

# Request for Comments

## Proposed Modification of Title V Operating Permit for Finley Buttes Landfill Company



State of Oregon  
Department of  
Environmental  
Quality

The purpose of this notice is to invite you to provide written comments on a proposed air quality permit modification.

### DEQ's Role:

The Oregon Department of Environmental Quality (DEQ) is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. One way DEQ does this is by requiring permits for certain activities. DEQ issues permits to regulate the type and amount of air emissions at a regulated facility.

### Comments due:

Written comments due: 5 p.m., **March 12, 2012**

### Where can I send comments?

Nancy Swofford, Permit Coordinator  
475 NE Bellevue Dr., Suite 110  
Bend, OR 97701  
(541) 633-2021 or 866-863-6668 (Toll Free)  
Fax: (541) 388-8283  
Email: [Nancy Swofford](mailto:Nancy.Swofford@deq.state.or.us)

### Where can I get technical information?

Doug Welch, Permit Writer  
700 SE Emigrant, Suite 330  
Pendleton, OR 97801  
(541) 278-4621 or 800-304-3513 (Toll Free)  
Fax: (541) 278-0168  
Email: [Doug Welch](mailto:Doug.Welch@deq.state.or.us)

### Where can I get background information?

You can review electronic versions of the draft permit and review report by clicking on the links below:

[Draft Permit](#)  
[Review Report](#)

You can review hard copies of the draft permit and related documents at the Oregon Trail Library District, Boardman Public Library located at 200 S Main Street and the DEQ office in Pendleton. For a review appointment, call Bobbi DeMauro at (541) 278-4614.

### What is proposed?

DEQ proposes to modify an air permit for Finley Buttes Landfill Company and is inviting public comment on the proposed permitting action.

During the comment period the public is invited to make comments related to specific conditions within the proposed permit.

The permittee is proposing changes to the emission limits in the renewal permit. Changes to PM and PM<sub>10</sub> are due to updated emission factors. Changes to VOC and NMOC are due to utilizing 2015 estimates of landfill gas emissions rather than 2009 estimates used in the previous permit. The addition of PM<sub>2.5</sub> and Greenhouse Gas is due to changes in regulations since the permit was renewed.

### Permit expiration

Oregon law requires facilities with a Title V Permit to renew that permit every five years. Upon modification, this permit will be effective for five years, expiring on 2/1/2015.

### Who is the applicant?

Finley Buttes Landfill Company  
PO Box 61726  
Vancouver, WA 98666

### Where is the facility located?

73221 Bombing Range Road  
Boardman, OR 97818

The source is located in an area that is in attainment for all pollutants. The source is not located within 100 kilometers (62 miles) of any Class I air quality protection areas.

### Who might have an interest?

People who work, live, and recreate in the area.

### What does Finley Buttes Landfill Company do that affects air quality?

Finley Buttes Landfill is a municipal solid waste landfill permitted to accept non-hazardous solid waste for disposal. The facility can accept asbestos contaminated waste and petroleum contaminated soil. Emissions include fugitives from vehicle traffic, waste handling and moving dirt as part of the landfill operations. As the waste decomposes, landfill gases are generated. The landfill gases can contain methane, carbon

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Notice Issued: 02/06/2012  
By: Nancy Swofford

dioxide and more than 100 different non-methane organic compounds. Refuse placed in the landfill can take up to two years to reach its peak landfill gas emission potential and the emission rate is highly variable.

Finley Buttes Landfill Company releases Particulate Matter (PM), Carbon Monoxide (CO), Nitrogen Oxide (NO<sub>x</sub>), Sulfur Dioxide (SO<sub>2</sub>), Volatile Organic Compounds (VOC), Non-Methane Organic Compounds (NMOC), Greenhouse Gases (GHG) and Hazardous Air Pollutants to the air.

### **What legal requirements apply?**

Oregon Revised Statutes (ORS) 468A.040 and Oregon Administrative Rules (OAR) Chapter 340 Division 218 give DEQ the authority to issue permits. OAR Chapter 340 Divisions 200 through 268 contains all pertinent rules that govern the air quality program.

### **How does DEQ determine what requirements go in the permit?**

Various federal and state regulations apply to a facility depending on the type of industry, the type and amount of pollutants emitted, and the location of the facility. All applicable regulations must be contained in the permit, including appropriate recordkeeping, monitoring and reporting requirements to ensure compliance with these rules.

### **Meeting air quality standards**

Air quality in Morrow County meets the National Ambient Air Quality Standards (NAAQS) established by the US Environmental Protection Agency (EPA) to protect public health. DEQ has determined the air emissions from Finley Buttes Landfill Company will not result in a violation of those standards. DEQ is responsible for establishing permit emissions limits that ensure air quality standards are not violated.

### **What pollutants are considered in determining permitted limits?**

EPA and DEQ use six key pollutants as indicators of air quality. These are known as “criteria pollutants” and are compounds that, if inhaled, may lead to health effects that generally aggravate cardiovascular and respiratory disease. If the amount of criteria pollutants emitted is greater than a regulated minimum, then emission limits are established.

Hazardous air pollutants (HAPs) are compounds that, if inhaled, may pose a threat of adverse human health or environmental effects, including, for example, acute or chronic toxicity, cancer, birth defects, or reproductive

dysfunction. The mere presence of these pollutants in the air does not necessarily mean that a health risk exists. EPA has established a list of 187 compounds that are classified and regulated as HAPs. If the amount of HAPs released is greater than a regulated minimum level, then additional requirements may also apply.

For more information about criteria pollutants: ["What are the Six Common Air Pollutants?" \(US EPA\)](#)

For more information about hazardous air pollutants: [Health Effects Notebook for Hazardous Air Pollutants \(US EPA\)](#)

### **How are permitted substances measured?**

The facility is required to keep annual records of hours of operation for each engine, area of each storage pile (cover soil, drain rock), amount of stockpile material handled, number of vehicle miles traveled, volume of landfill gas sent to the control device and volume of landfill gas treated and sent off-site to be burned. Formulas to calculate emissions are contained in the permit. The permittee is required to calculate facility-wide emissions and submit an emissions report semi-annually. Onsite inspections will be conducted to assure compliance with emission limitations.

### **Emissions and permit limits**

Table 1 below presents the maximum allowable emissions for the facility. The Current Emission Limit reflects the maximum amount of emissions the facility can currently emit under their existing permit. The Proposed Emission Limit reflects the maximum amount of emissions the facility would be able to emit under the proposed permit. Typically, a facility’s actual emissions are less than the maximum limits established in a permit; however, actual emissions can increase up to the permitted limit.

This facility does not have the potential to be a major source of HAPs. Although not a major source of HAPs, EPA has determined that these types of sources do not warrant regulation for HAPs. As an area source, this facility is subject to 40 CFR Part 63, Subpart AAAAA. In the last permit renewal, Finley Buttes Landfill Company estimated total HAP emissions of 2.3 tons per year and 0.89 tons per year of Toluene.

### **Compliance history:**

On March 8, 2011 a Warning Letter was sent to the facility for exceeding the PSEL for NMOC. The exceedance was a result of using 2009



NMOC estimates as the PSEL in the renewed permit. Since the emissions of NMOC increase every year as additional waste is placed in the landfill, the facility exceeded its NMOC PSEL in 2010. A justification for no civil penalty was approved for this violation. The corrective action was to submit a permit modification request to increase the NMOC PSEL. This permit modification is a result of that action.

**What other DEQ permits are required?**

Finley Buttes has a current solid waste permit (#394) from the Department.

**What other sources of air pollutants are in the vicinity of the facility?**

Various sources emit similar air pollutants. EPA and DEQ split up the sources into 3 categories: point, area, and mobile sources. Point sources are primarily large industrial facilities. Area sources are smaller than point sources and include backyard burning, woodstoves, consumer products, gasoline stations, etc. Mobile sources include cars, trucks, airplanes, ships, railroads and construction equipment.

**What happens next?**

DEQ will schedule a public hearing if one is requested by 10 or more people, or by an authorized person representing an organization of at least 10 people. An additional public notice will be published to advertise the public hearing.

If a public hearing is not requested, DEQ will consider and provide responses to all comments received at the close of the comment period. DEQ may modify provisions in the proposed

permit, but the permit writers can only modify conditions of the permit in accordance with the rules and statutes under the authority of DEQ. Participation in the rulemaking or the legislative process is the only way to change the rules or statutes. Ultimately, if a facility meets all legal requirements, DEQ will issue the facility’s air quality permit following EPA review.

After the public comment period, DEQ will send the proposed permit to EPA. EPA will have 45 days to review the proposed permit and submit any objections to DEQ in writing. If EPA has no formal objections, any person may petition EPA with an objection during the following 60 days. A petition may only be based on objections already raised during the public comment period, unless the person submitting the petition can demonstrate it was impossible or impractical to do so, or that new information is now available to justify a new objection.

**Accessibility information**

DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format.

To make these arrangements, contact DEQ Communications and Outreach in Portland at 503-229-5696 or call toll-free in Oregon at 800-452-4011; fax to 503-229-6762; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).

People with hearing impairments may call 711.

<b>Criteria Pollutant</b>	<b>Current Limit (tons/yr)</b>	<b>Proposed Limit (tons/yr)</b>
Particulate Matter (PM)	128	94
Small Particulate Matter (PM <sub>10</sub> )	32	26
Fine Particulate Matter (PM <sub>2.5</sub> )	NA	9
Nitrogen Oxides (NO <sub>x</sub> )	39	39
Sulfur Dioxide (SO <sub>2</sub> )	39	39
Carbon Monoxide (CO)	99	99
Volatile Organic Compounds (VOC)	39	83
Non-Methane Organic Compound (NMOC)	50	84
Greenhouse Gases (GHG) (CO <sub>2</sub> e)	NA	93,200