

Draft/Proposed

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY AIR QUALITY DIVISION

MEMORANDUM

April 22, 2022

TO: Phillip Fielder, P.E., Chief Engineer

THROUGH: Rick Groshong, Environmental Programs Manager,
Compliance and Enforcement

THROUGH: Phil Martin, P.E., Engineering Manager, Existing Source Permits Section

THROUGH: Iftekhar Hossain, P.E., New Source Permits Section

FROM: Vivek Rajaraman, E.I., Existing Source Permits Section

SUBJECT: Evaluation of Permit Application No. **2018-1562-TVR2**
American Environmental Landfill, Inc.
Sand Springs Landfill (Facility ID: No. 5933)
207 N. 177th West Avenue, Sand Springs, 74603
S ½ Section 36, Township 20N, Range 10E, Sand Springs, Osage County
Latitude N 36.16412°, Longitude W 96.18892°
Directions: N. 177th West Avenue, approximately ½ mile north of Hwy 412
in Sand Springs, OK.

SECTION I. INTRODUCTION

American Environmental Landfill (AEL) has requested a renewal of the Part 70 operating permit for the Sand Springs Landfill, an active municipal solid waste (MSW) landfill (SIC 4953/NAICS 562212). The facility is currently operating under DEQ Solid Waste Permit No. 3557021, issued September 14, 1981, and Air Quality Permit No. 2013-0454-TVR, issued on May 13, 2014, and Permit No. 2013-0454-C (M-1), still in review.

The facility started receiving waste materials in 1981 with an initial permitted design capacity of 2.17 million megagrams (Mg). On September 16, 2003, AEL received approval for a vertical expansion from the Land Protection Division (LPD), Department of Environmental Quality (DEQ), to increase the total capacity of the landfill to 2.6 million Mg. Pursuant to the requirements of NSPS, an initial design capacity report was submitted to the Air Quality Division (AQD) in December 2003, reflecting the increase in capacity above the 2.5 million Mg and 2.5 million cubic meters threshold. The modification and increased capacity of the landfill made the facility subject to the requirements of NSPS subpart WWW and the permitting requirements of Part 70. After receiving the initial Title V permit application in December 2004, LPD approved a lateral expansion of increasing the total capacity of the facility to 10.11 million Mg. Between 2004 and 2017, the facility was granted approval for additional expansions of increasing the total capacity of the facility to 12.23 million Mg. AEL received another modification to the solid waste permit on July 24, 2015, which increased the total capacity from 12.23 million Mg to the current level of 15.69 million Mg. AEL commenced construction on September 15, 2015, based on the latest approved modification. As a result of this modification, the facility is no longer subject to NSPS

Subpart WWW and became subject to NSPS Subpart XXX. AEL submitted a Construction modification application on January 26, 2022, which was assigned as Permit Application 2013-0454-C (M-1). In this permit modification, AEL requested to expand permitted landfill design capacity from 12.23 million megagrams (Mg) to 15.69 million Mg. All modification issues and updated emission figures in Permit No. 2013-0454-C (M-1), will be incorporated into this Title V permit renewal. AQD received the Title V permit renewal application on November 9, 2018, six (6) months prior to the theoretical expiration date of the Permit No. 2013-0454-TVR.

The renewal of Part 70 operating permit goes through a **Tier II** permitting procedure. Upon applicant's request, this permit is being processed through a concurrent public and EPA review. AQD also uses this opportunity to update applicable state rules and federal regulations related to the facility.

Through a gas collection and control system (GCCS), the landfill gas (LFG) generated from AEL is sent to the Tulsa LFG, LLC, (Tulsa LFG), which uses two LFG-fired engines to generate electricity. Tulsa LFG is currently operating under a Title V permit, Permit No. 2019-0801-TVR2, which was issued on September 14, 2019. AQD considers AEL and Tulsa LFG, as 'collocated' facilities and a single stationary source for purposes of PSD and Title V permitting process. Modifications to the permit of each facility are based on the combined emissions from both operations and must be considered in making a determination for each permitting action.

The collocated facility emits more than 100 TPY of a regulated pollutant and is subject to Title V permitting requirements. Since the emissions are below 250 TPY, the facility is not subject to PSD permitting. The collocated facility is also a major source of HAPs.

The expanded landfill capacity of 15.69 million Mg is estimated to generate 282 Mg/yr of NMOC in 2034.

SECTION II. FACILITY AND PROCESS DESCRIPTION

The AEL encompasses approximately 220 acres of land area for landfill operation. There are approximately 70 acres located on the east side of the N. 177th West Avenue, and 150 acres located on the west side of the N. 177th West Avenue. AEL closed the landfill operation on the east side of the N. 177th West Avenue in April 2013 and moved all landfill operations to the west side. Currently, the facility operates 6 days a week and receives nonhazardous solid waste from five (5) states, Arkansas, Oklahoma, Missouri, Kansas, and Texas. The facility typically receives approximately 2,000 ton/day of municipal, commercial, and industrial nonhazardous waste. The AEL waste acceptance record shows 584,988 Mg (643,486 ton) in 2019, which is about 2,062 ton/day. The facility also accepts nonhazardous liquid and semi-solid waste at its solidification area. In addition, the facility is EPA approved to accept CERCLA (also known as superfund) waste. At the end of 2021, the facility is estimated to have accepted total waste of 8.93 million Mg since 1981.

LFG is generated by microbiological processes associated with waste decomposition, and LFG is composed primarily of methane (CH₄) and carbon dioxide (CO₂), CO₂ content ranging from 30 to 50% and CH₄ from 40 to 60%. Initial decomposition of the wastes is continuous and rapid until

the entrained oxygen within the refuse is depleted. The second stage is anaerobic decomposition that can be divided into two separate and independent processes: non-methanogenic and methanogenic. CO₂ is a byproduct of the non-methanogenic process and CH₄ is a byproduct of the methanogenic process. LFG may contain small amounts of NMOC, which include trace VOCs and HAPs. The production of LFG begins a few months after initial waste placement and continues until the microbial reactions are limited by substrate or moisture availability. LFG production is also affected by the solid waste disposal rate and varies over the life of the landfill. Generally, LFG production increases with time until a peak volume is reached shortly after landfill closure. In general, the LFG collection system consists of a network of vertical extraction wells, horizontal header pipes, and gas condensate sumps, and the collected LFG is processed and is either transported to an LFG treating system (LFGTS) or sent to an on-site flare.

The facility is currently required to operate an LFG ground collection control system (GCCS) since non-methane organic compound (NMOC) emissions from the landfill are currently above 34 Mg/yr according to a NMOC report prepared in November 2016. The facility's current GCCS system was installed prior to June 1, 2012, and is operated by Tulsa LFG, LLC. Tulsa LFG has the exclusive rights to extract, process, and sell the LFG generated at the landfill. Tulsa LFG has responsibility for operation and maintenance of the GCCS. The GCCS is located at the east side of the N. 177th West Avenue, and currently consists of 73 LFG extraction wells, collection piping, condensation equipment, a utility flare, a blower skid, and two (2) electricity generators. Each generator has 1.6 MW (Megawatt) capacity and is driven by a 2,233-hp Caterpillar G3520 gas engine. The utility has a maximum capacity at 2,000 SCFM. The number of LFG extraction wells will be increased as needed to comply with 40 CFR Part 60, NSPS Subparts XXX.

The landfill is required under NSPS XXX to operate under a Part 70 permit; therefore, Tulsa LFG is also required to operate under a Part 70 permit. AQD considers the co-located facilities to be a single stationary source for purposes of PSD and Title V. Modifications to the permit of each facility are based on the combined emissions from both operations and must be considered in making a determination for each permitting action. Applicability of each operation to Part 70 requirements or NSR requirements must also be based on the combined emissions of the operations. The Part 70 permit will address only the equipment owned or operated by its individual company. Emission inventories are required to pay separately by each facility for their own equipment emissions. Other than for purposes of co-location, Tulsa LFG is not addressed in this permit.

SECTION III. PERMIT HISTORY

| Permits | Date Issued | Description |
|-----------------|-----------------|---|
| 2004-338-TV | 10/9/2008 | Initial Part 70 Permit |
| 2013-0454-TVR | 5/13/2014 | First Part 70 Renewal Permit |
| 2013-0454-C M-1 | Still in review | Construction Permit to increase design capacity to 15.69 million Mg |

SECTION IV. EQUIPMENT

Emission units (EU) have been arranged into Emission Unit Groups (EUG) in the Equipment Section. Table 1 lists the EUGs.

Table 1. Emission Unit (EU) Information

| EU ID # | Emission Sources | EU Group Name |
|----------------|---|------------------------|
| EUG-1 | Uncollectable LFG Fugitives from Underground & PM ₁₀ and PM _{2.5} Fugitives from Earthmoving Operations | Landfill Operation |
| EUG-2 | Enclosed or Utility Flare Systems | GCCS and LFG Flare |
| EUG-3 | VOC Storage Tanks and Associate Equipment | Tank, Waste Oil Burner |

There are three main sources of emissions at the facility. Once MSW is placed in the landfill, it is compacted and covered with soil/dirt/earth. The anaerobic decomposition of buried organic wastes within the covered landfill produces a biogas commonly referred to as LFG. EUG-1 includes uncollectable LFG fugitives from underground and PM₁₀ fugitives, which is caused by earthmoving operation equipment, such as dozers, compactors, dump trucks, excavators, graders, and tractors.

EUG-2 includes the GCCS and LFG flare system. The GCCS consists of a network of extraction wells (73 wells as of 12/13/2018) and collection pipes that collect LFG generated within the landfill. The GCCS is also comprised of a blower system which induces negative pressure within the landfill and transfers the collected LFG to the open flare system for burning or to the LFG-fired engines that are operated by Tulsa LFG.

EUG-3 includes all VOC storage tanks and associated equipment, which is not included in the EUG-1 and EUG-2.

SECTION V. AIR EMISSIONS FROM AEL SAND SPRINGS LANDFILL FACILITY

This facility includes the following emission sources:

- Landfill Gas Generation and Uncollectable Fugitive LFG
- Flare Operations and Landfill Gas Treatment System (LFGTS) (operated by Tulsa LFG, LLC- Permit No: 2019-0801-TVR2)
- Earthmoving Equipment Operations
- Greenhouse Gas (GHG) Emissions

Landfill Gas Generation

Municipal solid waste is accepted and taken directly to the landfill for disposal. The anaerobic decomposition of organic material in the waste results in the generation of a biogas commonly referred to as LFG. Consisting of approximately 50 percent methane and 50 percent carbon dioxide, LFG also includes other trace compounds and water vapor.

The EPA’s Landfill Gas Emissions Model (LandGEM) Version 3.02 (5/2005) was used to determine the NMOC and maximum LFG generation for the site, based on the current site conditions and forecasts. The NMOC is determined based on the model’s input parameters: (1) landfill’s total design capacity of 15,693,641 Mg, (2) waste acceptance data, (3) a methane generation rate constant of 0.05 yr⁻¹, (4) a potential methane generation capacity of 170 m³/Mg, and (5) an assumed NMOC concentration of 1,000 parts per million by volume (ppmv). Based on the results of the modeling, the maximum NMOC generation rate in LFG is estimated at 546.7 TPY or 497 Mg per year in 2032, which is greater than 34 Mg per year. The maximum projected LFG generation rate for the landfill is estimated to be 4,885 SCFM in 2032. The GCCS, which is operated by Tulsa LFG, routes collected LFG to the open flare and/or the gas to energy plant. Collected LFG routed to the gas to energy facility is treated prior to combustion in landfill gas fired electric generator sets. The LFG fired engines operate at a combined heat rate of 28.2 MMBTUH. Gas that is collected from the landfill and not routed to the gas to energy plant is sent to a 2,000 scfm open flare for combustion. The engines and flare are permitted under Tulsa LFG’s Title V Permit.

Regarding landfill fugitive emissions, the GCCS may be assumed to have a 75% collection efficiency of generated LFG and the remaining 25% of LFG is considered as uncollectable fugitives to the air from underground in accordance with the EPA’s AP-42 (11/98), Section 2.4, “Municipal Solid Waste Landfills.” After modification, the total LFG generation is estimated at 4,885 SCFM and the uncollectable LFG fugitive rate is 1,221 SCFM. In accordance with the EPA AP-42 (11/98), Section 2.4, “MSW Landfills”, all uncollected LFG is released as fugitive emissions to the air from underground. The fugitive VOC and HAP emissions were calculated by using the equations # 3 and # 4 from AP-42, Section 2.4 (11/98) and by using the concentration of the LFG compound. The concentrations for LFG compounds were calculated by using a ratio of each compound’s default LandGEM version 3.02 concentration with respect to the default NMOC concentration and multiplying it to the NMOC concentration, which was assumed to be 1,000 ppmv. Table 2 shows the potential fugitive emissions after the most recent landfill expansion.

Table 2. Potential Speciated HAP Emissions
(Based on 8,760 hours/year of operations)

| Compound | Molecular Weight | ppmv | Fugitive Emissions | |
|--|------------------|-------|--------------------|-------|
| | | | lb/hr | TPY |
| 1,1,1-Trichloroethane | 133.41 | 0.48 | 0.0122 | 0.053 |
| 1,1,2,2-Tetrachloroethane | 167.85 | 1.10 | 0.0351 | 0.154 |
| 1,1-Dichloroethane (ethylidene dichloride) | 98.97 | 2.40 | 0.0451 | 0.198 |
| 1,1-Dichloroethene (vinylidene chloride) | 96.94 | 0.20 | 0.0037 | 0.016 |
| 1,2-Dichloroethane (ethylene dichloride) | 98.96 | 0.41 | 0.0077 | 0.034 |
| 1,2-Dichloropropane (propylene dichloride) | 112.99 | 0.18 | 0.0039 | 0.017 |
| Acrylonitrile | 53.06 | 6.30 | 0.0635 | 0.278 |
| Benzene | 78.11 | 1.90 | 0.0282 | 0.123 |
| Carbon disulfide | 76.13 | 0.58 | 0.0084 | 0.037 |
| Carbon tetrachloride | 153.84 | 0.004 | 0.0001 | 0.001 |
| Carbonyl sulfide | 60.07 | 0.49 | 0.0056 | 0.025 |
| Chlorobenzene | 112.56 | 0.25 | 0.0053 | 0.023 |

| Compound | Molecular Weight | ppmv | Fugitive Emissions | |
|------------------------|------------------|---------|--------------------|-------------|
| | | | lb/hr | TPY |
| Chloroethane | 64.52 | 1.30 | 0.0159 | 0.070 |
| Chloroform | 119.39 | 0.03 | 0.0007 | 0.003 |
| Chloromethane | 50.49 | 1.20 | 0.0115 | 0.050 |
| Dichlorobenzene | 147.00 | 0.21 | 0.0059 | 0.026 |
| Dichloromethane | 84.94 | 14 | 0.226 | 0.989 |
| Ethylbenzene | 106.16 | 4.60 | 0.0927 | 0.406 |
| Ethylene dibromide | 187.88 | 1.0E-03 | 3.57E-05 | 1.56E-04 |
| Hexane | 86.18 | 6.60 | 0.108 | 0.473 |
| Methyl isobutyl ketone | 100.16 | 1.90 | 0.0361 | 0.158 |
| Mercury | 200.61 | 2.9E-04 | 1.10E-05 | 4.84E-05 |
| Perchloroethylene | 165.83 | 3.70 | 0.116 | 0.510 |
| Toluene | 92.13 | 39.00 | 0.682 | 2.99 |
| Trichloroethylene | 131.40 | 2.80 | 0.0699 | 0.306 |
| Vinyl chloride | 62.50 | 7.30 | 0.0866 | 0.379 |
| Xylenes | 106.16 | 12.00 | 0.242 | 1.06 |
| Total HAPs | | | | 8.33 |

Table 3. Estimated Landfill Fugitive Emissions
(Based on 8,760 hours/year of operations)

| Pollutants | Emission Rate (TPY) |
|------------|---------------------|
| VOCs | 13.21 |
| HAPs | 8.38 |

Flare Operations and Landfill Gas Treatment System (LFGTS)

An active GCCS is installed at the AEL and is used to extract and convey the LFG to the utility flare or to the LFGTS, which is operated by Tulsa LFG. The GCCS is located at the east side of the N. 177th West Avenue, and currently consists of 73 LFG extraction wells, collection piping, condensation equipment, a utility flare, a blower skid, and two (2) electricity generators. Each generator has 1.6 MW (Megawatt) capacity and is driven by a 2,233-hp Caterpillar G3520 gas engine. The air emissions from the utility flare and two engines are covered in Permit No. 2019-0801-TV2 and are not presented in this modification permit. The increase of LFG flow has no effect on the potential air emissions from the utility flare and two engines as they are permitted at maximum capacity.

Earthmoving Equipment Operations

Particulate matter (PM) emissions are generated during on-site earthmoving operations, which include the excavation of landfill cells and the placement of daily cover soil over the freshly placed waste at the landfill’s working face. At least six inches of compacted earthen materials shall be used to cover the freshly placed MSW on a daily basis, which is required by OAC 252:515-19-51. OAC 252:515 is “Management of Solid Waste.” The AEL applies cover soil one day per week and utilizes an alternative daily cover the rest of the operating week. To control PM emissions

from earthmoving operations, water is sprayed on the surfaces by a water truck, as needed. PM emissions from the various earthmoving operations are based on the operating hours of the earthmoving equipment and the number and types of vehicles. Due to the requirement of OAC 252:515-19-51, earthmoving operations are related to primary business activities and not considered insignificant or trivial. PM emissions shall be counted in the facility-wide emissions.

The AEL received 643,486 tons of MSW in 2019. For emission estimation purposes, the 643,486 tons of MSW per year or 2,062 tons per day is used to estimate the particulate matter emissions. Currently, the AEL is operated 6.0 days per week, and 52 weeks per year.

Air emissions generated from the landfill’s earthmoving operations, which include the emissions from bulldozers, compactor, dump trucks, tractors, and grader operations at the site. Dozing and compacting operation emissions were estimated using emission factors derived from AP-42 (10/98), Table 11.9-1, for handling overburden materials, Section 11.9, “Western Surface Coal Mining.” The emission factor equation for dozing and compacting operations is presented below:

$$E = kc (s)^a/(M)^b$$

Where k, a, and b are empirical constants, which are presented below

- E = Emission factor (lb/hr)
- s = Mean material silt content (%), 6.9% from Table 11.9-3
- M = Mean material moisture content (%), 12% for landfill soil cover from Table 13.2.4-1
- k = 0.75 lb/hr for PM₁₀ and 0.105 lb/hr for PM_{2.5}
- a = 1.5 for PM₁₀ and 1.2 for PM_{2.5}
- b = 1.4 for PM₁₀ and 1.3 for PM_{2.5}
- c = 1.0 for PM₁₀ and 5.7 for PM_{2.5}

The emission factors are calculated as 0.4193 lb/hr for PM₁₀ and 0.2403 lb/hr for PM_{2.5}. The total working hours of bulldozers and compactor are assumed to be 4,992 hours per year. The operation hours are 8 hours/day, 6.0 days/week, and 52 weeks/year.

The emission factor equation for grading operation is from AP-42 (10/98), Table 11.9-1 and presented below:

$$E = k (0.051) (S)^a$$

- E = Emission factor (lb/VMT)
- S = Mean vehicle speed (mph), 5 mph for grader vehicle
- k = 0.60 lb/VMT for PM₁₀ and 0.031 lb/VMT for PM_{2.5}
- a = 2.0 for PM₁₀ and PM_{2.5}

The emission factors are calculated as 0.765 lb/VMT for PM₁₀ and 0.040 lb/VMT for PM_{2.5}. The total VMT (Vehicle Mile Traveled) for one grader vehicle is 6,240 VMT per year. The vehicle works 4 hours/day, 6.0 days/week, and 52 weeks per year.

Emissions from dump truck and excavator operations were estimated using emission factors derived from AP-42 (11/06), Table 13.2.4-1, Section 13.2.4, "Aggregate Handling and Storage Piles." The emission factor equations, Equation (1) in Section 13.2.4.3 for materials dropping is presented below:

$$\text{Emission Factor, } E = k(0.0032) \frac{(U/5)^{1.3}}{(M/2)^{1.4}}$$

Where k, U, and M are parameters, which are presented below:

- E = Emission factor (lb/ton)
- k = Particle size multiplier, 0.35 for PM₁₀ and 0.053 for PM_{2.5}
- U = Mean wind speed, 10 miles/hour
- M = Mean material moisture content (%), 12% for landfill soil/dirt

The emission factors are calculated as 0.00022 lb/ton for PM₁₀ and 0.00003 lb/ton for PM_{2.5}. The total weight of soil/dirt, which are loaded to the truck and then unloaded to the ground, is estimated to be 321,743 tons per year (0.5 ton of soil/dirt per ton of MSW accepted), which is 191,514 cubic yard (CY) of soil/dirt with the soil density of 1.68 ton/CY.

The top soil removal by scrape is best represented by the "Top soil removal by scraper" as shown on AP-42 (10/98), Section 11.9, "Western Surface Coal Mining", Table 11.9-4. The emission factor is 0.058 lb of TSP/ton, and the scaling factors are 0.489 for PM₁₀ and 0.102 for PM_{2.5}. The usage requirement of top soil is estimated at one half ton of top soil per ton of MSW. Based on the 321,743 tons of top soil per year, the PM₁₀ emissions are estimated to be 4.563 TPY and the PM_{2.5} emissions are estimated to be 0.952 TPY. Scraper unloading was estimated using the same equation as the dump truck/excavator operations.

Fugitive emissions from vehicle traffic are estimated based on AP-42 (11/2006), Section 13.2.1, "Introduction to Fugitive Dust Sources, Paved Roads" and Section 13.2.2, "Introduction to Fugitive Dust Sources, Unpaved Roads."

Equation (1) in Section 13.2.1 is used to calculate the PM₁₀ and PM_{2.5} emissions for the paved road.

$$E = k (sL)^a (w)^b$$

Where k, a, and b are empirical constants, given below, and

- E = site-specific emission factor (lb/VMT)
- sL = road surface material silt content (%), 7.40 g/m² for MSW Landfills
- w = mean vehicle weight (tons), 22.5 tons
- k = 0.0022 lb/VMT for PM₁₀ and 0.00054 lb/VMT for PM_{2.5}
- a = 0.91 for PM₁₀ and PM_{2.5}
- b = 1.02 for PM₁₀ and PM_{2.5}

Equation (1a) in Section 13.2.2, for industrial roads, is used to calculate the PM₁₀ and PM_{2.5} emissions for the unpaved road.

$$E = k (s/12)^a (w/3)^b$$

Where k, a, and b are empirical constants, given below and

- E = site-specific emission factor (lb/VMT)
- s = surface material silt content (%), 6.4% for MSW Landfills
- w = mean vehicle weight (tons), 22.5 tons
- k = 1.5 lb/VMT for PM₁₀ and 0.15 lb/VMT for PM_{2.5}
- a = 0.9 for PM₁₀ and PM_{2.5}
- b = 0.45 for PM₁₀ and PM_{2.5}

The emission factors are determined to be 0.326 lb of PM₁₀ and 0.080 lb of PM_{2.5} per VMT for the paved portion and 2.109 lb of PM₁₀ and 0.211 lb of PM_{2.5} per VMT for the unpaved portion. It is assumed that a 10 wheeler is used to transport in 9 tons of MSW with total vehicle weight at 27 tons and the mean vehicle weight at 22.5 tons for each trip to the site. The total paved road is approximately 0.12 miles and the total unpaved road is approximately 0.34 miles from the site entrance to the end of the active landfill area. The total round trip, in and out of the site, traveled by a vehicle is approximately 0.92 miles, one way is full and one way is empty. The AEL received 643,486 tons of MSW (or 2,062 tons per working day) in 2019. It takes approximately 71,498 vehicles a year to deliver about 643,486 tons of MSW in a year. The uncontrolled PM₁₀ fugitive emissions are estimated to be 54.065 TPY prior to applying dust control on the unpaved portion, such as water spraying. Application of water to the unpaved roads at the facility is considered a reasonable precaution to minimize fugitive dust and is required per OAC 252:100-29. Based on the control efficiency of 70% for application of water, the controlled PM₁₀ fugitive emissions are reduced to 18.177 TPY. The corresponding PM_{2.5} fugitive emissions are 5.815 TPY for uncontrolled emission and 2.225 TPY for controlled emission.

Table 4. PM₁₀ and PM_{2.5} Dust Fugitive Emissions

| Emission Source | PM₁₀ (TPY) | PM_{2.5} (TPY) |
|--|----------------------------------|-----------------------------------|
| Bulldozing and Compaction | 1.047 | 0.600 |
| Grading | 2.387 | 0.125 |
| Dump Track, Tractor, & Excavator Loading | 0.035 | 0.005 |
| Dump Track, Tractor, & Excavator Unloading | 0.035 | 0.005 |
| Scraper Top Soil Removal | 4.563 | 0.952 |
| Scraper Unloading | 0.035 | 0.005 |
| MSW Delivery Truck Travel | 18.177 | 2.225 |
| Total Emissions | 26.279 | 3.917 |

Facility emission sources include a Waste Oil Burner. Emissions from the Commercial Waste Oil Burner (0.35 MMBTUH) were calculated using AP-42 (10/96) Section 1.11. With waste oil heat content of 150 MMBTU/1,000 gal, and burning approximately 5,000 gallons per year,

the burner's emissions are less than 1 TPY. The burner is considered an insignificant activity and the emissions will not be counted in the facility emissions.

Table 5. Waste Oil Burner Emissions

| Emission Unit | SO _x | | VOC | | CO | |
|------------------|-----------------|-------|-------|-------|-------|-------|
| | lb/hr | TPY | lb/hr | TPY | lb/hr | TPY |
| Waste Oil Burner | 0.026 | 0.115 | 0.001 | 0.003 | 0.001 | 0.005 |

Greenhouse Gas Emissions

The facility has provided CO₂e emission estimates for this facility. Potential CO₂e emissions are 156,005 TPY. Based on a review of these estimates, it has been determined that this facility is a major stationary source for greenhouse gas emissions.

Air Emissions Summary

Table 6 shows the Sand Springs Landfill potential facility-wide emissions of all air pollutants excluding Tulsa LFG.

Table 6. Potential Facility-Wide Air Emissions

| Pollutants | Potential |
|--------------------------|-----------|
| | TPY |
| VOC | 13.21 |
| PM ₁₀ | 26.28 |
| PM _{2.5} | 3.92 |
| HAP | 8.38 |
| GHG as CO ₂ e | 156,005 |

SECTION VII. TOTAL SITE EMISSIONS INCLUDING TULSA LFG FACILITY

AEL and Tulsa LFG are two separate entities; however, emissions from the AEL and Tulsa LFG will be aggregated for purposes of PSD applicability and NSPS and NESHAP regulations. The potential to emit from the AEL in Permit No. 2013-0454-C(M-1) are presented in Table 6. The potential emissions from the Tulsa LFG are estimated in Permit No. 2019-0801-TVR2. Table 7 shows the total site-wide emissions which include the emissions from the AEL and Tulsa LFG.

Table 7. Total Potential Facility-Wide Air Emissions
(Based on 8,760 hours/year of operations)

| Pollutants | AEL Permit 2018-1562-TVR2 | Tulsa LFG Permit 2019-0801-TVR2 | Total |
|------------------------------|------------------------------|------------------------------------|---------|
| | TPY | TPY | TPY |
| NO _x | ----- | 104.07 | 104.07 |
| CO | ----- | 223.77 | 223.77 |
| VOC | 13.21 | 43.53 | 56.74 |
| PM ₁₀ | 26.28 | 10.31 | 36.59 |
| PM _{2.5} | 3.92 | 10.31 | 14.23 |
| SO ₂ | ----- | 28.64 | 28.64 |
| HAP | 8.38 | 23.12 | 31.5 |
| Single HAP (formaldehyde) | | 18.54 | 18.54 |
| GHG | 156,005 | 19,725 | 175,730 |

The total collocated site-wide emissions shown in Table 7 are more than 100 TPY of a regulated pollutant and are subject to Title V permitting requirements; however, emissions are below 250 TPY and the facility is not subject to PSD permitting. HAP emissions for collocated facilities are above the major source levels (10/25 TPY), and are therefore major source of HAPs.

SECTION VIII. INSIGNIFICANT ACTIVITIES

The insignificant activities identified and justified in the application and listed in OAC 252:100-8, Appendix I, are duplicated below. Recordkeeping, for activities indicated with an “*”, is required in the Specific Conditions. Any Activity to which a state or federal applicable requirement applies is not insignificant even if it is included on this list.

1. * Emissions from fuel storage/dispensing equipment operated solely for facility owned vehicles if fuel throughput is not more than 2,175 gallons/day, averaged over a 30-day period. There are two 10,000-gallon diesel storage tanks with a maximum daily throughput less than the threshold of 2,175 gallon per day.
2. * Storage tanks with less than or equal to 10,000 gallons capacity that store volatile organic liquids with a true vapor pressure less than or equal to 1.0 psia at maximum storage temperature.
3. *Bulk gasoline or other fuel distribution with a daily average throughput less than 2,175 gallons per day, including dispensing, averaged over a 30-day period.
4. * Welding and soldering operations utilizing less than 100 pounds of solder and 53 tons per year of electrodes. None identified but may be used in the future.
5. Wood chipping operations not associated with primary process operation. None identified but may be used in the future.
6. * Torch cutting and welding or under 200,000 tons of steel fabricated per year. None identified but may be used in the future.
7. *Non-commercial water washing operations (less than 2,250 barrels/year) and drum crushing operations of empty barrels less than or equal to 55 gallons with less than 3 percent by volume of residual material. None identified but may be used in the future.

8. * Surface coating operations which do not exceed a combined total usage of more than 60 gallons/.month of coatings, thinners, and clean-up solvents at any one emissions unit. None identified but may be used in the future.
9. Exhaust systems for chemical, paint, and/or solvent storage rooms or cabinets, including hazardous waste satellite (accumulation) areas. None identified but may be used in the future.
10. Hand wiping and spraying of solvents from containers with less than 1 liter capacity used for spot cleaning and/or degreasing in ozone attainment areas. None identified but may be used in the future.
11. * Activities having the potential to emit no more than 5.0 TPY (actual) of any criteria pollutant. There is a commercial waste oil burner, which has less than 5 TPY emissions.

The appropriate records of hours, quantity, or capacity will be maintained sufficient to demonstrate that the insignificant sources qualify as Insignificant Activities or Trivial Activities. However, their air emissions will not be presented and listed in this section.

SECTION IX. OKLAHOMA AIR QUALITY RULES

OAC 252:100-1 (General Provisions) [Applicable]
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-2 (Incorporation by Reference) [Applicable]
This subchapter incorporates by reference applicable provisions of Title 40 of the Code of Federal Regulations listed in OAC 252:100, Appendix Q. These requirements are addressed in the “Federal Regulations” section.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]
Primary Standards are in Appendix E and Secondary Standards are in Appendix F of the Air Pollution Control Rules. At this time, all of Oklahoma is in attainment of these standards.

OAC 252:100-5 (Registration, Emissions Inventory and Annual Operating Fees) [Applicable]
Subchapter 5 requires sources of air contaminants to register with Air Quality, file emission inventories annually, and pay annual operating fees based upon total annual emissions of regulated pollutants. Emission inventories have been submitted and fees paid for the past years.

OAC 252:100-8 (Permits for Part 70 Sources) [Applicable]
Part 5 includes the general administrative requirements for Part 70 permits. Any planned changes in the operation of the facility that result in emissions not authorized in the permit and that exceed the “Insignificant Activities” or “Trivial Activities” thresholds require prior notification to AQD and may require a permit modification. Insignificant activities refer to those individual emission units either listed in Appendix I (OAC 252:100) or whose actual calendar year emissions do not exceed the following limits.

- 5 TPY of any one criteria pollutant
- 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAPs or 20% of any threshold less than 10 TPY for a HAP that the EPA may establish by rule

The facility is classified a Part 70 source as specified in NSPS Subparts XXX since design capacity of the landfill is greater than 2.5 million megagrams or 2.5 million cubic meters. As such, a Title V (Part 70) operating permit is required.

OAC 252:100-9 (Excess Emission Reporting Requirements) [Applicable]
Except as provided in OAC 252:100-9-7(a)(1), the owner or operator of a source of excess emissions shall notify the Director as soon as possible but no later than 4:30 p.m. the following working day of the first occurrence of excess emissions in each excess emission event. No later than thirty (30) calendar days after the start of any excess emission event, the owner or operator of an air contaminant source from which excess emissions have occurred shall submit a report for each excess emission event describing the extent of the event and the actions taken by the owner or operator of the facility in response to this event. Request for mitigation, as described in OAC 252:100-9-8, shall be included in the excess emission event report. Additional reporting may be required in the case of ongoing emission events and in the case of excess emissions reporting required by 40 CFR Parts 60, 61, or 63.

OAC 252:100-13 (Open Burning) [Applicable]
Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-17 (Incinerators) [Not Applicable]
An “incinerator” is defined as “a combustion device specifically designed for the destruction, by high temperature burning, of solid, semi-solid, liquid, or gaseous combustible wastes and from which the solid residues contain little or no combustion material.” Under 252:100-17-2.1, flares and other pollution control devices are exempted from Subchapter 17.

OAC 252:100-19 (Particulate Matter) [Not Applicable]
Section 19-4 regulates emissions of PM from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Fuel-burning equipment is defined in OAC 252:100-19 as any internal combustion engine or gas turbine, or other combustion device used to convert the combustion of fuel into usable energy. There are no affected sources present.

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity.

OAC 252:100-29 (Fugitive Dust) [Applicable]
This subchapter states that no person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. Precautions are stated in the Specific Conditions to minimize fugitive dust.

OAC 252:100-31 (Sulfur Compounds) [Applicable]

Part 2 also limits the ambient air impact of hydrogen sulfide emissions from any new or existing source to 0.2 ppm for a 24-hour average (equivalent to 283 $\mu\text{g}/\text{m}^3$). According to Section III (Emissions), the default amount of sulfur present is 46.9 ppmv, which is also assumed to be the worst case scenario. Assuming that all sulfur is present as hydrogen sulfide in an ambient LFG flow (45.6 % of methane), given 98% destruction efficiency in the flare, and assuming the same efficiency for stoichiometric combustion in the engine with stack temperature at 905°F, yields a residual concentration of 0.056 ppmv in the engine exhaust stream, which is less than 0.1 ppm.

Part 5 limits sulfur dioxide emissions from new fuel-burning equipment (constructed after July 1, 1972). For liquid fuels the limit is 0.8 lb/MMBTU heat input averaged over 3 hours. The Waste Oil Burner is rated at 0.35 MMBTU heat input and emissions of 0.007 lb/hr which equates to 0.021lb/MMBTU. The facility is in compliance with this part.

Part 5 also limits hydrogen sulfide emissions from new petroleum or natural gas process equipment (constructed after December 31, 1974). There is no “petroleum or natural gas process” equipment at this facility, per the definitions of §31-2.

OAC 252:100-35 (Carbon Monoxide) [Not Applicable]

This subchapter affects gray iron cupolas, blast furnaces, basic oxygen furnaces, petroleum catalytic cracking units, and petroleum catalytic reforming units. It requires removal of 93% or more of CO by “complete secondary combustion” from new sources and also from existing sources located in or significantly impacting a non-attainment area for CO. There are no affected sources present.

OAC 252:100-37 (Volatile Organic Compounds) [Applicable]

Part 3 requires storage tanks constructed after December 28, 1974, with a capacity of 400 gallons or more and storing a VOC with a vapor pressure greater than 1.5 psia to be equipped with a permanent submerged fill pipe or with an organic vapor recovery system. There are no tanks with a capacity greater than 400 gallons storing organic materials with a vapor pressure greater than 1.5 psia.

Part 5 limits the VOC content of coating of parts and products. There is no coating operation at this facility during normal operations.

Part 7 requires fuel-burning and refuse-burning equipment to be cleaned, operated, and maintained to minimize emissions of VOC. Based on manufacturer's data and good engineering practice, the equipment must not be overloaded and temperature and available air must be sufficient to provide essentially complete combustion. The waste oil burner and any combustion device used by the permittee for energy recovery fuel-burning equipment will be operated to minimize emissions of VOC.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]

This subchapter regulates toxic TAC that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]

This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To

determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. Nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

OAC 252:100-47 (Control of Emissions from Existing MSW Landfills) [Not Applicable]
 Existing MSW landfills having a design capacity greater than 2.5 million megagrams or 2.5 million cubic meters are required to obtain a Part 70 permit. Landfills having NMOC emissions of at least 34 Mg/yr are required to install a gas collection and control system (GCCS) in accordance with the requirements of 40 CFR §60.752. This facility is subject to 40 CFR Part 60, NSPS, Subpart XXX. This subchapter affects existing MSW landfills. Since this landfill was modified after May 30, 1991, this landfill is not considered existing; therefore, this landfill is not subject to this subchapter.

The following Oklahoma Air Pollution Control Rules are not applicable to this facility

| | | |
|----------------|-----------------------|---------------------------|
| OAC 252:100-11 | Alternative Reduction | Not requested |
| OAC 252:100-23 | Cotton Gins | Not type of emission unit |
| OAC 252:100-24 | Feed & Grain Facility | Not in source category |
| OAC 252:100-33 | Nitrogen Oxides | Not type of emission unit |
| OAC 252:100-39 | Nonattainment Areas | Not in a subject area |

SECTION X. FEDERAL REGULATIONS

PSD, 40 CFR Part 52 [Not Applicable]
 Total emissions are less than the level of significance of 250 TPY of any single regulated pollutant and the facility is not one of the 26 specific industries with a threshold of 100 TPY. This facility is a major stationary source for greenhouse gas emissions.

NSPS, 40 CFR Part 60 [Subparts A and XXX are Applicable]
Subpart A, General Provisions. This subpart specifies standards only for control devices used to achieve compliance with an applicable NSPS Subpart. A flare is a “Best Demonstrated Technology (BDT)” for landfill gas destruction. §60.18 specifies that no visible emissions exceed a total of 5 minutes during any two consecutive hours. For non-assisted flare, the net heating value of combusted gas shall be greater than 7.45 MJ/scm (200 btu/scf) and an exit velocity less than 18.3 m/s (60 ft/s). Maximum permitted velocity (V_{max}) can be determined by the equation:

$$\log_{10}(V_{max}) = \frac{H_T + 28.8}{31.7}$$

Subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. This subpart contains emission guidelines and compliance times for the control of certain designated pollutants from certain designated municipal solid waste landfills. OAC 252:100-47 is the state rule covering the same requirements. At the present time, the facility is a Part 70 source and is subject to the requirements under NSPS Subpart XXX and not subject to this subpart.

Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. This subpart affects each landfill that accepts MSW after November 08, 1987, and commences construction, reconstruction, or modification before July 17, 2014. OAC 252:100-47 is the state rule covering the same requirements. These emission guidelines are required to be adopted by AQD and incorporated into AQD's OAC 252:100-47. At the present time, the facility is a Part 70 source and is subject to the requirements under NSPS Subpart XXX and not subject to this subpart.

Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills. This subpart applies to each municipal solid waste landfill (MSWL) that commenced construction, reconstruction, or modification, or began accepting waste on or after May 30, 1991 but before July 18, 2014. MSWLs having a design capacity greater than 2.5 million cubic meters and 2.5 million megagrams are subject to Part 70 (Title V) permitting. Installation of an LFG collection and control system is required to minimize NMOC emissions with a destruction efficiency 98% if NMOC emissions are greater than 50 megagrams per year, based on calculation. The facility was modified after July 17, 2014; therefore, it is subject to the requirements under NSPS Subpart XXX and is no longer subject to this subpart.

Subpart XXX, Standards of Performance for Municipal Solid Waste Landfills. This subpart affects each landfill that commences construction, reconstruction, or modification after July 17, 2014. The facility was modified on July 24, 2015, therefore, this facility is subject to this subpart. MSWLs having a design capacity greater than 2.5 million cubic meters and 2.5 million megagrams are subject to Part 70 (Title V) permitting. Installation of an LFG collection and control system is required to minimize NMOC emissions with a destruction efficiency of 98% if NMOC emissions are greater than 34 megagrams per year, based on calculation. Design capacity of this facility is greater than 2.5 million megagrams. This facility has emissions greater than 34 megagrams per year and has in place the required collection and control system. The permit requires the facility to comply with all applicable requirements.

NESHAP, 40 CFR Part 61

[Subpart M Applicable]

Subpart M, National Emission Standard for Asbestos. Section 61.154, Standard for active waste disposal sites, requires each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under §§61.149, 61.150, or 61.155 to meet the requirements of this section. This facility is subject to this subpart because it receives asbestos-containing materials. The permit requires the facility to comply with all applicable requirements.

NESHAP, 40 CFR Part 63

[Subpart AAAA Applicable]

Subpart AAAA, Municipal Solid Waste Landfills. This subpart applies to all municipal solid waste landfills that are: (1) major sources as defined by 40 CFR §63.2 of Subpart A as stated in

§63.1935(a)(1); (2) collocated with a major source as stated in §63.1935(a)(2); (3) area source landfill that has a design capacity of 2.5 million Mg and 2.5 million m³ and has estimated uncontrolled NMOC emissions of 50 Mg/yr as calculated according to §63.1959 as stated in §63.1935(a)(3); or (4) meeting only the design capacity threshold of 2.5 million Mg and 2.5 million m³ but have a bioreactor and are not permanently closed as of January 16, 2003 as stated in §63.1935(b)(3). This subpart requires that all affected landfills meet the requirements of 40 CFR Part 60, Subparts Cc, Cf, WWW or XXX, and requires timely control of bioreactors. The facility is subject to this subpart according to §63.1935(a)(3). This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements. These requirements apply under 40 CFR §60.762(b)(2) since the facility has uncontrolled NMOC emissions greater than 34 Mg/yr as calculated (317.9 Mg/yr in 2020). A “Start-up, Shutdown, and Malfunction” plan shall be maintained on-site. The permit requires the facility to comply with all applicable requirements.

CAM, 40 CFR Part 64

[Not Applicable]

This part applies to any pollutant-specific emission unit at a major source that is required to obtain an operating permit, for any application for an initial operating permit submitted after April 18, 1998, that addresses “large emissions units,” or any application that addresses “large emissions units” as a significant modification to an operating permit, or for any application for renewal of an operating permit, if it meets all of the following criteria.

- It is subject to an emission limit or standard for an applicable regulated air pollutant
- It uses a control device to achieve compliance with the applicable emission limit or standard
- It has potential emissions, prior to the control device, of the applicable regulated air pollutant of 100 TPY or 10/25 TPY of HAP.

The facility does not meet the applicability criteria and is therefore not an affected facility.

Chemical Accident Prevention Provisions, 40 CFR Part 68

[Not Applicable]

This facility does not process or store more than the threshold quantity of any regulated substance (Section 112r of the Clean Air Act 1990 Amendments). More information on this federal program is available on the web page: www.epa.gov/rmp.

Stratospheric Ozone Protection, 40 CFR Part 82

[Subpart A and F Applicable]

These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).

Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030.

Subpart F requires that any persons servicing, maintaining, or repairing appliances except for motor vehicle air conditioners; persons disposing of appliances, including motor vehicle air conditioners; refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment comply with the standards for recycling and emissions reduction.

The standard conditions of the permit address the requirements specified at § 82.156 for persons opening appliances for maintenance, service, repair, or disposal; § 82.158 for equipment used during the maintenance, service, repair, or disposal of appliances; § 82.161 for certification by an approved technician certification program of persons performing maintenance, service, repair, or disposal of appliances; § 82.166 for recordkeeping; § 82.158 for leak repair requirements; and § 82.166 for refrigerant purchase records for appliances normally containing 50 or more pounds of refrigerant.

This facility does not utilize any Class I & II substances

SECTION XI. COMPLIANCE

Tier Classification

This application has been classified as Tier II based upon a request for renewal of a Part 70 operating permit. The applicant has requested to process the renewal of a Part 70 operating permit through the concurrent public and EPA review process. Information on all permit actions is available for review by the public in the Air Quality section of the DEQ Web page: <https://www.deq.ok.gov>.

Landowner Affidavit

The applicant has submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The affidavit certifies that the applicant owns the real property.

Public and EPA Review

The applicant published the "Notice of Filing a Tier II Application" in *Sand Springs Leader*, a daily newspaper printed and published in the City of Tulsa, Tulsa County, Oklahoma on December 19, 2018. The notice stated that the permit application was available for public review at the Charles Page Library, 551 East 4th Street, Sand Springs, Oklahoma 74063, or at the Air Quality Division's Main Office in Oklahoma City, Oklahoma.

A draft of this permit will also be made available for public review for a period of 30 days as stated in another newspaper announcement and available at a local site within the county and on DEQ Web site. This permit has been approved for concurrent public and EPA review. The EPA review will be conducted concurrently with the public review and if no comments are received from the

public, then, the draft permit will be deemed the proposed permit. Public review period will be 30 days and EPA review period will be 45 days. This facility is not located within 50 miles of the border of Oklahoma and any other state. Information on all permit actions is available for review by the public in the Air Quality Section of DEQ Web Page: <https://www.deq.ok.gov>.

Tribal Nations will be notified of the draft permit.

If the Administrator does not object in writing during the 45-day EPA review period, any person that meets the requirements of OAC 252:100-8-8(j) may petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. Any such petition shall be based only on objections to the permit that the petitioner raised with reasonable specificity during the public comment period provided for in 27A O.S. § 2-14-302.A.2., unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under OAC 252:100-8-8(j), the DEQ shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the DEQ has issued a permit prior to receipt of an EPA objection under OAC 252:100-8-8(j), the DEQ will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in 40 CFR §§ 70.7(g)(4) or (5)(i) and (ii) except in unusual circumstances. If the DEQ revokes the permit, it may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

Fees Paid

For Permit No. **2018-1562-TVR2**, Part 70 operating permit renewal application fee of \$7,500 was received on November 9, 2018.

SECTION X. SUMMARY

The landfill facility was constructed as described in the permit application. Ambient air quality standards are not threatened at this site. There are no active Air Quality compliance or enforcement issues concerning this facility. Issuance of the operating permit is recommended, contingent on EPA and public review.

DRAFT/PROPOSED

**PERMIT TO OPERATE
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS**

**American Environmental Landfill, Inc.
Sand Springs Facility**

Permit No. 2018-1562-TVR2

The permittee is authorized to operate in conformity with the specifications submitted to Air Quality on November 9, 2018, and June 16, 2020. The Evaluation Memorandum dated April 22, 2022, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain operating limitations or permit requirements. Continuing operations and commencing operation under this permit constitutes acceptance of, and consent to, the conditions contained herein.

1. The permittee shall be authorized to operate the 15.69 million Mg design capacity facility continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]
2. If this facility applies, through the DEQ Land Protection Division, for an expansion of the permitted volume design capacity of the landfill, then they shall apply for an Air Quality major source construction permit prior to beginning construction of the expansion. [OAC 252:100-8-4(a)(1)(B)]
3. The facility is subject to NSPS (New Source Performance Standards), 40 CFR Part 60, Subpart XXX, Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014. The permittee shall comply with all applicable standards contained therein, including but not limited to:
[40 CFR 60, §60.760 – §60.769]
 - a. §60.760 Applicability, designation of affected facility, and delegation of authority.
 - b. §60.761 Definitions.
 - c. §60.762 Standards for air emissions from municipal solid waste landfills.
 - d. §60.733 Operational standards for collection and control systems.
 - e. §60.764 Test methods and procedures.
 - f. §60.765 Compliance provisions.
 - g. §60.766 Monitoring of operations.
 - h. §60.767 Reporting requirements.
 - i. §60.768 Recordkeeping requirements.
 - j. §60.769 Specifications for active collection systems.
4. The facility is subject to NESHAP (National Emission Standards for Hazardous Air Pollutants), 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos. The permittee shall comply with all applicable standards contained therein, including but not limited to:
[40 CFR Part 61, §61.140 - §61.157]
 - a. §61.140 Applicability.
 - b. §61.141 Definitions.
 - c. §61.149 Standard for waste disposal for asbestos mills.

- d. §61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.
- e. §61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations.
- f. §61.153 Reporting.
- g. §61.154 Standard for active waste disposal sites.
 - 1. There must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste has been deposited or [§61.154(a)]
 - (i) At the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall be covered with at least 15 centimeters (6 inches) of compact non-asbestos-containing material. [§61.154(c)(1)]
 - (ii) Use an alternative emissions control method that has received prior written approval by DEQ. [§61.154(d)]
 - 2. For all asbestos-containing waste material received, the permittee shall:
 - (i) Maintain waste shipment records including following information: [§61.154(e)(1)]
 - (A) The name, address, and telephone number of the waste generator.
 - (B) The name, address, and telephone number of the transporter(s).
 - (C) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).
 - (D) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material nor sealed in leak-tight containers. Report in writing to the local, State, or EPA regional office.
 - (E) The date of receipt.
 - (ii) As soon as possible (less than 30 days) after receipt of the waste, send a copy of the signed waste shipment record to the waste generator. [§61.154(e)(2)]
 - (iii) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and quantity actually received, attempt to reconcile the discrepancy with the waste generator. [§61.154(e)(3)]
 - (iv) Retain a copy of all records and reports for at least two years. [§61.154(e)(4)]
 - 3. Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area. [§61.154(f)]
 - 4. Upon closure, comply with all the provisions of §61.151. [§61.154(g)]
 - 5. Submit to DEQ, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities. [§61.154(h)]
 - 6. Furnish upon request, and make records available during normal business hours for inspection by DEQ personnel. [§61.154(i)]
 - 7. Notify the DEQ in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. [§61.154(j)]
 - (i). Scheduled starting and completion dates.
 - (ii). Reason for disturbing the waste.

- (iii). Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material
 - (iv). Location of any temporary storage site and the final disposal site.
- h. §61.156 Cross-reference to other asbestos regulations.
 - i. §61.157 Delegation of authority.
4. The facility is subject to NESHAP (National Emission Standards for Hazardous Air Pollutants), 40 CFR Part 63, Subpart AAAA, Municipal Solid Waste Landfills. The permittee shall comply with all applicable standards contained therein, including but not limited to:
- [40 CFR Part 63, §63.1930 – §63.1990]

What This Subpart Covers

- a. §63.1930 What is the purpose of this subpart?
- b. §63.1935 Am I subject to this subpart?
- c. §63.1940 What is the affected source of this subpart?
- d. §63.1945 When do I have to comply with this subpart?
- e. §63.1947 When do I have to comply with this subpart if I own or operate a bioreactor?
- f. §63.1950 When am I no longer required to comply with this subpart?
- g. §63.1952 When am I no longer required to comply with the requirements of this subpart if I own or operate a bioreactor?

Standards

- h. §63.1955 What requirements must I meet?
- i. §63.1960 How is compliance determined?
 - 1. Prepare and maintain a Start-up, Shutdown and Malfunction plan for that part of the collection and control system operated by the permittee. [§63.1960]

General and Continuing Compliance Requirements

- j. §63.1965 What is a deviation?
- k. §63.1975 How do I calculate the 3-hour block average used to demonstrate compliance?

Notifications, Records, and Reports

- l. §63.1981 What records must I submit?
- m. §63.1982 What records and reports must I submit and keep for bioreactors or liquids addition other than leachate?
- n. §63.1983 What records must I keep?

Other Requirements and Information

- o. §63.1985 Who enforces this subpart?
- p. §63.1990 What definitions apply to this subpart?

5. The permittee shall take reasonable precautions to minimize fugitive dust from traffic on paved/unpaved road and all activities. These precautions shall include, but are not limited to:
- [OAC 252:100-29-3]
- a. The use, where possible, of water or chemicals for control of dust in the grading of roads, driveways and parking lots or the clearing of land. [OAC 252:100-29-3(1)]

- b. The application of water or suitable chemicals or some other covering on surfaces that can create air-borne dusts under normal conditions. [OAC 252:100-29-3(2)]
 - c. The covering or wetting of open-bodied trucks, trailers, or railroad cars when transporting dusty materials in areas where the general public must have access. [OAC 252:100-29-3(4)]
 - d. The planting and maintenance of vegetative ground cover as necessary. [OAC 252:100-29-3(5)]
6. The following records shall be maintained on site to verify insignificant activities. [OAC 252:100-8-6(a)(3)(B)]
- a. Throughputs of the two 10,000-gallon diesel storage tanks.
 - b. Activities having the potential to emit no more than 5.0 TPY (actual) of any criteria pollutant. List the activity with estimated actual annual emissions.
 - c. Storage tanks with less than or equal to 10,000 gallons capacity that store volatile organic liquids with a true vapor pressure less than or equal to 1.0 psia at maximum storage temperature. List size and contents including vapor pressure of materials stored.
 - d. Non-commercial water washing operations (less than 2,250 barrels/year) and drum crushing operations of empty barrels less than or equal to 55 gallons with less than 3 percent by volume of residual material.
7. The permittee shall maintain records of operations as listed below. These records shall be retained on-site or at a local field office for a period of at least five years following dates of recording, and shall be made available to regulatory personnel upon request. [OAC 252:100-8-6 (a)(3)(B)]
- a. Records as required by NSPS, 40 CFR Part 60, Subpart XXX.
 - b. Records as required by NESHAP, 40 CFR Part 61, Subpart M.
 - c. Records as required by NESHAP, 40 CFR Part 63, Subpart AAAA.
8. No later than 30 days after each anniversary date of the issuance of the original Title V permit for this facility (October 9, 2008), the permittee shall submit to Air Quality Division of DEQ, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit. [OAC 252:100-8-6 (c)(5)(A) & (D)]
9. This Part 70 permit supersedes and replaces all other Air Quality operating permits for the Sand Springs Landfill facility, which are now canceled

**TITLE V (PART 70) PERMIT TO OPERATE / CONSTRUCT
STANDARD CONDITIONS
(June 21, 2016)**

SECTION I. DUTY TO COMPLY

A. This is a permit to operate / construct this specific facility in accordance with the federal Clean Air Act (42 U.S.C. 7401, et al.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. All terms and conditions are enforceable by the DEQ, by the Environmental Protection Agency (EPA), and by citizens under section 304 of the Federal Clean Air Act (excluding state-only requirements). This permit is valid for operations only at the specific location listed.

[40 C.F.R. §70.6(b), OAC 252:100-8-1.3 and OAC 252:100-8-6(a)(7)(A) and (b)(1)]

D. 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 the permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [OAC 252:100-8-6(a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

A. Any exceedance resulting from an emergency and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV (Emergencies). [OAC 252:100-8-6(a)(3)(C)(iii)(I) & (II)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements. [OAC 252:100-8-6(a)(3)(C)(iv)]

C. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

A. The permittee shall keep records as specified in this permit. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), OAC 252:100-8-6(c)(1), and OAC 252:100-8-6(c)(2)(B)]

B. Records of required monitoring shall include:

- (1) the date, place and time of sampling or measurement;
- (2) the date or dates analyses were performed;
- (3) the company or entity which performed the analyses;
- (4) the analytical techniques or methods used;
- (5) the results of such analyses; and
- (6) the operating conditions existing at the time of sampling or measurement.

[OAC 252:100-8-6(a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report. Submission of these periodic reports will satisfy any reporting requirement of Paragraph E below that is duplicative of the periodic reports, if so noted on the submitted report.

[OAC 252:100-8-6(a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II (Reporting Of Deviations From Permit Terms) of these standard conditions.

[OAC 252:100-8-6(a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act.

[OAC 252:100-43]

F. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

G. Any owner or operator subject to the provisions of New Source Performance Standards (“NSPS”) under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants (“NESHAPs”) under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

H. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. [OAC 252:100-8-6(c)(4)]

I. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer’s instructions and in accordance with a protocol meeting the requirements of the “AQD Portable Analyzer Guidance” document or an equivalent method approved by Air Quality.

[OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

J. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM₁₀). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

K. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 C.F.R. Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-8-6(c)(1) and OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6(c)(5)(A), and (D)]

B. The compliance certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period; and a statement that the facility will continue to comply with all applicable requirements.

[OAC 252:100-8-6(c)(5)(C)(i)-(iv)]

C. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f) and OAC 252:100-8-6(c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification.

[OAC 252:100-8-6(c)(6)]

SECTION VI. PERMIT SHIELD

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit.

[OAC 252:100-8-6(d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit.

[OAC 252:100-8-6(d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.

[OAC 252:100-5-2.1, OAC 252:100-5-2.2, and OAC 252:100-8-6(a)(8)]

SECTION VIII. TERM OF PERMIT

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6(a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration.

[OAC 252:100-8-7.1(d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

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

[OAC 252:100-8-6(a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued.

[OAC 252:100-8-6(c)(6)]

SECTION XI. DUTY TO PROVIDE INFORMATION

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing,

terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit.

[OAC 252:100-8-6(a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.

[OAC 252:100-8-6(a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within thirty (30) days after such sale or transfer.

[Oklahoma Clean Air Act, 27A O.S. § 2-5-112(G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

[OAC 252:100-8-6(a)(7)(C) and OAC 252:100-8-7.2(b)]

B. The DEQ will reopen and revise or revoke this permit prior to the expiration date in the following circumstances:

[OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

- (1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
- (2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
- (4) DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

C. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d).

[OAC 100-8-7.3(d)]

D. The permittee shall notify AQD before making changes other than those described in Section XVIII (Operational Flexibility), those qualifying for administrative permit amendments, or those defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII). The notification should include any changes which may alter the status of a “grandfathered source,” as defined under AQD rules. Such changes may require a permit modification.

[OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited. [OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

- (1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6(c)(2)]

SECTION XIV. EMERGENCIES

A. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken.

[OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]

B. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance.

[OAC 252:100-8-6(a)(3)(C)(iii)(II)]

C. 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 this 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 preventive maintenance, careless or improper operation, or operator error.

[OAC 252:100-8-2]

D. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that:

- (1) an emergency occurred and the permittee can identify the cause or causes of the emergency;
- (2) the permitted facility was at the time being properly operated;
- (3) 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 this permit. [OAC 252:100-8-6 (e)(2)]

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]

F. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6(a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or Federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list.

- (1) 5 tons per year of any one criteria pollutant.
- (2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.

[OAC 252:100-8-2 and OAC 252:100, Appendix I]

SECTION XVII. TRIVIAL ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or Federal applicable requirement applies is not trivial even if included on the trivial activities list.

[OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the

permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating. [OAC 252:100-8-6(a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

- (1) result in no net emissions increases,
- (2) are not modifications under any provision of Title I of the federal Clean Air Act, and
- (3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of seven (7) days, or twenty four (24) hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield provided by this permit does not apply to any change made pursuant to this paragraph.

[OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

- (1) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter. [OAC 252:100-13]
- (2) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]
- (3) For all emissions units not subject to an opacity limit promulgated under 40 C.F.R., Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for:
 - (a) Short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity;
 - (b) Smoke resulting from fires covered by the exceptions outlined in OAC 252:100-13-7;
 - (c) An emission, where the presence of uncombined water is the only reason for failure to meet the requirements of OAC 252:100-25-3(a); or
 - (d) Smoke generated due to a malfunction in a facility, when the source of the fuel producing the smoke is not under the direct and immediate control of the facility and the immediate constriction of the fuel flow at the facility would produce a hazard to life and/or property. [OAC 252:100-25]

- (4) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]
- (5) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]
- (6) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system. [OAC 252:100-37-15(b)]
- (7) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances:

- (1) Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4;
- (2) Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13; and
- (3) Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs. [40 CFR 82, Subpart A]

B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]

C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B: [40 CFR 82, Subpart F]

- (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156;
- (2) Equipment used during the maintenance, service, repair, or disposal of appliances must

- comply with the standards for recycling and recovery equipment pursuant to § 82.158;
- (3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161;
 - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166;
 - (5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158; and
 - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. TITLE V APPROVAL LANGUAGE

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Source's Title V permit without causing redundant review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in OAC 252:100-8-7.2(a) only if the following procedures are followed:

- (1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 C.F.R. § 70.7(h)(1). This public notice shall include notice to the public that this permit is subject to EPA review, EPA objection, and petition to EPA, as provided by 40 C.F.R. § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
- (2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
- (3) A copy of the draft construction permit is sent to any affected State, as provided by 40 C.F.R. § 70.8(b).
- (4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 C.F.R. § 70.8(a) and (c).
- (5) The DEQ complies with 40 C.F.R. § 70.8(c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
- (6) The DEQ complies with 40 C.F.R. § 70.8(d).
- (7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8(a).
- (8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
- (9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ as provided in OAC 252:100-8-7.3(a), (b), and (c), and by EPA as provided in 40 C.F.R. § 70.7(f) and (g).

- (10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

SECTION XXII. CREDIBLE EVIDENCE

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.



PART 70 PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 NORTH ROBINSON, SUITE 4100
P. O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 2018-1562-TVR2

American Environmental Landfill, Inc.,

having complied with the requirements of the law, is hereby granted permission to operate their Sand Springs Facility located at 207 N. 177th West Avenue, Sand Springs, in S ½ Section 36, Township 20N, Range 10E, Osage County, Oklahoma, subject to Major Source Standard Conditions dated June 21, 2016, and Specific Conditions, both attached.

This permit shall expire five (5) years from the issuance date below, except as Authorized under Section VIII of the Standard Conditions.

DRAFT/PROPOSED

Kendal Stegmann
Division Director, Air Quality Division

Date

DEQ Form #100-890

Revised 10/20/06

Mr. Todd Green, V.P. of Landfill Operations
American Environmental Landfill, Inc.
1420 W. 35th Street, Suite B.
Tulsa, OK 74107-3814

SUBJECT: Permit Application No. **2018-1562-TVR2**
Sand Springs Landfill (Facility ID: 5933)
207 N. 177th West Avenue, Sand Springs 74603
Latitude N 36.16412°, Longitude W 96.18892°
SE ¼ Section 36, Township 20N, Range 10E, Sand Springs, Osage County
Permit Writer: Vivek Rajaraman, E.I.

Dear Mr. Green:

Enclosed is the permit authorizing operation of the referenced facility above. Please note that this permit is issued subject to standard and specific conditions, which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation. If we may be of further service, or you have any questions about this permit, please contact the permit writer, Vivek Rajaraman, at Vivek.Rajaraman@deq.ok.gov or at (405) 702-4196.

Sincerely,

DRAFT/PROPOSED

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosures

Mr. Todd Green, V.P. of Landfill Operations
American Environmental Landfill, Inc.
1420 W. 35th Street, Suite B.
Tulsa, OK 74107-3814

SUBJECT: Permit Application No. **2018-1562-TVR2**
Sand Springs Landfill (Facility ID: 5933)
207 N. 177th West Avenue, Sand Springs 74603
Latitude N 36.16412°, Longitude W 96.18892°
SE ¼ Section 36, Township 20N, Range 10E, Sand Springs, Osage County
Permit Writer: Vivek Rajaraman, E.I.

Dear Mr. Green:

Air Quality has received the permit application for the referenced facility and completed initial review. This application has been determined to be a Tier II application. In accordance with 27A O.S. 2-14-301 and 302 and OAC 252:4-7-13(c) the enclosed draft permit is now ready for public review. The requirements for public review of the application and draft permit include the following steps, which **you** must accomplish:

1. Publish at least one legal notice (one day) in at least one newspaper of general circulation within the county where the facility is located. (Instructions enclosed)
2. Submit sample notice and provide date of publication to **AQD 5 days prior to notice publishing**
3. Provide for public review (for a period of 30 days following the date of the newspaper announcement) a copy of the application and draft permit at a convenient location (preferentially at a public location) within the county of the facility.
4. Send AQD a signed affidavit of publication for the notice(s) from Item #1 above within 20days of publication of the draft permit. Any additional comments or requested changes, which you may have for the permit application within 30 days of publication.

The permit review time is hereby tolled the permit will be placed into pending facility action until the notice of draft permit is published. Thank you for your cooperation. If you have any questions, please refer to the permit number above and contact me or the permit writer at (405) 702-4100.

Sincerely,



Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosures

Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
9-10-21

| | | | |
|----------------|--|------------------------|--|
| ACFM | Actual Cubic Feet per Minute | GACT | Generally Achievable Control Technology |
| AD | Applicability Determination | GAL | Gallon (gal) |
| AFRC | Air-to-Fuel Ratio Controller | GDF | Gasoline Dispensing Facility |
| API | American Petroleum Institute | GEP | Good Engineering Practice |
| ASTM | American Society for Testing and Materials | GHG | Greenhouse Gases |
| | | GR | Grain(s) (gr) |
| BACT | Best Available Control Technology | H₂CO | Formaldehyde |
| BAE | Baseline Actual Emissions | H₂S | Hydrogen Sulfide |
| BBL | Barrel(s) | HAP | Hazardous Air Pollutants |
| BHP | Brake Horsepower (bhp) | HC | Hydrocarbon |
| BTU | British thermal unit (Btu) | HCFC | Hydrochlorofluorocarbon |
| C&E | Compliance and Enforcement | HFR | Horizontal Fixed Roof |
| CAA | Clean Air Act | HON | Hazardous Organic NESHAP |
| CAM | Compliance Assurance Monitoring | HP | Horsepower (hp) |
| CAS | Chemical Abstract Service | HR | Hour (hr) |
| CAAA | Clean Air Act Amendments | I&M | Inspection and Maintenance |
| CC | Catalytic Converter | IBR | Incorporation by Reference |
| CCR | Continuous Catalyst Regeneration | ICE | Internal Combustion Engine |
| CD | Consent Decree | LAER | Lowest Achievable Emission Rate |
| CEM | Continuous Emission Monitor | LB | Pound(s) [Mass] (lb, lbs, lbm) |
| CFC | Chlorofluorocarbon | LB/HR | Pound(s) per Hour (lb/hr) |
| CFR | Code of Federal Regulations | LDAR | Leak Detection and Repair |
| CI | Compression Ignition | LNG | Liquefied Natural Gas |
| CNG | Compressed Natural Gas | LT | Long Ton(s) (metric) |
| CO | Carbon Monoxide or Consent Order | M | Thousand (Roman Numeral) |
| COA | Capable of Accommodating | MAAC | Maximum Acceptable Ambient Concentration |
| COM | Continuous Opacity Monitor | MACT | Maximum Achievable Control Technology |
| D | Day | MM | Prefix used for Million (Thousand-Thousand) |
| DEF | Diesel Exhaust Fluid | MMBTU | Million British Thermal Units (MMBtu) |
| DG | Demand Growth | MMBTUH | Million British Thermal Units per Hour (MMBtu/hr) |
| DSCF | Dry Standard (At Standard Conditions) Cubic Foot (Feet) | MMSCF | Million Standard Cubic Feet (MMscf) |
| EGU | Electric Generating Unit | MMSCFD | Million Standard Cubic Feet per Day |
| EI | Emissions Inventory | MSDS | Material Safety Data Sheet |
| EPA | Environmental Protection Agency | MWC | Municipal Waste Combustor |
| ESP | Electrostatic Precipitator | MWe | Megawatt Electrical |
| EUG | Emissions Unit Group | NA | Nonattainment |
| EUSGU | Electric Utility Steam Generating Unit | NAAQS | National Ambient Air Quality Standards |
| FCE | Full Compliance Evaluation | NAICS | North American Industry Classification System |
| FCCU | Fluid Catalytic Cracking Unit | NESHAP | National Emission Standards for Hazardous Air Pollutants |
| FESOP | Federally Enforceable State Operating Permit | | |
| FIP | Federal Implementation Plan | | |
| FR | Federal Register | | |

| | | | |
|-------------------------|--|-------------------------|--|
| NH₃ | Ammonia | RFG | Refinery Fuel Gas |
| NMHC | Non-methane Hydrocarbon | RICE | Reciprocating Internal Combustion Engine |
| NGL | Natural Gas Liquids | RO | Responsible Official |
| NO₂ | Nitrogen Dioxide | ROAT | Regional Office at Tulsa |
| NO_x | Nitrogen Oxides | RVP | Reid Vapor Pressure |
| NOI | Notice of Intent | | |
| NSCR | Non-Selective Catalytic Reduction | SCC | Source Classification Code |
| NSPS | New Source Performance Standards | SCF | Standard Cubic Foot |
| NSR | New Source Review | SCFD | Standard Cubic Feet per Day |
| | | SCFM | Standard Cubic Feet per Minute |
| O₃ | Ozone | SCR | Selective Catalytic Reduction |
| O&G | Oil and Gas | SER | Significant Emission Rate |
| O&M | Operation and Maintenance | SI | Spark Ignition |
| O&NG | Oil and Natural Gas | SIC | Standard Industrial Classification |
| OAC | Oklahoma Administrative Code | SIP | State Implementation Plan |
| OC | Oxidation Catalyst | SNCR | Selective Non-Catalytic Reduction |
| | | SO₂ | Sulfur Dioxide |
| PAH | Polycyclic Aromatic Hydrocarbons | SO_x | Sulfur Oxides |
| PAE | Projected Actual Emissions | SOP | Standard Operating Procedure |
| PAL | Plant-wide Applicability Limit | SRU | Sulfur Recovery Unit |
| Pb | Lead | | |
| PBR | Permit by Rule | T | Tons |
| PCB | Polychlorinated Biphenyls | TAC | Toxic Air Contaminant |
| PCE | Partial Compliance Evaluation | TEG | Triethylene Glycol |
| PEA | Portable Emissions Analyzer | THC | Total Hydrocarbons |
| PFAS | Per- and Polyfluoroalkyl Substance | TPY | Tons per Year |
| PM | Particulate Matter | TRS | Total Reduced Sulfur |
| PM_{2.5} | Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers | TSP | Total Suspended Particulates |
| PM₁₀ | Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers | TV | Title V of the Federal Clean Air Act |
| POM | Particulate Organic Matter or Polycyclic Organic Matter | µg/m³ | Micrograms per Cubic Meter |
| ppb | Parts per Billion | US EPA | U. S. Environmental Protection Agency |
| ppm | Parts per Million | | |
| ppmv | Parts per Million Volume | VFR | Vertical Fixed Roof |
| ppmvd | Parts per Million Dry Volume | VMT | Vehicle Miles Traveled |
| PSD | Prevention of Significant Deterioration | VOC | Volatile Organic Compound |
| psi | Pounds per Square Inch | VOL | Volatile Organic Liquid |
| psia | Pounds per Square Inch Absolute | VRT | Vapor Recovery Tower |
| psig | Pounds per Square Inch Gage | VRU | Vapor Recovery Unit |
| | | | |
| RACT | Reasonably Available Control Technology | YR | Year |
| RATA | Relative Accuracy Test Audit | | |
| RAP | Regulated Air Pollutant or Reclaimed Asphalt Pavement | 2SLB | 2-Stroke Lean Burn |
| | | 4SLB | 4-Stroke Lean Burn |
| | | 4SRB | 4-Stroke Rich Burn |

NOTICE OF DRAFT PERMIT TIER II or TIER III AIR QUALITY PERMIT APPLICATION

APPLICANT RESPONSIBILITIES

Permit applicants are required to give public notice that a Tier II or Tier III draft permit has been prepared by DEQ. The notice must be published in one newspaper local to the site or facility. Note that if either the applicant or the public requests a public meeting, this must be arranged by the DEQ.

1. Complete the public notice using the samples provided by AQD below. Please use the version applicable to the requested permit action;
Version 1 – Traditional NSR process for a construction permit
Version 2 – Enhanced NSR process for a construction permit
Version 3 – initial Title V (Part 70 Source) operating permit, Title V operating permit renewal, Significant Modification to a Title V operating permit, and any Title V operating permit modification incorporating a construction permit that followed Traditional NSR process
2. Determine appropriate newspaper local to facility for publishing;
3. Submit sample notice and provide date of publication to AQD 5 days prior to notice publishing;
4. Upon publication, a signed affidavit of publication must be obtained from the newspaper and sent to AQD.

REQUIRED CONTENT (27A O.S. § 2-14-302 and OAC 252:4-7-13(c))

1. A statement that a Tier II or Tier III draft permit has been prepared by DEQ;
2. Name and address of the applicant;
3. Name, address, driving directions, legal description and county of the site or facility;
4. The type of permit or permit action being sought;
5. A description of activities to be regulated, including an estimate of emissions from the facility;
6. Location(s) where the application and draft permit may be reviewed (a location in the county where the site/facility is located must be included);
7. Name, address, and telephone number of the applicant and DEQ contacts;
8. Any additional information required by DEQ rules or deemed relevant by applicant;
9. A 30-day opportunity to request a formal public meeting on the draft permit.

SAMPLE NOTICE (*Italicized print is to be filled in by the applicant.*):

DEQ NOTICE OF TIER *...II or III...* DRAFT PERMIT

A Tier *...II or III...* application for an air quality *...type of permit or permit action being sought (e.g., significant modification to a Title V permit or Title V/Title V renewal permit)...* has been filed with the Oklahoma Department of Environmental Quality (DEQ) by applicant, *...name and address.*

The applicant requests approval to *...brief description of purpose of application...* at the *...site/facility name ...* **[proposed to be] located at *...physical address (if any), driving directions, and legal description including county....***

In response to the application, DEQ has prepared a draft operating permit [modification] (Permit Number: *...xxxx-xxxx-x...*), which may be reviewed at *...locations (one must be in the county where the site/facility is located)...* or at the Air Quality Division's main office (see address below). The draft permit is also available for review under Permits for Public Review on the DEQ Web Page: <http://www.deq.ok.gov/>

This draft permit would authorize the facility to emit the following regulated pollutants: (*list each pollutant and amounts in tons per year (TPY)*) [For facility modifications only, either add: , which represents (*identify the emissions change involved in the modification*), or add: . **The modification will not result in a change in emissions]**

The public comment period ends 30 days after the date of publication of this notice. Any person may submit written comments concerning the draft permit to the Air Quality Division contact listed below or as directed through the corresponding online notice. [Modifications only, add: Only those issues relevant to the proposed modification(s) are open for comment.] A public meeting on the draft permit [modification] may also be requested in writing at the same address. Note that all public meetings are to be arranged and conducted by DEQ staff.

In addition to the public comment opportunity offered under this notice, this draft permit is subject to U.S. Environmental Protection Agency (EPA) review, EPA objection, and petition to EPA, as provided by 40 CFR § 70.8.

If the Administrator (EPA) does not object to the proposed permit, the public has 60 days following the Administrator's 45-day review period to petition the Administrator to make such an objection as provided in 40 CFR 70.8(d) and in OAC 252:100-8-8(j).

Information on all permit actions including draft permits, proposed permits, final issued permits and applicable review timelines are available in the Air Quality section of the DEQ Web page:

<https://www.deq.ok.gov/>.

For additional information, contact *...names, addresses and telephone numbers of contact persons for the applicant*, or contact DEQ at: Chief Engineer, Air Quality Division, 707 N. Robinson, Suite 4100, P.O. Box 1677, Oklahoma City, OK, 73101-1677. Phone No. (405) 702-4100.