

**Division of Air Resources
Permit Review Report**

Permit ID: 6-2252-00007/00015

Renewal Number: 4

03/09/2026

Facility Identification Data

Name: SOLID WASTE MANAGEMENT FACILITY

Address: 23400 State Route 177

Rodman, NY 13682

Owner/Firm

Name: DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

Address: DULLES STATE OFFICE BLDG

317 WASHINGTON ST Suite 414

WATERTOWN, NY 13601-3744, USA

Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:

Name: ARIANNA RAVAGO

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317 WASHINGTON ST

WATERTOWN, NY 13601

Phone:3152215968

Division of Air Resources:

Name: JULIA PATTERSON

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317 WASHINGTON ST

WATERTOWN, NY 13601

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Air Permitting Facility Owner Contact:

Name: CARRIE TUTTLE

Address: Development Authority of the North Country

317 Washington St

Watertown, NY 13601-13601

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

This project consists of renewal of the Solid Waste Management Facility's Title V permit. Updated applicable regulations are being applied in this project. This renewal application presents an updated emission inventory for the existing permitted facility that includes updated landfill gas modeling, and

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generation and collection estimates based on the most recent annual waste-in-place data. This project updates emission unit and source information for the main open candlestick flare and three open topped aboveground leachate storage tanks.

Attainment Status

SOLID WASTE MANAGEMENT FACILITY is located in the town of RODMAN in the county of JEFFERSON.

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*	MARGINAL 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 Innovative DANC facility (DEC ID 6-2252-00018) and the Solid Waste Management Facility (SWMF) (DEC ID 6-2252-00007) are considered a single facility for all air pollution control regulation applicability determinations. The two facilities maintain separate Title V permits.

The SWMF is owned and operated by the Development Authority of the North Country (DANC). The SWMF is a Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 360 landfill currently operating under Air Title V Facility permit ID 6-2252-00007/00015. The facility is permitted for the operation of either one 3,000 standard cubic feet per minute (scfm) open candlestick flare (emission source F0999) or one 3,500 standard cubic feet per minute (scfm) open candlestick flare (emission source F0012) and up to eight portable passive candlestick flares (emission sources F0001 through F0008). Emission units at the SWMF consists of 1-LFGAS (landfill gas emissions associated with the uncontrolled (fugitive) release of landfill gas and emissions from the control of landfill gas) and 3-LCHST (fugitive emissions associated with the onsite leachate storage). SWMF is not required to operate an active landfill gas collection and control system by regulation, but has elected to voluntarily install and operate the system to reduce greenhouse gas emissions and improve air quality.

The Innovative DANC facility is a landfill-gas-to-energy (LFGTE) facility owned and operated by Innovative/DANC LLC which is owned by Archaea Energy Inc. The Innovative DANC facility utilizes treated landfill gas generated at the SWMF as an energy source to generate electricity for subsequent sale. The facility is permitted for operation of four Caterpillar G3520C landfill gas internal combustion engine generator sets and a siloxane removal system. The facility also operates a 1,000 scfm open candlestick flare (emission source F0010) at the landfill to control excess landfill gas that the engines cannot utilize. An

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enclosed flare thermal oxidizer (emission source F0011) was constructed as part of the facility's siloxane removal system and is solely utilized to control off-gases generated from the siloxane removal system regeneration cycle.

Combined emissions from the SWMF and Innovative DANC facility include non-methane organic compounds (NMOC), nitrogen oxides (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), particulate matter (PM), volatile organic compounds (VOC), and hazardous air pollutants (HAP).

Permit Structure and Description of Operations

The Title V permit for SOLID WASTE MANAGEMENT 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.

SOLID WASTE MANAGEMENT FACILITY is defined by the following emission unit(s):

Emission unit 3LCHST - This emission unit consists of three 1.1 million gallon capacity steel, closed topped aboveground leachate storage tanks. These three leachate storage tanks are considered solid waste handling equipment and are trivial activities per 6 NYCRR 201-3.3(c)(41).

Process: 002 Landfill leachate is collected and stored in up to three 1.1 million gallon capacity closed topped storage tanks prior to removal and shipment to a water treatment facility.

Emission unit 1LFGAS - This emission unit consists of landfilled waste generating landfill gas by anaerobic decomposition. The emission unit consists of the use of either one 3,000 cubic feet per minute (cfm) open candlestick flare or one main 3,500 cfm candlestick flare and up to eight smaller portable, passive candlestick flares defined as emissions sources and emission points. Landfill gas not captured by the facility's gas collection and control system is released as fugitive emissions.

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Emission unit 1LFGAS is associated with the following emission points (EP):
 00001, 00002, 00003, 00004, 00005, 00006, 00007, 00008, 00012, 00999
 Process: 001 This process consists of landfilled waste generating landfill gas by decomposition and the control of the landfill gas emissions by flaring landfill gas collected from the landfill through an active gas collection system.

Title V/Major Source Status

SOLID WASTE MANAGEMENT FACILITY is subject to Title V requirements. This determination is based on the following information:

The Solid Waste Management Facility is subject to Title V requirements. The Innovative DANC Facility (DEC ID 6-2252-00018) and the Solid Waste Management Facility (DEC ID 6-2252-00007) are considered a single facility for all air pollution control regulation applicability determinations. The two facilities maintain separate Title V permits.

The facility is major since the potential to emit (PTE) for several contaminants is greater than the Title V applicability thresholds. For the Solid Waste Management Facility and the Innovative DANC facility, the PTE for carbon monoxide (CO) is capped at 245 tons per year, establishing the facility as a Prevention of Significant Deterioration (PSD) minor source. The 245 tons per year cap is greater than the Title V applicability threshold of 100 tons per year. For the Solid Waste Management Facility, the PTE for CO is also capped at 207 tons per year, which is greater than the Title V applicability threshold of 100 tons per year. The Solid Waste Management Facility is also co-located with the Innovative DANC facility, which is a major source for total hazardous air pollutants (HAP), and individual HAP.

Program Applicability

The following chart summarizes the applicability of SOLID WASTE MANAGEMENT FACILITY with regards to the principal air pollution regulatory programs:

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

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52.21, 6 NYCRR 231-7, 231-8) -

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requirements which pertain to major stationary sources located in areas which are in attainment of 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, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 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.

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SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of 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
5-01-004-06	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP
5-03-006-02	LANDFILL GAS COLLECTION SYSTEM: OTHER SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - LANDFILL DUMP Liquid Waste Disposal

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 or 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
000079-34-5	1,1,2,2-TETRACHLOROETHANE	12.8			

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000107-06-2	1,2-DICHLOROETHANE	12.9	
000108-10-1	2-PENTANONE, 4-METHYL	81.8	
000071-43-2	BENZENE	82.6	
000106-46-7	BENZENE, 1,4-DICHLORO-	257.1	
000124-38-9	CARBON DIOXIDE		44145
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		312107
000075-15-0	CARBON DISULFIDE	26.5	
000630-08-0	CARBON MONOXIDE	414000	
000056-23-5	CARBON TETRACHLORIDE	1.2	
000463-58-1	CARBONYL SULFIDE	12	
000108-90-7	CHLOROBENZENE	27.8	
000067-66-3	CHLOROFORM	2.7	
000075-09-2	DICHLOROMETHANE	313.9	
000075-34-3	ETHANE, 1,1-DICHLORO-	79.8	
000075-00-3	ETHANE, CHLORO	31.5	
000075-35-4	ETHENE, 1,1-DICHLORO	9.7	
000100-41-4	ETHYLBENZENE	532.7	
000110-54-3	HEXANE	218.1	
007783-06-4	HYDROGEN SULFIDE	22727.4	
007439-92-1	LEAD	50	
007439-97-6	MERCURY	0.1	
000074-82-8	METHANE	6374560	
000078-93-3	METHYL ETHYL KETONE	996.3	
010024-97-2	NITROUS OXIDE		0.12
0NY998-20-0	NMOC - LANDFILL USE ONLY	74000	
0NY210-00-0	OXIDES OF NITROGEN	53648.3	
0NY075-00-0	PARTICULATES	20050.9	
000127-18-4	PERCHLOROETHYLENE	215.3	
0NY075-00-5	PM-10	20050.9	
000078-87-5	PROPANE, 1,2-DICHLORO	2.8	
000107-13-1	PROPENENITRILE	2.1	
007446-09-5	SULFUR DIOXIDE	165225.2	
000108-88-3	TOLUENE	2547.5	
0NY100-00-0	TOTAL HAP	13573.1	
000079-01-6	TRICHLOROETHYLENE	97.4	
000075-01-4	VINYL CHLORIDE	73.3	
0NY998-00-0	VOC	8546.4	
001330-20-7	XYLENE, M, O	1916	

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

- 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.

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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.

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

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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.

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

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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 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	67	Powers and Duties of the Department with respect to air
FACILITY	40CFR 60-A.11 (d)	47	pollution control General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	48	General provisions - Circumvention
FACILITY	40CFR 60-A.14	49, 50	General provisions - Modification
FACILITY	40CFR 60-A.15	51	General provisions - Reconstruction

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1-LFGAS/-/001	40CFR 60-A.18 (c)	63	Control Device Requirements (Flares)
1-LFGAS/-/001	40CFR 60-A.18 (d)	64	Control Device Requirements (Flares)
1-LFGAS/-/001	40CFR 60-A.18 (e)	65	Control Device Requirements (Flares)
1-LFGAS/-/001	40CFR 60-A.18 (f)	66	Control Device Requirements (Flares)
FACILITY	40CFR 60-A.4	41	General provisions - Address
FACILITY	40CFR 60-A.7 (b)	42	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (c)	43	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (d)	44	Notification and Recordkeeping
FACILITY	40CFR 60-A.7 (f)	45	Notification and Recordkeeping
FACILITY	40CFR 60-A.9	46	General provisions - Availability of information
FACILITY	40CFR 60-IIII	52	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 60-XXX.764 (a) (1)	53	Test Methods and Procedures
FACILITY	40CFR 60-XXX.764 (a) (2)	54	Test Methods and Procedures
FACILITY	40CFR 60-XXX.764 (a) (3)	55	Test Methods and Procedures
FACILITY	40CFR 60-XXX.764 (a) (4)	56	Test Methods and Procedures
FACILITY	40CFR 60-XXX.767 (b)	57	Reporting Requirements
FACILITY	40CFR 61-M.154	58	Standard for active waste disposal sites
FACILITY	40CFR 63-A	59	Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-ZZZZ.6640 (f)	60	Reciprocating Internal Combustion Engine (RICE) NESHAP - emergency engines
FACILITY	40CFR 68	17	Chemical accident prevention provisions
FACILITY	40CFR 82-F	18	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	9	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	68	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	10	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	11	Prohibition of reintroduction of collected contaminants to the

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FACILITY	6NYCRR 201-3.2 (a)	12	air
FACILITY	6NYCRR 201-3.3 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	19, 20, 21, 22, 23, 24, 25, 61, 62	Trivial Activities - proof of eligibility Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	14	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	15	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement Reporting
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (d) (4)	26	Compliance Certification
FACILITY	6NYCRR 201-6.4 (e)	6	Operational Flexibility
FACILITY	6NYCRR 201-6.4 (f)	27	Operational Flexibility - Protocol
FACILITY	6NYCRR 201-6.4 (f) (2)	28	State Enforceable Requirements
FACILITY	6NYCRR 201-6.5 (a)	69, 70, 71	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 201-7	29	Required emissions tests.
FACILITY	6NYCRR 202-1.1	16	Electronic submittal requirement
FACILITY	6NYCRR 202-2.1 (c)	32	Emission Statement - Required contents of an emission statement.
FACILITY	6NYCRR 202-2.3	33	Emission Statement - methods and procedures
FACILITY	6NYCRR 202-2.4	34	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.4 (a) (3)	35	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 202-2.5	7	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.1	72, 73	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 211.2	36	Open Fires - Prohibitions
FACILITY	6NYCRR 215.2	8	Prohibitions.
FACILITY	6NYCRR 217-3.2	74	Sulfur-in-Fuel
FACILITY	6NYCRR 225-1.2 (d)	37	

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FACILITY	6NYCRR 226-1.3	38	Limitation - Distillate Oil General Requirements Opacity Standard Source obligation - relaxation of enforceable limitation Hydrogen Sulfide Standards
FACILITY	6NYCRR 227-1.4 (a)	39	
FACILITY	6NYCRR 231-3.5 (b)	40	
FACILITY	6NYCRR 257-5.3	75, 76	

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

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

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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 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) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports,

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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 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 202-2.5

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 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, SOLID WASTE MANAGEMENT FACILITY has been determined to be subject to the following regulations:

40 CFR 60.11 (d)

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable

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standards by any means.

40 CFR 60.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40 CFR 60.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40 CFR 60.18 (c)

This regulation specifies the operating parameters and testing methods used to operate and monitor a flare that is being used as an air pollution control device (as required by a new source performance standard).

40 CFR 60.18 (d)

This regulation specifies the operating parameters and testing methods used to operate and monitor a flare that is being used as an air pollution control device (as required by a new source performance standard).

40 CFR 60.18 (e)

This regulation specifies the operating parameters and testing methods used to operate and monitor a flare that is being used as an air pollution control device (as required by a new source performance standard).

40 CFR 60.18 (f)

This citation states that Method 22 shall be used to determine visible emissions from flares.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

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40 CFR 60.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.764 (a) (1)

This citation requires the owner or operator of a municipal solid waste landfill to determine the Non-Methane Organic Compound (NMOC) emission rate from the landfill.

40 CFR 60.764 (a) (2)

This citation requires the owner or operator of a municipal solid waste landfill to compare the calculated NMOC mass emission rate to the standard of 34 megagrams per year.

40 CFR 60.764 (a) (3)

This regulation requires the owner or operator of a municipal solid waste landfill to determine the Non-Methane Organic Compound (NMOC) concentration of the landfill gas using specific sampling procedures.

40 CFR 60.764 (a) (4)

This regulation requires the owner or operator of a municipal waste landfill to determine the non-methane organic compound (NMOC) emission rate using certain procedures and equations.

40 CFR 60.767 (b)

This section requires the owner or operator of a municipal solid waste landfill subject to the requirements of 40 CFR 60 Subpart XXX to submit a NMOC emission rate report that contains the specified information.

40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

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40 CFR 61.154

This condition requires that there be no visible emissions from any active disposal area of the landfill where asbestos containing waste has been placed or that this type of area be covered to prevent disturbance of the asbestos containing waste.

40 CFR 63.6640 (f)

This condition states the operation requirements for emergency engines.

40 CFR Part 60, Subpart IIII

Subpart IIII applies to new and reconstructed compression ignition reciprocating internal combustion engines. Sources subject to Subpart IIII must comply with emission standards for hydrocarbons, nitrogen oxides, carbon monoxide, and particulate matter.

40 CFR Part 63, Subpart A

The General Provisions in 40 CFR Part 63, Subpart A apply to facilities subject to other National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR Part 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable Control Technology. Each MACT rule has a table or section that describe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40 CFR Part 61 do not trigger the general provisions of 40 CFR Part 63.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.4 (f) (2)

This section describes the requirements for operational flexibility protocols included in Title V permits. The facility owner or operator may make certain changes to the facility that have been reviewed and approved pursuant to the protocol without first obtaining a permit modification for those changes.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

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6 NYCRR 202-2.1 (c)

Electronic submittal of emission statements will become mandatory and will be included as an enforceable condition in new or renewed Title V permits issued after January 1, 2021. The first reporting year under this provision will be the reporting year in which the permit was issued or reporting year 2025 (emission statements due in 2026), whichever is earlier.

6 NYCRR 202-2.3

This rule specifies the information to be included in a required emission statement.

6 NYCRR 202-2.4

This regulation specifies that any required emission statement must be submitted to the Department before April 15 each year for emissions of the previous calendar year. The regulation also establishes a set of acceptable emissions estimation methods that may be used including the use of monitoring methods, if accepted by the department, and the transmittal of the emission statement information to the Department. Finally, such information may be designated as confidential, as per department approval, except for the following information: emissions, estimated emissions method, and the Source Classification Code.

6 NYCRR 202-2.4 (a) (3)

Once a facility is required to submit annual emission statements electronically, emission statements must be submitted to the department per the specified schedule, in this regulation beginning the reporting year that a Title V permit containing a condition mandating electronic submittal is issued.

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 217-3.2

Deisel powered vehicles are not allowed to run idle for more than five (5) consecutive minutes when it is not in motion unless otherwise permitted.

6 NYCRR 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 226-1.3

This section lists the general requirements for owners or operators conducting solvent cleaning processes.

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6 NYCRR 227-1.4 (a)

This subdivisions sets the opacity standard for subject stationary combustion installations.

6 NYCRR 231-3.5 (b)

This condition specifies a facility's obligation if there is a relaxation of permit conditions that make the facility major for PSD.

6 NYCRR 257-5.3

This citation lists a numerically prescribed contaminant level that shall not be exceeded in the State for Hydrogen Sulfide (H₂S).

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit, that cap is a carbon monoxide cap of 245 tons per year, on a 12-month rolling basis for both the Solid Waste Management Facility and the Innovative DANC facility. There is also a carbon monoxide cap of 207 tons per year, on a 12-month rolling basis, for the Solid Waste Management Facility in this Title V permit.

In the Innovative DANC facility Title V permit, there are also other caps of 95 tons per year of nitrogen oxides (NO_x) and 240 tons per year of carbon monoxide on the engines themselves. The gas can only be used at the Solid Waste Management Facility or at the Innovative DANC facility. Based on modeling, it is projected that there will never be enough landfill gas produced to run both sets of equipment permitted in each Title V permit at the same time.

Compliance Certification

Summary of monitoring activities at SOLID WASTE MANAGEMENT FACILITY:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	50	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	53	record keeping/maintenance procedures
FACILITY	54	record keeping/maintenance procedures
FACILITY	55	record keeping/maintenance procedures
FACILITY	56	record keeping/maintenance procedures
FACILITY	57	record keeping/maintenance procedures
FACILITY	60	record keeping/maintenance procedures
FACILITY	20	record keeping/maintenance procedures
FACILITY	21	record keeping/maintenance procedures

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FACILITY	22	record keeping/maintenance procedures
FACILITY	23	monitoring of process or control device parameters as surrogate
FACILITY	24	monitoring of process or control device parameters as surrogate
FACILITY	25	monitoring of process or control device parameters as surrogate
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	69	work practice involving specific operations
FACILITY	70	work practice involving specific operations
FACILITY	71	ambient air monitoring
FACILITY	30	monitoring of process or control device parameters as surrogate
FACILITY	31	monitoring of process or control device parameters as surrogate
FACILITY	32	record keeping/maintenance procedures
FACILITY	73	monitoring of process or control device parameters as surrogate
FACILITY	37	work practice involving specific operations
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	monitoring of process or control device parameters as surrogate
FACILITY	40	record keeping/maintenance procedures
FACILITY	75	record keeping/maintenance procedures
FACILITY	76	monitoring of process or control device parameters as surrogate

Basis for Monitoring

Condition 5 - 6 NYCRR Part 201-6.4(c)(3)(ii): This facility is a Title V major facility as defined in 6 NYCRR Part 201-2. Any facility that is issued a Title V permit is required to submit a semiannual monitoring report.

Condition 6 - 6 NYCRR Part 201-6.4(e): This facility is a major facility as defined in 6 NYCRR Part 201-2. Any facility that is issued a Title V permit is required to submit an annual compliance certification.

Condition 20 - 6 NYCRR 201-6: The Solid Waste Management Facility shall operate only one stationary open candlestick flare at a given time.

Condition 21 - 6 NYCRR 201-6: The Solid Waste Management Facility shall operate and maintain a device to continuously measure the flow of landfill gas to the open candlestick flare.

Condition 22 - 6 NYCRR 201-6: The Solid Waste Management Facility and Innovative DANC facility shall be considered a single facility for all air pollution control regulations applicability determinations.

Condition 23 - 6 NYCRR Part 201-6: This facility has a non-methane organic compound (NMOC) potential to emit (PTE) greater than 34 megagrams per year (Mg/yr), making the landfill gas collection and control system requirements defined in 40 CFR 60.762(b)(2) potentially applicable. The landfill gas collection and control system monitoring, recordkeeping and reporting provisions contained in 40 CFR 60 Subpart XXX will not apply until the calculated NMOC emission rate from the landfill equals or exceeds 34 Mg/yr.

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Condition 24 - 6 NYCRR Part 201-6: The facility has accepted limits on the emissions of carbon monoxide (CO) that can be emitted to ensure that the installation of four landfill gas engines contained in the Innovative DANC facility Title V permit (emission sources 01ENG through 04ENG) do not exceed the major project emission threshold of 6 NYCRR Part 231-7 - Modifications to Existing Non-major Facilities in Attainment Areas (Prevention of Significant Deterioration). This is done, in part, by limiting the annual waste placement to 250,000 tons per year. This was reduced from 346,320 tons per year waste placement. This will reduce the landfill gas production from the landfill in order to cap at 245 tons per year of carbon monoxide emissions.

Condition 25 - 6 NYCRR Part 201-6: The Solid Waste Mangement Facility and Innovative DANC facility have a 245 ton per year cap on carbon monoxide (CO) emissions. Part of the monitoring established to ensure the cap is not exceeded, is to monitor the landfill gas production. Once landfill gas production reaches 1,208,709,180 standard cubic feet (scf) of the maximum annual potential production, the facility is required to install a more efficient flare than the existing flare in order to ensure emissions of CO stay below the capped potential. It is possible, due to the conservatism built into the calculation of the gas production, that the landfill gas production will never reach this level. If the facility does, they have 180 days after reaching the threshold to submit an application. The threshold is calculated to be an annual production rate of 1,208,709,180 standard cubic feet per year. The value of 1,208,709,180 scf is 85% of the maximum potential landfill gas production value that was established in the Title V permit that established the 245 ton per year CO emissions cap.

Condition 28 - 6 NYCRR 201-6.4(f): The facility will not be required to submit a permit modification for changes that are provided for in this permit. This condition provides for a operational flexibility protocol.

Condition 30 - 6 NYCRR Part 201-7: The facility has accepted limits on the emissions of carbon monoxide (CO) that can be emitted to ensure that the installation of four landfill gas engines contained in the Innovative DANC facility Title V permit (emission sources 01ENG through 04ENG) do not exceed the major project emission threshold of 6 NYCRR Part 231-7 - Modifications to Existing Non-major Facilities in Attainment Areas (Prevention of Significant Deterioration). This condition outlines how calculations are to be made to show the carbon monoxide emissions, including which emissions factors are to be used. The emissions factors were established with stack testing and manufacturer's specifications. Emission factors are also used from EPA AP-42. These calculations are used as a second way of ensuring carbon monoxide emissions remain below 245 tons per year, on a 12-month rolling basis.

Condition 31 - 6 NYCRR Part 201-7: The facility has accepted limits on the emissions of carbon monoxide (CO) that can be emitted to ensure that the facility remains below Prevention of Significant Deterioration (PSD)/ New Source Review (NSR) thresholds and is a PSD minor facility. The previous modification to the facility was to include a cap on the four landfill-gas-to-energy engines of no more than 207 tons per year. This was based on a maximum landfill gas flow rate of 4,209 standard cubic feet per minute (scfm). With the limit on waste placement in another condition, the maximum landfill gas production has changed to 3,368 scfm. The emission factors established from manufacturer specifications and the amount of landfill gas burned in each landfill gas control device are used to complete calculations to ensure carbon monoxide emissions remain below 207 tons per year, on a 12-month rolling basis.

When establishing the cap, the LandGEM model was used to determine the landfill gas production from the landfill. A factor of safety of 10% was added to that landfill gas production value. Using the modelled gas level multiplied by 1.1 gives a value of 3,368 cubic feet per minute (cfm) as the maximum landfill gas production rate projected to occur. As another factor of safety, it is assumed

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95% of the gas is captured, yielding a landfill gas collection rate of 3,200 cfm going to the flares and the engines to produce electricity. Due to the factor of safety and conservatism built into the calculations, the facility will remain below the CO emission caps of 207 tons per year and 245 tons per year. In order to ensure the engines operate at or below the levels necessary to ensure they meet the cap, stack testing is completed periodically and hand held monitoring is completed weekly. There are also limits on the amount of landfill gas that can be combusted in the engines. The engines are required to be closely monitored in the Innovative DANC facility Title V permit.

Condition 32 - 6 NYCRR Part 202-2.1(c): Any facility issued a Title V permit must submit an annual emission statement by April 15th every year. Electronic submittal of emission statements is required.

Condition 37 - 6 NYCRR Part 225-1.2(d): This condition limits the sulfur in fuel content to 0.0015 percent by weight for backup power engine generator sets.

Condition 38 - 6 NYCRR 226-1.3: The facility operates a solvent cleaning process. This condition which is to be reported upon annually outlines the general requirements to operate such process.

Condition 39 - 6 NYCRR Part 227-1.4(a): The combustion sources at this facility are limited to 20% opacity.

Condition 43 - 40 CFR 60.7(c): Any facility that must comply with a New Source Performance Standard (NSPS) is required to submit excess emission reports at least semi-annually. Since this facility must comply with the non-methane organic compound (NMOC) emission calculation provisions of 40 CFR 60 Subpart XXX, they are required to submit semi-annual excess emission reports to the Department and the Administrator.

Condition 50 - 40 CFR 60.14: Within 180 days of the completion of any physical or operational change, compliance with the applicable standard must be achieved.

Conditions 53, 54, 55, 56, 57 - 40 CFR 60 Subpart XXX: The operator of a municipal solid waste landfill must calculate the NMOC emission rate using approved equations. The calculated NMOC must be compared against the standard of 34 megagrams per year. The landfill owner must determine the site-specific NMOC concentration using Tier 2 sampling procedures. The site specific methane generation rate constant must be determined using the procedures provided in Method 2E.

Condition 60 - 40 CFR 63 Subpart ZZZZ: The facility must operate the emergency stationary RICE according to the requirements in Subpart ZZZZ.

Conditions 69, 70, 71 - 6 NYCRR 201-6.5(a): The referenced permit conditions serve as mitigation measures to demonstrate compliance with the Climate Leadership and Community Protection Act (CLCPA) based on the CLCPA analysis submitted to support the Title V renewal application. These conditions require the facility to complete monitoring to ensure proper operation of the landfill gas collection system.

Condition 69 - 6 NYCRR 201-6.5(a): This requires that the facility install horizontal gas collectors, and apply vacuum once solid waste placement depth reaches 10 above them. This requires installation of the landfill gas collection system sooner than when is required per 40 CFR 60 Subpart XXX. The facility will monitor pressure gauge monthly to demonstrate that the landfill gas collection system is operating properly. The facility shall take corrective action as outline in the condition if positive pressure is measured. This is also considered mitigation since the SWMF does not have to complete pressure monitoring per 40 CFR 60, Subpart XXX yet.

**Division of Air Resources
Permit Review Report**

Permit ID: 6-2252-00007/00015

Renewal Number: 4

03/09/2026

Condition 70 - 6 NYCRR 201-6.5(a): This requires that the facility monitor oxygen concentration monthly in the landfill gas collection header applied to each wellhead to demonstrate that the landfill gas collection system is operating properly. The facility shall take corrective action as outlined in the condition if oxygen content is lower than 5 percent by volume. This is considered mitigation since the SWMF does not have to complete oxygen monitoring per 40 CFR 60, Subpart XXX yet.

Condition 71 - 6 NYCRR 201-6.5(a): This requires that the facility monitor the surface concentrations of methane semi-annually. This is considered mitigation since the SWMF does not have to complete monitoring of surface concentrations of methane per 40 CFR 60, Subpart XXX yet.

Condition 73 - 6 NYCRR 211.1: The landfill gas capture system has been voluntarily installed to reduce greenhouse gas emissions and improve air quality. Proper operation of the landfill gas capture and collection system ensures less fugitive emissions. Vacuum pressure is used as a parameter to determine proper operation of the landfill gas capture and collection system. Too much pressure will draw in air, and too little pressure will not capture enough landfill gas. The vacuum pressure shall be monitored continuously and recorded as a 1-hour average, rolled every 15 minutes. Whenever the pressure rises above the upper permit limit of -1.5 inches of water column, corrective action shall be taken to fix the issue. The facility shall notify the Department's Regional Air Pollution Control office within 48 hours if the capture system is down for more than 24 consecutive hours. A summary of landfill gas collection system shutdown periods greater than 1 hour in duration and any corrective actions taken will be included in the semiannual monitoring report required by this permit.

Condition 75 - 6 NYCRR 257-5.3: Hydrogen sulfide can cause odors which unreasonably interfere with the comfortable enjoyment of life and property. The ambient air quality standard pursuant to this regulation limits the average concentration of hydrogen sulfide in ambient air. Annually, the facility will collect a sample of landfill gas to analyze the concentration of hydrogen sulfide.

Condition 76 - 6 NYCRR 257-5.3: The ambient air quality standard pursuant to this regulation limits the average concentration of hydrogen sulfide in ambient air. The facility will investigate any instance where there is reason to believe that there is or has been an emission increase above that listed in the Title V permit renewal application. Annually, the facility will recalculate the hydrogen sulfide emission rate and verify the parameters used to demonstrate compliance with 6 NYCRR Part 257-5.3.