

TITLE V OPERATING PERMIT STATEMENT OF BASIS

Facility Name: Neo San Diego LLC (Neo)
Title V Application Number: APCD2018-APP-005413
Title V Permit Number: APCD2009-TVP-974746
Facility ID: APCD1996-SITE-09779
Equipment Address: 5244 Convoy St., San Diego, CA 92111
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Date Completed: 8/29/18

1.0 Purpose/Introduction

This statement of basis describes renewal of a Title V operating permit, which comprises emission units under District permits #APCD2007-PTO-950804 and #APCD2006-PTO-984491. The first of these emission units (EUs) covers the landfill gas collection and condensate management system and two (2) flares for the combustion of LF gas at the Miramar Landfill. The second EU is an emergency engine that previously fell under a certificate of registration.

It should be noted that the landfill is operated by the City of San Diego. Neo San Diego and the City share contractual agreements for its management and the ownership of its assets.

2.0 Facility Description

As part of its landfill gas capture and control system, Neo is equipped with two (2) flares. Captured landfill gas is routed to the adjacent nearby engines (permitted to Minnesota Methane - Miramar under Permit APCD2008-TVP-971535 and Minnesota Methane – North City under Permit APCD2009-TVP-975482) where it is combusted for generation of power to the grid, to the extent feasible. Excess landfill gas is routed to the aforementioned flares for combustion.

3.0 Primary Air Quality Considerations

Landfill gas emissions mainly comprise methane and carbon dioxide, but also contain volatile organic compounds and toxic pollutants. Management of landfill gas generation by targeted location of wells, extraction flow and other design features, and effective capture and control of the gas, are the focus of regulations for limiting air emissions. The regulatory provisions of the New Source Performance Standards (NSPS) at Title 40 CFR 60 Subpart WWW -- *Standards of Performance for Municipal Solid Waste Landfills* (§§60.750 – 60.759) comprise the primary requirements for ensuring the landfill and its gas generation are managed effectively. These and other applicable requirements are discussed in the following sections.

4.0 Background and Permit History

Neo San Diego has been operating under a Title V permit since 2002. Based on District records, the landfill was subject to the new source performance standards (NSPS) at Title 40 CFR 60 Subpart WWW -- *Standards of Performance for Municipal Solid Waste Landfills* (§§60.750 – 60.759) at or before the time of its original Title V permit application submittal, preceding its issuance in 2002. Additionally, and related to the applicability of the NSPS under Subpart WWW, the requirement to attain a Title V permit was triggered on or before the same time period presumably based on the provision given at 40 CFR §60.752(c), which requires Title V permitting if the landfill has a design capacity equal to or greater than 2.5 million megagrams or 2.5 million cubic meters.

The landfill became subject to 40 CFR 63 Subpart AAAA (§§ 63.1930 – 63.1990) – *National Emission Standards for Hazardous Air Pollutants (NESHAP): Municipal Solid Waste Landfills* upon rule effectiveness in March of 2003. Compliance with this rule is achieved in large part through compliance with the aforementioned NSPS.

Along with District Rule 59 and 17 CCR Subarticle 6, the above rules comprise the bulk of the regulatory framework for this landfill and the subject Title V permit. Requirements and limitations were previously established in the permit, and remain for this renewal, which address these rules.

5.0 Applicable Regulations

Landfill Operations

As summarized above, the landfill is subject to Rule 59, the federal NSPS and NESHAP. Consistent with the provisions of § 60.752(b) of the NSPS, the permittee has designed, installed and now operates a landfill gas collection and control system (CCS). The permit includes conditions pertaining to the CCS, as well as the other applicable requirements under Rule 59. Compliance with the NESHAP is met in large part by complying with the aforementioned NSPS. The permit includes conditions pursuant to this NESHAP.

Emergency Engine

The emergency engine was previously covered under a portable registration, but was recently brought under a District PTO. As given by its PTO conditions, operating hours for this engine are significantly limited. The engine is largely regulated through District-only enforceable requirements. The federal requirements at 40 CFR 60 subpart III and 40 CFR 63 subpart ZZZZ do not apply based on § 60.4200(a)(2) and § 63.6590(b)(3)(v), respectively.

17 CCR Subarticle 6 (AB 32)

California's greenhouse gas (GHG) rule, as it pertains to landfills, addresses methane emissions and its provisions borrow extensively from the federal rules discussed above. Because of the distinctions between this rule and the aforementioned federal landfill rules, conditions for Subarticle 6 are listed mostly separate in the operating permit, beginning at or near condition 40 of PTO-950804. The permittee is expected to comply with Subarticle 6 through the same or similar means by which it complies with District Rule 59 and Subpart WWW.

6.0 Compliance Assurance Monitoring

Compliance Assurance Monitoring (CAM) applicability was considered for this review in accordance with 40 CFR Part 64. Sources that are subject to emissions standards under either sections 111 or 112 of the federal Clean Air Act (CAA) are exempt from CAM applicability as given at § 64.2(b)(1)(i). As discussed above, the landfill is subject to emissions standards under both sections 111 and 112 (NSPS and NESHAP) of the CAA. Therefore, the landfill is not subject to CAM.

The emergency engine is not capable of exceeding major source emission levels nor is it equipped with an emissions control device, therefore CAM does not apply pursuant § 64.2(a).

7.0 Permit Shield

Pursuant to District Rule 1410(p) and 40 CFR § 70.6(f), a Title V permit may include a provision stating that compliance with the conditions of the permit are deemed compliance with any applicable requirements as of the permit issuance date. The applicant did not request a permit shield and one is not included for this renewal.

8.0 Risk Management (40 CFR Part 68)

Section 112(r) of the CAA, codified at 40 CFR Part 68 requires sources subject to this regulation, if they include processes that reach or exceed the threshold quantities given in §§ 68.115 and 68.130, to manage the risks associated with these substances and quantities by developing and maintaining a risk management plan as specified at §§ 68.150 through 68.185. Based on District records, including the applicant's current and past submittals,

no substances that reach the aforementioned thresholds given in Part 68 are present at this facility. Therefore, this regulation is not applicable.

9.0 Conclusions / Recommendations

The applicant is expected to comply with all applicable requirements including those cited in the current District permits and those under District Rule 1401 and Title V. Therefore, the recommendation of this report is for the subject Title V permit renewal to be issued following public notice and EPA review.