

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025

Facility Identification Data

Name: OSWEGO CO ENERGY RECOVERY FAC
Address: 2801 ST RTE 481
FULTON, NY 13069

Owner/Firm

Name: OSWEGO COUNTY
Address: 46 E BRIDGE ST
OSWEGO, NY 13126-2118, USA
Owner Classification: Municipal

Permit Contacts

Division of Environmental Permits:
Name: KEVIN M BALDUZZI
Address: NYSDEC - REGION 7
5786 Widewaters Pkwy
SYRACUSE, NY 13214-1867
Phone:3154267493

Division of Air Resources:
Name: MARK P NOWAK
Address: NYSDEC - Region 7
5786 Widewaters Pkwy
Syracuse, NY 13214
Phone:3157284272

Air Permitting Contact:
Name: Michael Lutestanski
Address: 3125 State Route 3
Fulton, NY 13069
Phone:3155919282

**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 is an application for renewal of an existing Air Title V (ATV) facility.

Attainment Status

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

OSWEGO CO ENERGY RECOVERY FAC is located in the town of VOLNEY in the county of OSWEGO.

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*	TRANSPORT REGION (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:

This facility is a Municipal Solid Waste Incineration facility. Municipal solid waste is incinerated in four incinerator units each with a maximum daily capacity of 50 tons per day. The four incinerators combine into two flues each of which is controlled by a spray dryer scrubber and a fabric filter. The two flues are housed by one stack structure outside the APC building where they exhaust to the atmosphere. The flues are identified as emission points 00005 and 00006.

Permit Structure and Description of Operations

The Title V permit for OSWEGO CO ENERGY RECOVERY FAC

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025

OSWEGO CO ENERGY RECOVERY FAC is defined by the following emission unit(s):

Emission unit 1INCIN -

Emission unit 1INCIN is associated with the following emission points (EP):

00005, 00006, BYP01, BYP02, BYP03, BYP04

Process: RTF is located at MAIN, Building 2 - MSW is incinerated in four existing incinerators provided with retrofitted air pollution control equipment consisting of spray dryer scrubbers and fabric filters. The incinerators are exhausted through two flues identified as emission points 00005 and 00006.

Each of the four incinerators (INCRT, INCR2, INCR3, INCR4) includes a primary chamber burner (PBURN, PBUR2, PBUR3, PBUR4) fueled by natural gas.

Each of the two air pollution control trains includes a spray dryer scrubber (SDSCB, SDSC2) and a fabric filter (FBFIL, FBF12).

Title V/Major Source Status

OSWEGO CO ENERGY RECOVERY FAC is subject to Title V requirements. This determination is based on the following information:

This facility is major for Oxides of Nitrogen (NOx), Total Hazardous Air Pollutants (Total HAP), and Individual Hazardous Air Pollutant (HAP). The individual HAP that exceeds the major source threshold is Hydrogen Chloride.

Program Applicability

The following chart summarizes the applicability of OSWEGO CO ENERGY RECOVERY FAC with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
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) -

Division of Air Resources
Permit Review Report

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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.

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025

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
9999	NONCLASSIFIABLE ESTABLISHMENTS

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
5-01-001-03	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - MUNICIPAL INCINERATION Refuse Derived Fuel

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- TETRACHLORODI BENZO-P- DIOXIN	0.09			
007440-36-0	ANTIMONY	12			

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

007440-38-2	ARSENIC	49
068131-74-8	ASHES (RESIDUES)	5000
007440-39-3	BARIUM	1
000071-43-2	BENZENE	1.5
007440-41-7	BERYLLIUM	0.1
000106-97-8	BUTANE	460
007440-43-9	CADMIUM	70
000630-08-0	CARBON MONOXIDE	113197
007440-47-3	CHROMIUM	242
007440-50-8	COPPER	56
000074-84-0	ETHANE	679
000050-00-0	FORMALDEHYDE	17
000110-54-3	HEXANE	394
007647-01-0	HYDROGEN CHLORIDE	265047
007664-39-3	HYDROGEN FLUORIDE	8
007439-92-1	LEAD	1119
007439-97-6	MERCURY	56
000074-82-8	METHANE	573
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	403
0NY210-00-0	OXIDES OF NITROGEN	457661
0NY075-00-0	PARTICULATES	50792
000109-66-0	PENTANE	569
0NY075-00-5	PM-10	415
0NY075-02-5	PM-2.5	1246
007446-09-5	SULFUR DIOXIDE	54146
000108-88-3	TOLUENE	1
0NY100-00-0	TOTAL HAP	266294
0NY998-00-0	VOC	11093
007440-66-6	ZINC	8036

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)

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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.

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

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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.

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

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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 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

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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	82	Powers and Duties of the Department with respect to air pollution control
1-INCIN	40CFR 60-A	33	General provisions
1-INCIN	40CFR 60-A.11 (d)	34	General provisions - compliance with standards and maintenance requirements
1-INCIN	40CFR 60-A.13	35	General provisions - Monitoring requirements
1-INCIN	40CFR 60-BBBB.1660	36	Plant-Specific Training
1-INCIN	40CFR 60-BBBB.1665	37	Information that must be included in the Plant-Specific Operating Manual.
1-INCIN	40CFR 60-BBBB.1670	38	Location for keeping the plant specific operating manual
1-INCIN	40CFR 60-BBBB.1675	39	Operator Certification For Chief Facility Operator and Shift Supervisor - Class I & Class II MWC Units
1-INCIN	40CFR 60-BBBB.1680	40	Employees that may operate MWC units
1-INCIN	40CFR 60-BBBB.1685	41	Operation of MWC Unit In Absence of Certified Operator(s)
1-INCIN	40CFR 60-BBBB.1690	42, 43	MWC Unit Operating Practices Requirements
1-INCIN	40CFR 60-BBBB.1695	44	Operating requirements during periods of startup, shutdown, and malfunction.
1-INCIN	40CFR 60-BBBB.1705 (a) (2)	45, 46, 47, 48, 49, 50, 51, 52, 53, 54,	Emission Unit Permissible Emissions

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

1-INCIN	40CFR 60- BBBB.1705 (a) (3)	55, 56 57	- Class II MWC Units Carbon Monoxide emission limits for Mass burn rotary waterwall Class I and Modular starved air Class II, small MWC plants.
1-INCIN	40CFR 60-BBBB.1710	58	Emission Limits During Periods of Start-Up, Shutdown, and Malfunction
1-INCIN	40CFR 60-BBBB.1720	59	Continous Emission Monitoring Systems (CEMs) for Gaseous Pollutants.
1-INCIN	40CFR 60-BBBB.1730	60	Operation of CEMs
1-INCIN	40CFR 60-BBBB.1750	61	Continous Emission Monitoring System Data Collection
1-INCIN	40CFR 60-BBBB.1755	62	Conversion of 1 hr. arithmetic averages into appropriate averaging time and units
1-INCIN	40CFR 60-BBBB.1760	63	Continous Opacity Monitoring System Requirements
1-INCIN	40CFR 60-BBBB.1775	64	Stack Testing Requirements
1-INCIN	40CFR 60-BBBB.1795 (a)	65	Alternative Stack Testing Schedule - Class II MWC Units
1-INCIN	40CFR 60-BBBB.1795 (b)	66	Alternative Dioxins/Furans Stack Testing Schedule - Class I and Class II MWC Units
1-INCIN	40CFR 60-BBBB.1805	67	MWC Load Level, Temperature and Carbon Feed Rate Monitoring Requirements
1-INCIN	40CFR 60-BBBB.1830	68	Types of records that must be kept
1-INCIN	40CFR 60-BBBB.1835	69	Retention of records
1-INCIN	40CFR 60-BBBB.1840	70	Operator training and certification records
1-INCIN	40CFR 60-BBBB.1845	71	Stack testing records
1-INCIN	40CFR 60-BBBB.1850	72	Records for continuously monitored pollutants or parameters.
1-INCIN	40CFR 60-BBBB.1855	73	Records for municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions.
1-INCIN	40CFR 60-BBBB.1860	74	Reports that must be submitted and required format.
1-INCIN	40CFR 60-BBBB.1865	75	Appropriate units of measurement for

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

1-INCIN	40CFR 60-BBBB.1880	76	reporting emissions data.
1-INCIN	40CFR 60-BBBB.1885	77	Submission of annual compliance report
1-INCIN	40CFR 60-BBBB.1890	78	Contents of annual compliance report.
1-INCIN	40CFR 60-BBBB.1895	79	Reporting requirements for non-compliance with the requirements of Subpart BBBB.
1-INCIN	40CFR 60-BBBB.1900	80	Semiannual report submission dates.
1-INCIN	40CFR 60-BBBB.1905	81	Contents for semiannual out-of-compliance report.
FACILITY	40CFR 63-ZZZZ	29	Requests to change semiannual or annual reporting dates.
FACILITY	40CFR 68	18	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 82-F	19	Chemical accident prevention provisions
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	83	Maintenance of equipment.
1-INCIN	6NYCRR 201-1.4	88	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage 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	20, 30, 31	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-	5	Reporting

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

	6.4 (c) (3) (ii)		Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	21	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	22	Operational Flexibility
FACILITY	6NYCRR 202-1	23	Emission Testing, Sampling and Analytical Determinations
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	24	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	84, 85, 86	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	25	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 219	28	Incinerators
FACILITY	6NYCRR 219-10.2 (a)	26	NOx RACT for Municipal Waste Combustors - Control Requirements
FACILITY	6NYCRR 219-10.2 (b)	27	NOx RACT for Municipal Waste Combustors - Control Requirements
1-INCIN	6NYCRR 219-5.4 (a)	32	incinerators: capacity larger than 2,000 lb/hr
FACILITY	6NYCRR 257-4.2	87	Standards Fluorides

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

Division of Air Resources
Permit Review Report

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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 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)

Division of Air Resources
Permit Review Report

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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, 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

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

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, OSWEGO CO ENERGY RECOVERY FAC 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 60.13

This regulation specifies how monitoring shall be performed and which methods and appendices are used to determine if the monitoring is adequate and in compliance with the regulated standards.

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:

:

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.

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

40 CFR 60.1680

This section describes employees that may operate MWC units

40 CFR 60.1685

40 CFR 60.1690

40 CFR 60.1695

40 CFR 60.1705 (a) (2)

40 CFR 60.1705 (a) (3)

40 CFR 60.1710

40 CFR 60.1720

40 CFR 60.1730

40 CFR 60.1750

40 CFR 60.1755

40 CFR 60.1760

40 CFR 60.1775

40 CFR 60.1795 (a)

40 CFR 60.1795 (b)

40 CFR 60.1805

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

40 CFR 60.1830

40 CFR 60.1835

40 CFR 60.1840

40 CFR 60.1845

40 CFR 60.1850

40 CFR 60.1855

40 CFR 60.1860

40 CFR 60.1865

40 CFR 60.1880

40 CFR 60.1885

40 CFR 60.1890

40 CFR 60.1895

40 CFR 60.1900

40 CFR 60.1905

40 CFR Part 60, Subpart A

40 CFR Part 63, Subpart ZZZZ

6 NYCRR 201-6.4 (f)

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025

6 NYCRR 202-2.4 (a) (3)

6 NYCRR 211.1

6 NYCRR 219-10.2 (a)

6 NYCRR 219-10.2 (b)

6 NYCRR 219-5.4 (a)

6 NYCRR 257-4.2

The term fluorides refers to a heterogeneous group of compounds formed from the highly reactive, nonmetallic gaseous element known as fluorine. For the purpose of this Subpart, the term fluoride will include material that tests as fluoride by methods acceptable to the commissioner.

6 NYCRR Part 219

This facility is subject to the compliance demonstration requirements of 6 NYCRR Part 219-10.3. The demonstration, including the installation and operation of NOx CEMs, is included under this citation

6 NYCRR Subpart 202-1

This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations. This subpart of Part 202 establishes the general criteria for verifying emissions by means of emissions sampling, testing and associated analytical determinations.

Compliance Certification

Summary of monitoring activities at OSWEGO CO ENERGY RECOVERY FAC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
1-INCIN	42	record keeping/maintenance procedures
1-INCIN	43	monitoring of process or control device parameters as surrogate
1-INCIN	44	record keeping/maintenance procedures
1-INCIN	45	intermittent emission testing

**Division of Air Resources
Permit Review Report**

**Permit ID: 7-3558-00013/00015
Renewal Number: 3
04/28/2025**

1-INCIN	46	intermittent emission testing
1-INCIN	47	intermittent emission testing
1-INCIN	48	intermittent emission testing
1-INCIN	49	intermittent emission testing
1-INCIN	50	intermittent emission testing
1-INCIN	51	intermittent emission testing
1-INCIN	52	monitoring of process or control device parameters as surrogate
1-INCIN	53	monitoring of process or control device parameters as surrogate
1-INCIN	54	intermittent emission testing
1-INCIN	55	continuous emission monitoring (cem)
1-INCIN	56	continuous emission monitoring (cem)
1-INCIN	57	continuous emission monitoring (cem)
1-INCIN	58	record keeping/maintenance procedures
1-INCIN	59	record keeping/maintenance procedures
1-INCIN	60	record keeping/maintenance procedures
1-INCIN	61	record keeping/maintenance procedures
1-INCIN	62	record keeping/maintenance procedures
1-INCIN	63	record keeping/maintenance procedures
1-INCIN	64	record keeping/maintenance procedures
1-INCIN	65	record keeping/maintenance procedures
1-INCIN	66	intermittent emission testing
1-INCIN	67	record keeping/maintenance procedures
1-INCIN	68	record keeping/maintenance procedures
1-INCIN	69	record keeping/maintenance procedures
1-INCIN	70	record keeping/maintenance procedures
1-INCIN	71	record keeping/maintenance procedures
1-INCIN	72	record keeping/maintenance procedures
1-INCIN	73	record keeping/maintenance procedures
1-INCIN	74	record keeping/maintenance procedures
1-INCIN	75	record keeping/maintenance procedures
1-INCIN	76	record keeping/maintenance procedures
1-INCIN	77	record keeping/maintenance procedures
1-INCIN	78	record keeping/maintenance procedures
1-INCIN	79	record keeping/maintenance procedures
1-INCIN	80	record keeping/maintenance procedures
1-INCIN	81	record keeping/maintenance procedures
1-INCIN	88	work practice involving specific operations
FACILITY	4	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	85	monitoring of process or control device parameters as surrogate
FACILITY	86	monitoring of process or control device parameters as surrogate
FACILITY	28	record keeping/maintenance procedures
FACILITY	26	continuous emission monitoring (cem)
FACILITY	27	continuous emission monitoring (cem)
FACILITY	87	record keeping/maintenance procedures

Basis for Monitoring

Each monitoring activity is to ensure the facilities compliance with permit conditions.

Division of Air Resources
Permit Review Report

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

6 NYCRR Part 201-6.4 (c) (2): This condition requires the facility to maintain records used to determine compliance with any applicable requirements at the facility for a minimum of five years.

6 NYCRR Part 201-6.4 (c) (3) (ii): This condition outlines the requirements for semi annual compliance reports. This condition outlines what these reports must include, who must complete the certification, when and where to submit.

6 NYCRR Part 201-6.4 (e): This condition outlines the requirements for annual compliance certifications. This condition outlines what these certifications must include, who must complete the certification, when and where to submit.

6 NYCRR Part 202-2.1 : This condition requires that emission statements annually to the Division of Air and must be submitted prior to April 15 of each year

6 NYCRR Part 202-2 : This condition requires that the facility conduct all emissions tests required under 40 CFR 60 BBBB be conducted in accordance with the provisions of this rule.

6 NYCRR Part 219-10.2(a): The facility is operating under a NO_x RACT variance. Reductions of NO_x emissions below the current level has been demonstrated to be technically and economically infeasible. The facility shall not allow emissions of oxides of nitrogen in excess of 200 parts per million by volume on a 24-hr basis. This limit does not apply during periods of startup or shutdown. The facility shall conduct continuous emissions monitoring of this limit and report to the Department annually.

6 NYCRR Part 219-10.2(8): The facility is operating under a NO_x RACT variance. Reductions of NO_x emissions below the current level has been demonstrated to be technically and economically infeasible. The facility shall not allow emissions of oxides of nitrogen in excess of 180 parts per million by volume on an annual basis. This limit does not apply during periods of startup or shutdown. The facility shall conduct continuous emissions monitoring of this limit and report to the Department annually.

40 CFR 60 BBBB: The facility must demonstrate compliance with all the requirements of 40 CFR Subpart BBBB - Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999. These requirements include but are not limited to operating practices for unit load level, activated carbon feed rates, temperature control, and stack testing requirements. The facility implements these requirements to minimize emissions of numerous contaminants including cadmium, particulate matter, mercury, dioxins/furans, hydrogen chloride, lead, sulfur dioxide, and carbon monoxide.

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

Cadmium emissions are limited to 0.10 milligrams per dry standard cubic meter. An annual stack test will demonstrate compliance with this limit.

Dioxin/furan emissions are limited to 125 nanograms per dry standard cubic meter. An annual stack test will demonstrate compliance with this limit.

Hydrogen Chloride emissions are limited to 250 parts per million by volume. This rule also allows for an alternative compliance method for hydrogen chloride. The facility may also demonstrate compliance by achieving a 50% reduction by weight or volume. An annual stack test will demonstrate compliance for hydrogen chloride.

Lead emissions are limited to 1.6 milligrams per dry standard cubic meter. An annual stack test will demonstrate compliance with this limit.

Mercury emissions are limited to 0.08 milligrams per dry standard cubic meter. This rule also allows for an alternative compliance method for mercury. The facility may also demonstrate compliance by achieving a 85% reduction by weight or volume. An annual stack test will demonstrate compliance for mercury.

Discharge of fugitive ash from the ash conveying system may not exceed 5 percent during the observation period. Similarly, opacity from each incinerator shall not exceed 10 percent based on a 3 hour observation period.

Particulate matter emissions shall not exceed 70 milligrams per dry standard cubic meter. An annual stack test will demonstrate compliance for particulates.

Sulfur dioxide emissions are limited 77 parts per million by volume. This rule also allows for an alternative compliance method for sulfur dioxide. The facility may also demonstrate compliance by achieving a 50 percent reduction by weight or volume of the contaminant. This limit will be initially tested for, but then confirmed continuously through operation of a continuous emissions monitor.

Carbon monoxide shall not exceed 50 parts per million by volume. This standard will be monitored continuously through the operation of a continuous emissions monitor.

This rule also requires that startup, shutdown, or malfunction should not exceed 3 hours and the operating requirements specified in this rule do not apply during this time.

This rule requires the facility to install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. The permittee should maintain each continuous emission monitor in accordance with the monitoring requirements of 40 CFR 60.13.

**Division of Air Resources
Permit Review Report**

Permit ID: 7-3558-00013/00015

Renewal Number: 3

04/28/2025

This rule allows for an alternative stack testing schedule for dioxin/furnas, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash. The permittee may test less often for the above contaminants if all stack tests for the given pollutant over 3 consecutive years show compliance with the applicable limit. If three consecutive years of compliance are shown for a given pollutant, the permittee is not required to conduct stack testing for that pollutant for the next two years.

6 NYCRR Part 257-4.2: The facility has demonstrated initial compliance with the gaseous fluoride standard of part 257. This standard shall not be exceeded at any time.

6 NYCRR Part 201-1.4: The facility must maintain an interlock system such that the incinerators cannot be charged with refuse when the air pollution control equipment is bypassed.