



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 1-4728-00185/00012

Renewal Number: 3

04/09/2018

Facility Identification Data

Name: MACARTHUR RESOURCE RECOVERY FACILITY

Address: 4001 VETERANS MEMORIAL HWY

RONKONKOMA, NY 11779

Owner/Firm

Name: ISLIP RESOURCE RECOVERY AGENCY

Address: 401 MAIN ST

ISLIP, NY 11751, USA

Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:

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STONY BROOK, NY 11790-3409

Phone:6314440365

Division of Air Resources:

Name: DEEPAK RAMRAKHIANI

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Air Permitting Contact:

Name: ANTHONY VARRICHIO

Address: ISLIP RESOURCE RECOVERY AGENCY

401 MAIN ST

ISLIP, NY 11751

Phone:6312445644

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

Application for renewal of Air Title V Facility.

Attainment Status



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MACARTHUR RESOURCE RECOVERY FACILITY is located in the town of ISLIP in the county of SUFFOLK.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

The Islip MacArthur Resource Recovery Facility (IMRRF) is a waste to energy plant which produces electricity through the combustion of municipal solid waste (MSW) that includes Treated Regulated Medical Waste (TRMW) and Treated and Destroyed Regulated Medical Waste (TDRMW) as Authorized Waste. The facility is equipped with two O'Connor rotary combustors (MWC) with a nominal design capacity of 242.5 tons per day of MSW per unit. The MSW heat input per incinerator is approximately 89 MMBtu/hr using the design Btu/lb of waste equal to 4400. The facility is considered as a small plant under the definition used by USEPA. The IMRRF has a steam turbine generator capable of producing 12.5 MW of electricity.

All facility applicable federal and state regulations are cited in the appropriate sections of the application. The emission guidelines regulation is 40 CFR 60, subpart BBBB, with a compliance deadline of December 6, 2005. The facility is also subject to New York state regulation 6 NYCRR Part 219-8 for emission guidelines and compliance times for small municipal waste combustor units constructed on or before August 30, 1999.

Each MWC has dual auxiliary burners which use No.2 fuel oil, natural gas as well as part 225-2 waste oil and /or solvent as fuel. The dual fuel auxiliary burners are used during start-up, shutdown, malfunctions and upset periods to maintain good combustion and steady state operation of the MWC units. The dual fuel burners replaced single fuel (NO.2 only) burners in 2002.

Each combustion train was originally equipped with dry sorbent (lime and tesisorb) injection (dsi) into the flue downstream of the combustor outlet and upstream of the fabric filter (ff). This combination of dsi/ff provided controls for acid gasses (HCL and SO2), dioxins and particulates.

In accordance with the subpart BBB compliances schedule, the facility was retrofitted with a spray dry absorber for acid gas control, activated carbon injection for mercury and total dioxins/furans control, and an overfire air system for carbon monoxide (CO) control. Burner fans were increased in size to improve furnace draft. The facility's electrical system was upgraded to accommodate these changes.



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Truck traffic at the facility is also a source of fugitive emissions. The fugitive emissions from the truck traffic are calculated using chapter 13 paved roads, from AP-42 supplement B. Ash handling is a source of particulate emissions. Particulate emissions from waste handling are considered insignificant based on a design such that air is extracted from the tipping floor for combustion air. Particulate emissions from the ash handling system are calculated using actual stack test emission data from a facility with a similar ash process and using engineering judgment to adjust the information to account for differences in the quantity of ash generated.

The IMRRF also has two "emergency" - diesel generators (rated 9.6 million Btu/hr), as defined in 6NYCRR Part 227-2.2 (b) (7) and are exempted per 6 NYCRR part 201-3.2(c) (6). One is a Cummins model kta5-g/gc-1 rated at 1000 kwh or 1500 hp. The second "emergency" generator is a Mitsubishi model S12R-PTA rated at 1250 kwh. These generators may be started weekly.

Other exempt and trivial sources exist and, where possible, calculations were done to quantify emissions. Otherwise, a qualitative statement has been made regarding these sources.

Permit Structure and Description of Operations

The Title V permit for MACARTHUR RESOURCE RECOVERY FACILITY

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

MACARTHUR RESOURCE RECOVERY FACILITY is defined by the following emission unit(s):

Emission unit I00012 - This Emission Unit consists of two O'connor rotary municipal waste combustor/boiler (MWC) with emission points IBH-1 and IBH-2. Each unit has a nominal design capacity of 242.5 tons per day of MSW per unit. Each combustion train has been retrofitted with a spray dry absorber for acid gas control and carbon injection system as a control device for mercury and dioxins/furans. If the annual stack test indicates that the dioxin/furans and mercury emissions are within the limits provided in the permit the permittee may choose at its discretion not to operate the carbon injection system till the next annual testing period. Each unit is also equipped with a fabric filter baghouse for particulate emissions control.



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The IMRRF is equipped with continuous emission monitoring system (CEMS) for carbon monoxide, oxides of nitrogen, sulfur dioxide, oxygen, opacity, steam flow, steam temperature, steam pressure, flue gas temperature and baghouse inlet temperature. These provide continuous feed back on the efficiencies of air pollution control equipment.

Each MWC has dual-fuel auxiliary burners which use No. 2 oil, natural gas and Part 225-2 waste fuels. The dual fuel burners are used during start-up, shutdown, malfunction and upset periods to achieve steady state operations of the MWC units.

Emission unit I00012 is associated with the following emission points (EP):

OIBH1, OIBH2

Process: MWC is located at FLOOR 1, Building BOILERHS - This process includes combustion of municipal solid waste in the two O'conner rotary combustion units. The waste combusted is primarily consisted of residential, commercial and other non-hazardous industrial waste streams as approved by NYSDEC on a case by case basis.

Process: STS is located at FLOOR1, Building BOILERHS - This process includes combustion of No. 2 fuel oil, natural gas and Part 225-2 waste fuels in dual-fuel auxiliary burners located in the radiant section of the combustion chambers. Either No. 2 fuel oil, natural gas and/or Part 225-2 waste fuels will be used during the startup, shut down, malfunction and upset conditions to maintain a steady state operation of the unit, and to control periodic Carbon Monoxide emission spikes in the combustion chamber to achieve good combustion.

Emission unit I00002 - This Emission Unit involves the ash handling system at the Islip MacArthur Resource Recovery Facility (IMRRF). The particulate emissions from the ash handling system are calculated using stack test data from another facility with similar operations and engineering judgment to adjust the emission rate for throughput differences. Up to three fans are used to maintain the ash building under negative pressure. Annual emissions are assumed to be evenly distributed among the three fans.

Emission unit I00002 is associated with the following emission points (EP):

OIAH1, OIAH2, OIAH3

Process: ASH is located at FLOOR 1, Building ASHBLDG - This process includes emissions from the ash handling system at the Islip MacArthur Resource Recovery Facility. Up to three fans are used to maintain the ash building under negative pressure. Ash is conveyed into the ash building and discharged into a bay. A front end loader discharges the ash into a scalper to remove oversize and bulk metals. The ash falls through the scalper to an elevated conveyor where the ash passes two magnetic separators. This ash is then discharged into another bay. The ferrous metals and the oversize and bulk metals are discharged into two separate bays. The front end loader is used to load the material from each bay separately into transfer trailers which drive up adjacent to, but below the third bay.

Title V/Major Source Status

determination is based on the following information:

The maximum annual charging rate for this facility is 177,025 tons per year of unprocessed refuse. Each unit of the Emission Unit 100012 has a nominal design capacity of 242.5 tons per day of MSW per unit.



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The facility shall be limited to an annual capacity factor, as defined in 40 CFR 60.41b, of less than 10 percent. Total amount of No.2 fuel oil, NG and Part 225-2 waste fuels burned combined in both units (Emission Points 01BG1 and 01BH2) shall not exceed a heating value of 211,817 MMBtu per year rolled monthly basis.

Compliances shall be based on the monthly fuel usage records. The High Heating values for No.2 fuels oil and natural gas are 139,000 British Thermal units per gallon and 1000 British Thermal units per cubic feet respectively.

VOC emissions from each furnace stack shall be limited to 9.7lb/hr. Compliance based on annual stack testing using method 25A. Good combustion practices are employed to minimize VOC emissions.

Program Applicability

The following chart summarizes the applicability of MACARTHUR RESOURCE RECOVERY FACILITY with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of



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National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of



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Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
4953	REFUSE SYSTEMS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
1-01-012-02	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - SOLID WASTE Refuse Derived Fuel
5-01-001-06	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - MUNICIPAL INCINERATION SOL WST DISP-GOV:INCINERATION:MASS BURN ROTARY WATERWALL CUMBUSTOR
5-01-900-06	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - AUXILIARY FUEL / NO EMISSIONS Natural Gas

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
001746-01-6	2,3,7,8-	0.0584			



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	TETRACHLORODI BENZO-P- DIOXIN		
000075-07-0	ACETALDEHYDE		0.000846
000107-02-8	ACROLEIN	0.251	
007440-38-2	ARSENIC	4.22	
000071-43-2	BENZENE	9.91	
007440-41-7	BERYLLIUM	1.27	
000106-97-8	BUTANE	551	
007440-43-9	CADMIUM	77.9	
000124-38-9	CARBON DIOXIDE		199547
0NY750-00-0	CARBON DIOXIDE		203221
	EQUIVALENTS		
000630-08-0	CARBON MONOXIDE		288
007440-47-3	CHROMIUM	90.9	
007440-48-4	COBALT	2.81	
025321-22-6	DICHLOROBENZE NE	0.315	
000074-84-0	ETHANE	813	
000050-00-0	FORMALDEHYDE	119	
000110-54-3	HEXANE	472	
007647-01-0	HYDROGEN CHLORIDE	91503	
007664-39-3	HYDROGEN FLUORIDE	4783	
007439-92-1	LEAD		0.48
007439-96-5	MANGANESE	1.6	
007439-97-6	MERCURY	156	
000074-82-8	METHANE		56.7
000091-20-3	NAPHTHALENE	1706	
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	114	
010024-97-2	NITROUS OXIDE		7.57
0NY210-00-0	OXIDES OF NITROGEN		334
0NY075-00-0	PARTICULATES	116183	
000109-66-0	PENTANE	682	
0NY075-00-5	PM-10		59.1
0NY505-00-0	POLYCYCLIC ORGANIC MATTER (POM)	2518	
000074-98-6	PROPANE	420	
007782-49-2	SELENIUM	6.8	
007446-09-5	SULFUR DIOXIDE		85.5
007664-93-9	SULFURIC ACID	39595	
000108-88-3	TOLUENE	4.42	
0NY100-00-0	TOTAL HAP		50
007440-62-2	VANADIUM	0.603	
0NY998-00-0	VOC		85.5
001330-20-7	XYLENE, M, O & P MIXT.	2.43	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS



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- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)**
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.
- Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.



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Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.



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Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must



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contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

**Item B: General Provisions for State Enforceable Permit Terms and Condition - 6
NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	97	Powers and Duties of the Department with respect to air pollution control
I-00012	40CFR 52-A.21	57	Prevention of Significant Deterioration
I-00012	40CFR 52-A.21(j)(2)	58	Best Available Control Technology (BACT) (see narrative)
FACILITY	40CFR 60-BBBB	34	Applicability of 40 CFR 60, Subpart BBBB Conditions
I-00002	40CFR 60-BBBB	50	Applicability of 40 CFR 60, Subpart BBBB Conditions
I-00012	40CFR 60-BBBB	59	Applicability of 40 CFR 60, Subpart BBBB Conditions
FACILITY	40CFR 60-BBBB.1650	35	Operator Training Course
FACILITY	40CFR 60-BBBB.1655	36	Plant Specific Training Course
FACILITY	40CFR 60-BBBB.1660	37	Plant-Specific

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FACILITY	40CFR 60-BBBB.1665	38	Training
FACILITY	40CFR 60-BBBB.1670	39	Information that must be included in the Plant-Specific Operating Manual.
FACILITY	40CFR 60-BBBB.1675	40	Location for keeping the plant specific operating manual
FACILITY	40CFR 60-BBBB.1680	41	Operator Certification For Chief Facility Operator and Shift Supervisor - Class I & Class II MWC Units
I-00012	40CFR 60-BBBB.1685	60	Employees that may operate MWC units
I-00012	40CFR 60-BBBB.1690	61, 62	Operation of MWC Unit In Absence of Certified Operator(s)
I-00012	40CFR 60-BBBB.1695	63	MWC Unit Operating Practices Requirements
FACILITY	40CFR 60-BBBB.1705(a)(1)	42, 43, 44	Operating requirements during periods of startup, shutdown, and malfunction.
I-00002	40CFR 60-BBBB.1705(a)(1)	51	Emission Unit Permissible Emissions - Class I MWC Units
I-00012	40CFR 60-BBBB.1705(a)(1)	64, 65, 66, 67, 68, 69, 70, 71, 72	Emission Unit Permissible Emissions - Class I MWC Units
FACILITY	40CFR 60-BBBB.1705(a)(3)	45	Emission Unit Permissible Emissions - Class I MWC Units
I-00012	40CFR 60-BBBB.1710	73	Carbon Monoxide emission limits for Mass burn rotary waterwall Class I and Modular starved air Class II, small MWC plants.
I-00012	40CFR 60-BBBB.1720	74	Emission Limits During Periods of Start-Up, Shutdown, and Malfunction
I-00012	40CFR 60-BBBB.1730	75	Continuous Emission Monitoring Systems (CEMs) for Gaseous Pollutants.
I-00012	40CFR 60-BBBB.1750	76	Operation of CEMs
I-00012	40CFR 60-BBBB.1755	77	Continuous Emission Monitoring System Data Collection
I-00012	40CFR 60-BBBB.1760	78	Conversion of 1 hr. arithmetic averages into appropriate averaging time and units
I-00012	40CFR 60-BBBB.1775	79	Continuous Opacity Monitoring System Requirements
I-00012	40CFR 60-BBBB.1775	79	Stack Testing

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I-00012	40CFR 60-BBBB.1795(b)	80	Requirements Alternative Dioxins/Furans Stack Testing Schedule - Class I and Class II MWC Units
I-00012	40CFR 60-BBBB.1805	81	MWC Load Level, Temperature and Carbon Feed Rate Monitoring Requirements
I-00012	40CFR 60-BBBB.1830	82	Types of records that must be kept
I-00012	40CFR 60-BBBB.1835	83	Retention of records
I-00012	40CFR 60-BBBB.1840	84	Operator training and certification records
I-00012	40CFR 60-BBBB.1845	85	Stack testing records
I-00012	40CFR 60-BBBB.1850	86	Records for continuously monitored pollutants or parameters.
I-00012	40CFR 60-BBBB.1855	87	Records for municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions.
I-00002	40CFR 60-BBBB.1860	52	Reports that must be submitted and required format.
I-00012	40CFR 60-BBBB.1860	88	Reports that must be submitted and required format.
I-00012	40CFR 60-BBBB.1865	89	Appropriate units of measurement for reporting emissions data.
I-00012	40CFR 60-BBBB.1875	90	Contents of the initial compliance report.
I-00012	40CFR 60-BBBB.1880	91	Submission of annual compliance report
I-00012	40CFR 60-BBBB.1885	92	Contents of annual compliance report.
I-00012	40CFR 60-BBBB.1890	93	Reporting requirements for non- compliance with the requirements of Subpart BBBB.
I-00012	40CFR 60-BBBB.1895	94	Semiannual report submission dates.
I-00012	40CFR 60-BBBB.1900	95	Contents for semiannual out-of- compliance report.
I-00012	40CFR 60-BBBB.1905	96	Requests to change semiannual or annual reporting dates.
FACILITY	40CFR 60-Db.44b(c)	33	Standard for Nitrogen Oxides Firing Mixtures of Coal, Oil, and Natural Gas.
FACILITY	40CFR 68	19	Chemical accident prevention provisions



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FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.3	21	False Statement.
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
I-00012	6NYCRR 200.7	53	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	98	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 46, 47	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	23	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Certification
I-00012	6NYCRR 201-6.4(f)(1)	54	Operational Flexibility - Alternate Operating Scenarios
FACILITY	6NYCRR 201-6.4(f)(6)	17	Off Permit Changes
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-1.2	24	Notification.
FACILITY	6NYCRR 202-1.3	25, 26, 27	Acceptable procedures.
FACILITY	6NYCRR 202-1.4	28	Separate emission tests by the commissioner.
FACILITY	6NYCRR 202-1.5	29	Prohibitions.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability



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FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	30	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	99	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
I-00002	6NYCRR 219-8.1	48	Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999
I-00012	6NYCRR 219-8.1	55	Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999
I-00002	6NYCRR 219-8.3	49	Compliance Schedules
I-00012	6NYCRR 219-8.3	56	Compliance Schedules
FACILITY	6NYCRR 225-1.2(h)	31	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-1.6(d)	32	Record Availability
I-00012	6NYCRR 617.11(d)	100	Decision-making and findings requirements

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical



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6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or



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measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or



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permit the burning of any materials in an open fire.

40 CFR Part 68

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, MACARTHUR RESOURCE RECOVERY FACILITY has been determined to be subject to the following regulations:

40 CFR 52.21

This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions;

ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40 CFR 52.21 (j) (2)

BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the **special** permit conditions, separately by the permit reviewer.

40 CFR 60.1650

This section describes who must complete the municipal waste combustor operator training course, and by when.

40 CFR 60.1655

This section describes the MWC employees who are required to complete a plant-specific training course.

40 CFR 60.1660

This section describes what plant-specific training must be provided.

40 CFR 60.1665

This section describes eleven (11) items which the Permittee must include in the plant-specific operating manual:



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40 CFR 60.1670

This condition indicates where the plant specific operating manual should be located, and the parties that the manual should be available for review or inspection by.

40 CFR 60.1675

This section describes the type and the timeframe of operator certification required for all chief facility operators and shift supervisors at Class I & Class II MWC units.

40 CFR 60.1680

This section describes employees that may operate MWC units

40 CFR 60.1685

This section describes the operational requirements that must be followed if the certified chief facility operator and certified shift supervisor are both temporally off-site. Specific operational and notification requirements are specified depending on the length of time that a certified chief facility operator and certified shift supervisor are off-site.

40 CFR 60.1690

This section describes the municipal waste combustor (MWC) operating practices requirements for MWC unit load level, activated carbon feed rate and the particulate matter control device

40 CFR 60.1695

This section describes operating requirements during periods of startup, shutdown, and malfunction.

40 CFR 60.1705 (a) (1)

This section sets forth the permissible emissions from Class I small municipal waste combustor units for cadmium, lead, mercury, carbon monoxide, nitrogen oxides, sulfur dioxide, hydrogen chloride, dioxins / furans, particulate matter, opacity and fugitive ash emissions.

40 CFR 60.1705 (a) (3)

This section sets forth the permissible emissions from Class I and Class II small municipal waste combustor units for carbon monoxide.

40 CFR 60.1710

This section describes the emission limits during periods of start-up, shutdown, and malfunction.



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40 CFR 60.1720

This section describes the continuous emission monitoring systems which must be installed for the gaseous pollutants (oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide).

40 CFR 60.1730

This section describes the operating / evaluation requirements for continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

40 CFR 60.1750

This section sets forth continuous emission monitoring systems data collection requirements.

40 CFR 60.1755

This section describes how to convert 1 hr. arithmetic averages into appropriate averaging time and units

40 CFR 60.1760

This section sets forth continuous opacity monitoring system requirements.

40 CFR 60.1775

This section sets forth the stack testing requirements for emissions of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

40 CFR 60.1795 (b)

This section sets forth the requirements for alternative dioxins/furans emissions stack testing at Class I and Class II small municipal waste combustor plants. The section allows the Permittee to test less often for dioxins/furans emissions if all municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years.

40 CFR 60.1805

This section sets forth municipal waste combustor load level, temperature and carbon feed rate monitoring requirements:

40 CFR 60.1830

This section sets forth the types of records that the permittee must keep.

40 CFR 60.1835

This section describes the location for keeping records and the duration that records shall be kept.



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40 CFR 60.1840

This section describes the records that the permittee must keep for operator training and certification.

40 CFR 60.1845

This section describes the records that must be kept for stack tests.

40 CFR 60.1850

This section describes the records that must be kept for continuously monitored pollutants or parameters.

40 CFR 60.1855

This section describes the records that must be kept for municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions.

40 CFR 60.1860

This section sets forth the reports that must be submitted to the department and the required format for the reports.

40 CFR 60.1865

This section specifies the appropriate units of measurement for reporting emissions data.

40 CFR 60.1875

This section describes the information that must be included in the permittee's initial compliance report.

40 CFR 60.1880

This section describes when the permittee must submit its annual compliance report.

40 CFR 60.1885

This section describes the information that the permittee must include in its annual compliance report.

40 CFR 60.1890

This section sets forth the reporting requirements that the Permittee must follow if it finds that its facility is out of compliance with the requirements of Subpart BBBB.

40 CFR 60.1895

This section sets forth the dates that the permittee must submit its required semiannual compliance reports.

40 CFR 60.1900

This section describes the information that the permittee must include in any semiannual out-of-compliance report.



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40 CFR 60.1905

This section describes the requirements that must be met to change the semiannual or annual reporting dates.

40 CFR 60.44b (c)

This regulation requires that facility shall be limited to an annual capacity factor, as defined in 40CFR40.41b, for No. 2 fuel oil, natural gas (NG) and part 225-2 waste fuels in the auxiliary burners, of less than 10 percent.

Total amount of No. 2 fuel oil, NG burned and Part 225-2 waste fuels combined in both units (Emission Points 01BG1 and 01BH2) shall not exceed a heating value of 211,817 MMBTU per year rolled monthly basis.

Compliance shall be based on the monthly fuel usage records. The High Heating values for No.2 fuel oil and natural gas are 139,000 British Thermal units per gallon and 1000 British Thermal units per cubic feet respectively.

40 CFR Part 60, Subpart BBBBB

This regulation outlines the federal Emission Guidelines and Compliance Times (40 CFR Part 60, Subpart BBBBB) for Small Municipal Waste Combustion (MWC) Class I and Class II Units Constructed on or before August 30, 1999. It applies to each municipal waste combustor unit that has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste.

Class I units are those small MWC units that are located at an MWC combustor plant with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste.

Class II units are those small MWC units that are located at an MWC combustor plant with an aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste.

6 NYCRR 200.3

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

6 NYCRR 201-6.4 (f) (1)

This condition describes the capability of both MWC Units (Emission Unit I-00012) using the Carbon Injection System(s) (Emission Sources/Controls 00013 and 00014) as a control device for mercury and total dioxins/furans stack emissions. The permittee must operate the carbon injection system if the mandatory annual total dioxins/furans and mercury emissions do not comply with the limits provided in this permit.

The annual stack testing for total dioxins/ furans and mercury may be performed without the carbon injection system. If the annual stack test indicates that the dioxins/furans and mercury emission are within the limits provided in the permit, the permittee may choose as its discretion not to operate the carbon injection system till the next annual testing period. Subsequently, the record keeping and reporting



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requirements shall be suspended when determined, through the annual stack testing, that the limits provided in this permit for total dioxins/furans and mercury emissions are satisfied without the operation of the Carbon Injection System(s).

6 NYCRR 202-1.2

This regulation specifies that the department is to be notified at least 30 days in advance of any required stack test. The notification is to include a list of the procedures to be used that are acceptable to the department. Finally, free access to observe the stack test is to be provided to the department's representative.

6 NYCRR 202-1.3

This regulation requires that any emission testing, sampling and analytical determination used to determine compliance must use methods acceptable to the department. Acceptable test methods may include but are not limited to the reference methods found in 40 CFR Part 60 appendix A and Part 61, appendix B. Alternate methods may be also be used provided they are determined to be acceptable by the department. Finally, unless otherwise specified, all emission test reports must be submitted within 60 days after completion of testing.

6 NYCRR 202-1.4

This regulation allows the department discretion to conduct separate or additional emission tests, including preparation of the testing site, at the source owner's expense, to determine compliance.

6 NYCRR 202-1.5

This rule prohibits the concealment of an emission by the use of air or other gaseous diluents (diluting agents) to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 219-8.1

This regulation incorporates by reference the federal Emission Guidelines and Compliance Times (40 CFR Part 60, Subpart BBBBB) for Small Municipal Waste Combustion (MWC) Class I and Class II Units Constructed on or before August 30, 1999. It applies to each municipal waste combustor unit that has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste.

Class I units are those small MWC units that are located at an MWC combustor plant with an



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aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste.

Class II units are those small MWC units that are located at an MWC combustor plant with an aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste.

6 NYCRR 219-8.3

This section provides the required 40 CFR 60, Subpart BBBB detailed compliance schedules for Class I and Class II small municipal waste combustor units.

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 225-1.6 (d)

This citation requires subject facilities make their records available to the Department for inspection.

6 NYCRR 617.11 (d)

617.11 DECISION-MAKING AND FINDINGS REQUIREMENTS.

(a) Prior to the lead agency's decision on an action that has been the subject of a final EIS, it shall afford agencies and the public a reasonable time period (not less than 10 calendar days) in which to consider the final EIS before issuing its written findings statement. If a project modification or change of circumstance related to the project requires a lead or involved agency to substantively modify its decision, findings may be amended and filed in accordance with subdivision 617.12(b) of this Part.

(b) In the case of an action involving an applicant, the lead agency's filing of a written findings statement and decision on whether or not to fund or approve an action must be made within 30 calendar days after the filing of the final EIS.

(c) No involved agency may make a final decision to undertake, fund, approve or disapprove an action that has been the subject of a final EIS, until the time period provided in subdivision 617.11(a) of this section has passed and the agency has made a written findings statement. Findings and a decision may be made simultaneously.

(d) Findings must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of this Part have been met;
- (5) certify that consistent with social, economic and other essential considerations

from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

(e) No state agency may make a final decision on an action that has been the subject of a final EIS and is located in the coastal area until the agency has made a written finding that the action is



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consistent with applicable policies set forth in 19 NYCRR 600.5. When the Secretary of State has approved a local government waterfront revitalization program, no state agency may make a final decision on an action, that is likely to affect the achievement of the policies and purposes of such program, until the agency has made a written finding that the action is consistent to the maximum extent practicable with that local waterfront revitalization program.

Compliance Certification

Summary of monitoring activities at MACARTHUR RESOURCE RECOVERY FACILITY:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
I-00012	57	record keeping/maintenance procedures
I-00012	58	intermittent emission testing
I-00012	61	monitoring of process or control device parameters as surrogate
I-00012	62	record keeping/maintenance procedures
I-00012	63	record keeping/maintenance procedures
FACILITY	42	continuous emission monitoring (cem)
FACILITY	43	continuous emission monitoring (cem)
FACILITY	44	continuous emission monitoring (cem)
I-00002	51	monitoring of process or control device parameters as surrogate
I-00012	64	intermittent emission testing
I-00012	65	intermittent emission testing
I-00012	66	intermittent emission testing
I-00012	67	intermittent emission testing
I-00012	68	intermittent emission testing
I-00012	69	intermittent emission testing
I-00012	70	intermittent emission testing
I-00012	71	monitoring of process or control device parameters as surrogate
I-00012	72	intermittent emission testing
FACILITY	45	continuous emission monitoring (cem)
I-00012	73	record keeping/maintenance procedures
I-00012	74	record keeping/maintenance procedures
I-00012	75	record keeping/maintenance procedures
I-00012	76	record keeping/maintenance procedures
I-00012	77	record keeping/maintenance procedures
I-00012	78	record keeping/maintenance procedures
I-00012	79	record keeping/maintenance procedures
I-00012	80	intermittent emission testing
I-00012	81	record keeping/maintenance procedures
I-00012	82	record keeping/maintenance procedures
I-00012	83	record keeping/maintenance procedures
I-00012	84	record keeping/maintenance procedures
I-00012	85	record keeping/maintenance procedures
I-00012	86	record keeping/maintenance procedures
I-00012	87	record keeping/maintenance procedures
I-00002	52	record keeping/maintenance procedures
I-00012	88	record keeping/maintenance procedures
I-00012	89	record keeping/maintenance procedures
I-00012	90	record keeping/maintenance procedures
I-00012	91	record keeping/maintenance procedures
I-00012	92	record keeping/maintenance procedures



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I-00012	93	record keeping/maintenance procedures
I-00012	94	record keeping/maintenance procedures
I-00012	95	record keeping/maintenance procedures
I-00012	96	record keeping/maintenance procedures
FACILITY	33	monitoring of process or control device parameters as surrogate
I-00012	53	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
I-00012	54	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	31	work practice involving specific operations
I-00012	100	record keeping/maintenance procedures

Basis for Monitoring

The maximum annual charging rate for this facility is 177,025 tons per year of unprocessed refuse. Each unit of the Emission Unit 100012 has a nominal design capacity of 242.5 tons per day of MSW per unit. Each combustion train has been retrofitted with a spray dry absorber for acid gas control and carbon injection system for mercury and dioxin/furan control. Each unit is also equipped with a fabric baghouse for particulate emissions control.

VOC emissions from each furnace stack shall be limited to 9.7lb/hr. Compliance based on annual stack testing using method 25A. Good combustion practices are employed to minimize VOC emissions. The emissions shall be monitored and reported annually. Ash management building fugitive emission opacity shall be limited to 5%, demonstrated using method 22. It shall be monitored annually and reported semi-annually.

For Emission Unit I-00012, a continuous emission monitoring (CEM) shall be installed and operated on each furnace flue gas exhaust during incineration operation. The following parameters shall be continuously monitored.

Nitrogen oxides (NOx), Carbon monoxide, Oxygen, Opacity, steam flow, Air flow to combustion chamber, Flue gas temperature. A quarterly report based on the CEM data shall be submitted to the Department.

Carbon Monoxide shall be limited to 250 ppm by volume (dry corrected to 7% O2). Nitrogen oxides (NOx) shall be limited to 170 ppm by volume (dry, corrected to 7% O2). Opacity shall be monitored to 10% using Method 9. Particulates shall be limited to 27 milligrams per dry standard cubic meter (corrected to 7% oxygen). Sulfur dioxide shall be limited to 31 ppm by volume (dry, corrected to 7% O2).

For emission Unit I-00002 Opacity shall be limited to 5% using method 22. It shall be monitored annually and reported semi-annually.



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