] (Code §3-1-081.)
1. The owner or operator ("Permittee") of the facilities shall operate them in compliance with all conditions of this permit, the Pinal County Air Quality Control District ("the District") Code of Regulations ("Code"), and consistent with all State and Federal laws, statutes, and codes relating to air quality that apply to these facilities. Any permit noncompliance is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application and may additionally constitute a violation of the Clean Air Act (1990).
 2. All equipment, facilities, and systems used to achieve compliance with the terms and conditions of this permit shall at all times be maintained and operated in good working order.

3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

C. Duty to Supplement Application *[Mandated by 40 CFR §§70.5(b), 70.6(a)(6)(v)]* (Code §3-1-081.A.8.e.)

Permittee shall furnish to the District within a reasonable time, which shall not exceed thirty days unless the Control Officer fixes some other time period for response, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking, reissuing, or terminating this permit or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required under this permit. For information claimed to be confidential, Permittee shall submit along with the requested information or records a showing as required under Code §3-1-120, and shall separately submit a full duplicate copy to the EPA Regional Office (Regional Administrator c/o Air Division Permits Office, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901).

D. Right to Enter *[Mandated by 40 CFR §70.6(c)(2)]* (Code §§ 3-1-083.A.6, 3-1-132)

Authorized representatives of the District shall, upon presentation of proper credentials and while observing reasonable standard safety requirements as set forth by the owner or operator of the source, be allowed for purposes of ascertaining compliance with this permit and with other applicable requirements:

1. to enter upon the premises where the source is located, where emissions-related activity is conducted, or in which any records are required to be kept under the terms and conditions of this permit;
2. to inspect any equipment, operation, or method required in this permit; and
3. to sample or monitor emissions from the source, or other substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements;
4. to have access to and copy, at reasonable times, any records that are required to be kept under the conditions of this permit; and
5. to record any inspection by use of written, electronic, magnetic and photographic media.

E. Transfer of Ownership *[Mandated by 40 CFR §70.7(d)(4)]* (Code §3-1-090)

This permit may be transferred under an administrative permit amendment from one person to another by notifying the District at least 30 days in advance of the transfer. The notice shall contain all the information and items required by Code § 3-1-090. The transfer may take place if not denied by the District within 10 days of the receipt of the transfer notification.

F. Posting of Permit (Code §3-1-100)

Permittee shall firmly affix the permit, an approved facsimile of the permit, or other approved identification bearing the permit number, upon such building, structure, facility or installation for which the permit was issued. In the event that such building, structure, facility or installation is so constructed or operated that the permit cannot be so placed, the permit shall be mounted so as to be clearly visible in an accessible place within a reasonable distance of the equipment or maintained readily available at all times on the operating premises.

G. Permit Revocation for Cause *[Mandated by 40 CFR §70.6(a)(6)(iii)]* (Code §3-1-140)

The Director of the District ("Director") may issue a notice of intent to revoke this permit for cause pursuant to Code §3-1-140, which cause shall include occurrence of any of the following:

1. The Director has reasonable cause to believe that the permit was obtained by fraud or material misrepresentation;

2. Permittee failed to disclose a material fact required by the permit application form or a regulation applicable to the permit;
 3. The terms and conditions of the permit have been or are being violated.
- H. Certification of Truth, Accuracy, and Completeness *[Mandated by 40 CFR §§70.5(a)(2), 70.6(a)(3)(iii)(B)] [Federally enforceable - Code §§3-1-083.A.5, 3-1-175 (as amended 10/12/95) approved as SIP Elements at 61 FR 15717 (4/9/96)]*
- Any application form, report, or compliance certification submitted pursuant to the Code shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under Chapter 3 of the Code shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- I. Renewal of Permit *[Mandated by 40 CFR §§70.5(a)(1)(iii), 70.7(c)]* (Code §3-1-050.C.2)
- Expiration of this permit will terminate the facility's right to operate unless either a timely application for renewal has been submitted in accordance with §§3-1-050, 3-1-055 and 3-1-060, or a substitute application for a general permit under §3-5-490. For Class I permit renewals, a timely application is one that is submitted at least 6 months, but not greater than 18 months prior to the date of the permit expiration. For Class II or Class III permit renewals, a timely application is one that is submitted at least 3 months, but not greater than 12 months prior to the date of permit expiration.
- J. Severability *[Mandated by 40 CFR §70.6(a)(5)]* (Code §3-1-081.A.7)
- Pursuant to Code § 3-1-081.A.7., the provisions of this permit are severable, and if any provision of this permit is held invalid the remainder of this permit shall not be affected thereby.
- K. Permit Shield *[Mandated by 40 CFR §70.6(f)]* (Code § 3-1-102.)
- Subject to the following schedule of exclusions¹, compliance with the terms of this permit shall be deemed compliance with any applicable requirement identified in this permit. The permit-shield exclusions include:
1. Pinal-Gila Counties Air Quality Control District ("PGCAQCD") Rule §7-1-2.6 RECORDKEEPING AND REPORTING (3/31/75);
 2. PGCAQCD Rule §7-2-1.8 ANTI-DEGRADATION;
 3. PGCAQCD Rule §7-3-1.3 OPEN BURNING;
 4. Any part of 40 CFR Part 60, Subpart WWW not expressly listed as an Applicable Requirement in §2 of this permit².
- L. Permit Revisions *[Mandated by 40 CFR §70.7(d), 70.7(e)]* (Code Chapter 3, Article 2, specifically Code §3-1-081.A.8.c)
1. This permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
 2. Permit amendments, permit revisions, and changes made without a permit revision shall conform to the requirements in Article 2, Chapter 3, of the Code.
- M. Permit Re-opening *[Mandated by 40 CFR §§70.6(a)(6)(iii), 70.7(f), 70.7(g)]* (Code §3-1-087.)

¹ See the Technical Support Document for an explanation of the exclusions.

² Note that this permit includes both incorporation-by-reference of the substance of the Landfill NSPS, and also includes a number of paraphrased translations of the Landfill NSPS requirements. In so doing, this permit intends those paraphrased provisions to constitute limited guidance as to achieve *prima facie* compliance with the NSPS, but to still invoke the literal language of the standard itself as the legal standard with which the Permittee must comply in order to actually invoke a "shield."

1. This permit shall be reopened if either:
 - a. Additional applicable requirements under the Clean Air Act (1990) become applicable to this source, and on that date, this permit has a remaining term of three or more years. Provided, that no such reopening under this subparagraph is required if the effective date of the newly applicable requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to Code §3-1-089.C.
 - b. The Control Officer determines that it contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of it;
 - c. The Control Officer determines that it needs to be revised or revoked to assure compliance with the applicable requirements; or
 - d. The EPA Administrator finds that cause exists to terminate, modify, or revoke and reissue this permit.
2. If this permit must be reopened for cause, the District will notify the permittee in accord with Code §3-1-087.A.3.

N. Record Retention *[Mandated by 40 CFR §70.6(a)(3)(ii)(B)]* (Code §3-1-083.A.2.b)

Permittee shall retain for a period of five (5) years all documents required under this permit, including reports, monitoring data, support information, calibration and maintenance records, and all original recordings or physical records of required continuous monitoring instrumentation.

O. Scope of License Conferred *[Mandated by 40 CFR §70.6(a)(6)(iv)]* (Code §3-1-081.A.8.d)

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

P. Excess Emission Reports; Emergency Provision *[Mandated by 40 CFR §70.6(g)]* (Code §3-1-081.E, Code §8-1-030)

1. To the extent Permittee may wish to offer a showing in mitigation of any potential penalty, underlying upset events resulting in excess emissions shall reported as follows:
 - a. The permittee shall report to the Control Officer any emissions in excess of the limits established by this permit. Such report shall be in two parts:
 - i. Notifications by telephone or facsimile within 24 hours or the next business day, whichever is later, of the time when the owner or operator first learned of the occurrence of excess emissions, including all available information required under subparagraph b. below.
 - ii. Detailed written notification within 3 working days of the initial occurrence containing the information required under subparagraph b. below.
 - b. The excess emissions report shall contain the following information:
 - i. The identity of each stack or other emission point where the excess emissions occurred.
 - ii. The magnitude of the excess emissions expressed in the units of the applicable limitation.
 - iii. The time and duration or expected duration of the excess emissions.
 - iv. The identity of the equipment from which the excess emissions occurred.

- v. The nature and cause of such emissions.
 - vi. If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions.
 - vii. The steps that were or are being taken to limit the excess emissions. To the extent this permit defines procedures governing operations during periods of start-up or malfunction, the report shall contain a list of steps taken to comply with this permit.
 - viii. To the extent excess emissions are continuous or recurring, the initial notification shall include an estimate of the time the excess emissions will continue. Continued excess emissions beyond the estimated date will require an additional notification.
2. 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 emission limitation under 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.
 3. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of the following subparagraph are met.
 4. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. The permittee submitted notice of the emergency to the Control Officer by certified mail or hand delivery within 2 working days of the time when emissions limitations were exceeded due to emergency. The notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

10. Additional provisions applicable to Title V Sources (Code §3-1-081.B.2)

Subject to the following specific exclusions, all terms and conditions of this permit are enforceable by the Administrator and citizens under the Clean Air Act. The exclusions include:

- A. Section 1. Introduction
- B. Section 9.F Posting of Permit
- C. Section 12 Emission Inventory Table

11. Equipment Schedule [Mandated by 40 CFR §70.5(c)(3)(iii)] (Code §3-1-040.A)

Equipment for which emissions are allowed by this permit are as follows:

- A. One landfill facility, consisting of 300 acres, more or less, including dedicated asbestos monofill cells.
- B. Two (2) trailer tipplers, each powered by an 115 h.p. diesel engine
- C. Two (2) light plant generators, each powered by a 23 h.p. diesel engine, which also powers the leachate sump pump/distribution system.
- D. Two (2) steam cleaners, each with a 5 h.p. diesel engine.
- E. A leachate storage and distribution system, including a storage tank and mobile application/distribution system.
- F. Two (2) water pump, each powered by a 140 h.p. diesel engine.

Appendix A

Semi-annual Report

Permit V20655.000

Abstract - This constitutes a semi-annual report, documenting emissions and emission-related activity during the subject reporting period.

Facility - Sierra Estrella Landfill, Inc., an Arizona Corporation
22087 North Ralston Road
Maricopa, Arizona

Reporting Period - January to June ____ Or July to December ____ Year ____

Parametric Emissions Report

Waste deposited _____ (This period)
Quantity Units

Record Generation Verification

Were the required records of each of the following maintained? Yes No

- Water sprayed for dust suppression?
- Leachate collected and re-applied?
- Asbestos cell size and location?
- Asbestos waste shipment records?
- Did this facility prohibit disposal of refrigerant-containing mechanical equipment?

If on-site disposal was allowed, were written statements collected regarding refrigerant removal from

- small appliances/MVACs?
- larger appliances?

If collected equipment is disposed off-site, is written verification of contractor certification retained?

- The sulfur content in diesel fuel?
- Daily cover logs?
- Monthly records of auto shredder fluff used for daily cover?
- Did this facility experience any excess emission incidents?
- If so, were excess emission reports timely filed?

Certification by Responsible Official

I certify that, based on information and belief formed after reasonable inquiry, that the statements and information in this report are true, accurate and complete.

Signed _____

Printed Name _____

Title _____

Date _____

Contact Phone Number _____

Mail to - Pinal County Air Quality Control District
PO Box 987
Florence, AZ 85132