

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**Facility Identification Data**

Name: ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY  
Address: 3690 LAKESHORE RD  
HAMBURG, NY 14219

**Owner/Firm**

Name: ERIE COUNTY  
Address: 95 FRANKLIN ST  
BUFFALO, NY 14202-3904, USA  
Owner Classification: Municipal

**Permit Contacts**

Division of Environmental Permits:  
Name: MICHELLE R WOZNICK  
Address: NYSDEC - REGION 9  
700 DELAWARE AVE  
BUFFALO, NY 14209  
Phone:7168517165

Division of Air Resources:  
Name: ETHAN M BENNETT  
Address: NYSDEC - REGION 9  
700 DELAWARE AVE  
BUFFALO, NY 14209  
Phone:7168517150

Air Permitting Contact:  
Name: KEVIN KAMINSKI  
Address: SOUTHTOWNS STP  
3690 LAKE SHORE RD  
BUFFALO, NY 14219  
Phone:7168238188

**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 initial Title V application is required under 40CFR60, Subpart Mmmm for sewage sludge incinerators (SSIs) for MACT Rule compliance.

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**Attainment Status**

ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY is located in the town of HAMBURG in the county of ERIE.

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:**

Erie County operates the Southtowns Water Resource Recovery Facility, a Publicly Owned Treatment Works (POTW). Sewage sludge generated by the wastewater treatment processes at this POTW is disposed of through incineration in two identical fluidized bed incinerators (FBIs) that use ultralow sulfur diesel fuel as an auxiliary fuel source. The FBI units were built in 1980. The FBIs are hot wind-box design with combustion air preheaters. Exhaust from each FBI is controlled by an associated air pollution control system consisting of a multistage wet scrubber and a mercury control system. The wet scrubber system is interlocked with the associated FBI to prevent combustion of sewage sludge without control of emissions. Ash collected from each wet scrubber system is pumped to an ash separation tank. The water removed from the ash is sent to the plant headworks. The dewatered ash is pumped to a holding cell to dry and then disposed of at a landfill.

**Permit Structure and Description of Operations**

The Title V permit for ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots)

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

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.

ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY is defined by the following emission unit(s):

Emission unit 0INCIN - This emission unit consists of two fluidized bed incinerators (FBIs) for the combustion of municipal sewage sludge. Sewage sludge from the activate sludge reactors in the main plant is dewatered using a filter press, then fed to the FBI, utilizing # 2 fuel oil as an auxiliary fuel source, as needed. Exhaust gas from each FBI passes through a heat recuperator which preheats a portion of the combustion air entering the FBI wind box. To control emissions, the exhaust air then enters a multistage wet scrubber, consisting of a vertical downflow venturi scrubber, followed by an impingement-plate scrubber and a mist eliminator. There are three layers of mercury adsorption modules located between the plate scrubber and mist eliminator. The FBI systems are identical and separate from each other. The incinerator ash that is removed from the FBI exhaust is pumped to an ash thickener. Water removed from the ash is sent to the influent pump station and the ash is pumped to a holding cell for further thickening, then disposed off site at a landfill.

Emission unit 0INCIN is associated with the following emission points (EP):  
XSTAK, YSTAK

Process: XIN is located at first floor, Building stwrrf - Dewatered sewage sludge using emulsion polymers (17-25% TS) is ram fed into fluidized bed of sand for incineration. # 2 oil is added as required as an auxiliary fuel source. Fluidizing air is added to the process by a blower discharging air through a heat exchanger and into the reactor. Sludge and oil combust in the fluidized sand bed. Combustion gases leave the reactor and then pass through a multi stage wet scrubber where ash is removed from the gases. Exhaust gases pass through the stack to atmosphere. Ash is discharged into an ash thickener. Thickened ash is dried in a drying bed. The incinerator stack is equipped with a mercury scrubber system containing mercury-absorbing modules, spray lances and a mist eliminator.

Process: YIN is located at first floor, Building stwrrf - Dewatered sewage sludge using emulsion polymers (17-25% TS) is ram fed into fluidized bed of sand for incineration. # 2 oil is added as required as an auxiliary fuel source. Fluidizing air is added to the process by a blower discharging air through a heat exchanger and into the reactor. Sludge and oil combust in the fluidized sand bed. Combustion gases leave the reactor and then pass through a multi stage wet scrubber where ash is removed from the gases. Exhaust gases pass through the stack to atmosphere. Ash is discharged into an ash thickener. Thickened ash is dried in a drying bed. The incinerator stack is equipped with a mercury scrubber system containing mercury-absorbing modules, spray lances and a mist eliminator.

**Title V/Major Source Status**

ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY is subject to Title V

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

requirements. This determination is based on the following information:  
Southtowns Water Resource Recovery Facility is required to obtain a Title V permit pursuant to 40CFR60 Subpart Mmmm for the operation of two sewage sludge incinerators (SSIs). Emissions of regulated air contaminants are all below major source thresholds.

**Program Applicability**

The following chart summarizes the applicability of ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY FACILITY with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
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	NO
SIP	YES

**NOTES:**

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

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**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.

**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**

4952

SEWERAGE 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**

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

5-01-005-16

SOLID WASTE DISPOSAL - GOVERNMENT  
SOLID WASTE DISPOSAL: GOVERNMENT - OTHER  
INCINERATION  
Sludge: Fluidized Bed

**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
000106-99-0	1,3-BUTADIENE	1			
051207-31-9	2,3,7,8-TETRACHLORODIBENZOFURAN	8.93E-6			
001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN	8.93E-6			
000075-07-0	ACETALDEHYDE	4			
000107-02-8	ACROLEIN	3			
000071-43-2	BENZENE	12			
000106-46-7	BENZENE, 1,4-DICHLORO-	3595			
007440-41-7	BERYLLIUM	0.00874			
000117-81-7	BIS(2-ETHYLHEXYL) PHTHALATE	614			
000106-97-8	BUTANE	312			
007440-43-9	CADMIUM	8			
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	25000			
000630-08-0	CARBON MONOXIDE	26710			
000067-66-3	CHLOROFORM	30			
007440-47-3	CHROMIUM	4			
018540-29-9	CHROMIUM(VI)	0.1			
000075-09-2	DICHLOROMETHANE	11			
000074-84-0	ETHANE	551			
000071-55-6	ETHANE, 1,1,1-TRICHLORO	4			

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

000050-00-0	FORMALDEHYDE	38
000110-54-3	HEXANE	267
007647-01-0	HYDROGEN CHLORIDE	749
007439-92-1	LEAD	1198
007439-96-5	MANGANESE	5
007439-97-6	MERCURY	2.3
000067-56-1	METHYL ALCOHOL	4
000091-20-3	NAPHTHALENE	1424
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	26
0NY210-00-0	OXIDES OF NITROGEN	57164
000000-23-4	PAH, TOTAL	1
0NY075-00-0	PARTICULATES	11722
000109-66-0	PENTANE	386
000127-18-4	PERCHLOROETHY LENE	2
0NY075-00-5	PM-10	11722
000074-98-6	PROPANE	238
000115-07-1	PROPYLENE	24
007782-49-2	SELENIUM	3
007446-09-5	SULFUR DIOXIDE	6096
000108-88-3	TOLUENE	4
0NY100-00-0	TOTAL HAP	10920
0NY998-00-0	VOC	18168
001330-20-7	XYLENE, M, O & P MIXT.	2

**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.

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013**  
**03/30/2026**

- 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 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;

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

- 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 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

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

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 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

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

this and any other state and federal air pollution control requirements, regulations or law.

**Regulatory Analysis**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Regulation</b>	<b>Condition</b>	<b>Short Description</b>
--			
FACILITY	ECL 19-0301	95	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	29	General provisions
FACILITY	40CFR 60-A.11 (d)	30	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.13	31	General provisions - Monitoring requirements
FACILITY	40CFR 60-A.19	32, 33	General provisions - General notification and reporting requirements
FACILITY	40CFR 60-IIII	45	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 60-MMMM.5130	46	Trained Operators
FACILITY	40CFR 60-MMMM.5135	47	Schedule for Operator Training
FACILITY	40CFR 60-MMMM.5140	48	Obtaining Operator Qualification
FACILITY	40CFR 60-MMMM.5145	49	Maintaining Operator Qualification
FACILITY	40CFR 60-MMMM.5150	50	Renewing Lapsed Operator Qualification
FACILITY	40CFR 60-MMMM.5155	51	Procedures When Qualified Operators are Temporarily not Accessible
FACILITY	40CFR 60-MMMM.5160	52	Operator Review of Site-Specific Documentation
FACILITY	40CFR 60-MMMM.5165	53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63	Emission Limits, Emission Standards and Operating Limits
FACILITY	40CFR 60-MMMM.5170	64	Operating Limits and Requirements for SSI Units
FACILITY	40CFR 60-MMMM.5170 (f)	65, 66	Operating Limits and Requirements - Sludge Moisture
FACILITY	40CFR 60-MMMM.5175	67, 68, 69, 70, 71, 72, 73	Establish Operating Limits Without Specific Add-On Controls
FACILITY	40CFR 60-MMMM.5190	74	Establishing Operating Limits

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

FACILITY	40CFR 60-MMMM.5190 (b)	75	Establishing Operating Limits - Pressure Drop
FACILITY	40CFR 60-MMMM.5190 (c)	76	Establishing Operating Limits - Minimum Scrubber Flow Rate
FACILITY	40CFR 60-MMMM.5190 (d)	77	Establishing Operating Limits - Scrubber Liquid pH
FACILITY	40CFR 60-MMMM.5190 (e)	78	Establishing Operating Limits - Minimum Combustion Temperature
FACILITY	40CFR 60-MMMM.5200	79	Site-specific monitoring plan
FACILITY	40CFR 60-MMMM.5205	80	Demonstration of Continuous Compliance with Emission Limits and Standards
FACILITY	40CFR 60- MMMM.5205 (a) (3)	81	Performance Testing Frequency
FACILITY	40CFR 60-MMMM.5210	82	Demonstration of Continuous Compliance With Operating Limits
FACILITY	40CFR 60-MMMM.5215	83	Air Pollution Control Device Inspection and Repairs
FACILITY	40CFR 60-MMMM.5225	84	Monitoring and Calibration Requirements for Operating Limits
FACILITY	40CFR 60-MMMM.5230	85, 86	Recordkeeping
FACILITY	40CFR 60-MMMM.5235	87	Reporting Requirements
FACILITY	40CFR 60-MMMM.5235 (c)	88	Sewage Sludge Incineration - Annual Compliance Report
FACILITY	40CFR 60-MMMM.5235 (d)	89	Sewage Sludge Incineration - Deviation Reports
FACILITY	40CFR 60-O.152 (a) (1)	34	Standards of Performance for Sewage Treatment Plants - standard for particulate matter
FACILITY	40CFR 60-O.152 (a) (2)	35	Standards of Performance for Sewage Treatment Plants - standard for particulate matter
FACILITY	40CFR 60-O.153 (a) (1)	36	Standards of Performance for Sewage Treatment Plants - monitoring of operations
FACILITY	40CFR 60-O.153 (a) (2)	37	Standards of Performance for Sewage Treatment Plants - monitoring of operations
FACILITY	40CFR 60-O.153 (b) (1)	38	Standards of Performance for Sewage Treatment Plants - monitoring of scrubber pressure drop.

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

FACILITY	40CFR 60-O.153 (b) (2)	39	Standards of Performance for Sewage Treatment Plants - monitoring of exhaust gas oxygen content.
FACILITY	40CFR 60-O.153 (b) (3)	40	Standards of Performance for Sewage Treatment Plants - monitoring of operations
FACILITY	40CFR 60-O.153 (b) (4)	41	Standards of Performance for Sewage Treatment Plants - monitoring of operations
FACILITY	40CFR 60-O.153 (d)	42	Standards of Performance for Sewage Treatment Plants - monitoring of operations
FACILITY	40CFR 60-O.155 (a) (1)	43	Standards of Performance for Sewage Treatment Plants - test methods and procedures
FACILITY	40CFR 60-O.155 (a) (2)	44	Standards of Performance for Sewage Treatment Plants - test methods and procedures
FACILITY	40CFR 61-C.32 (a)	90	Beryllium: extraction plants, ceramic plants, foundries, incinerators, propellant plants, machine shops - emission standard
FACILITY	40CFR 61-E.55 (a)	91	Standard for Mercury: monitoring of emissions and operations
FACILITY	40CFR 63-ZZZZ	92	Reciprocating Internal Combustion Engine (RICE) NESHAP
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	96	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 air
FACILITY	6NYCRR 201-3.2 (a)	12	Exempt Activities -

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

FACILITY	6NYCRR 201-3.3 (a)	13	Proof of eligibility
FACILITY	6NYCRR 201-6	19, 93, 94	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4 (a) (4)	14	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	15	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	20	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	21	Operational Flexibility
FACILITY	6NYCRR 202-1.1	16	Required emissions tests.
FACILITY	6NYCRR 202-2.4 (a) (3)	22	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	7	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	97	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	23	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212-1.3	24	Determination of Environmental Rating
FACILITY	6NYCRR 212-1.5 (e) (1)	25	Demonstrating compliance with Part 212 through the federal NSPS
FACILITY	6NYCRR 212-1.5 (e) (2)	26	Demonstrating compliance for Part 212 through the federal NESHAP program
FACILITY	6NYCRR 212-1.5 (g)	27	Maintain all process emission sources, including the associated air pollution control and monitoring equipment
FACILITY	6NYCRR 212-2.2	98, 99	High Toxicity Air Contaminants (HTACs)
FACILITY	6NYCRR 215.2	8	Mass Emission Limits
FACILITY	6NYCRR 225-1.2 (d)	28	Open Fires - Prohibitions
FACILITY			Sulfur-in-Fuel

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

Limitation -  
Distillate Oil

**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 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

**Division of Air Resources**  
**Permit Review Report**

**Permit ID: 9-1448-00012/00013**  
**03/30/2026**

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, 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

**Division of Air Resources**  
**Permit Review Report**

**Permit ID: 9-1448-00012/00013**  
**03/30/2026**

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, ECSD NO 3 SOUTHTOWNS WATER RESOURCE RECOVERY 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 60.13

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 60.152 (a) (1)

This condition details the monitoring requirements for meeting the particulate emissions limit of 0.65 g/kg dry sludge input (1.30 lb/ton dry sludge input).

40 CFR 60.152 (a) (2)

**Division of Air Resources**  
**Permit Review Report**

**Permit ID: 9-1448-00012/00013**  
**03/30/2026**

This condition states that particulate emissions may not exceed 20 percent opacity.

40 CFR 60.153 (a) (1)

This condition describes the requirements for the flow measuring device used to monitor the amount of sludge charged to the incinerator. It requires the monitor to operate continuously (except as provided) and to be accurate to  $\pm 5$  percent

40 CFR 60.153 (a) (2)

This condition requires access to the sludge flow so that samples may be obtained.

40 CFR 60.153 (b) (1)

This condition requires a facility with an incinerator equipped with a wet scrubbing device to install, calibrate, maintain and operate a monitoring device that continuously measures and records the pressure drop of the gas flow through the wet scrubbing device.

40 CFR 60.153 (b) (2)

This condition requires the owner or operator of a sludge incinerator to install, calibrate, maintain and operate a monitoring device that continuously measures and records the oxygen content of the incinerator exhaust gas.

40 CFR 60.153 (b) (3)

This condition requires the owner or operator of a sludge incinerator to install, calibrate, maintain and operate temperature measuring devices. It describes the locations and number of temperature monitoring devices to be installed and how they are to be operated.

40 CFR 60.153 (b) (4)

This condition states that the owner or operator must install, calibrate, maintain and operate a device for measuring the fuel flow to the incinerator and meet certain parameters of operation.

40 CFR 60.153 (d)

This condition states that should a sludge incinerator have a particulate emission rate of less than 0.38 g/kg of dry sludge input (0.75 lb/ton), that certain monitoring, sampling and recordkeeping will not be required.

40 CFR 60.155 (a) (1)

This condition specifies reporting requirements for average scrubber pressure drop across the wet scrubber.

40 CFR 60.155 (a) (2)

This condition requires semiannual reporting of exceedences of the average oxygen content in the exhaust gas in a sludge incinerator.

40 CFR 60.19

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

This condition specifies general notification and reporting requirements for affected facilities that are subject to NSPS requirements under 40CFR60.

40 CFR 60.5130

This section contains the operator training and qualification requirements for operators of sewage sludge incineration units.

40 CFR 60.5135

The operator training course must be completed by the later of the three dates specified in paragraphs (a) through (c) of this section.

40 CFR 60.5140

This condition specifies how to obtain operator qualification and how long it is valid.

40 CFR 60.5145

40 CFR 60.5150

The holder of lapsed Sewage Sludge Incinerator (SSI) operator qualifications may resume operation of the SSI unit using one of the following methods:

- (a) For a lapse of less than 3 years, the operator must complete a Department approved annual refresher course.
- (b) For a lapse of 3 years or more, the operator must repeat the Department approved initial qualification training.

40 CFR 60.5155

This section describes the procedures the facility owner or operator must follow if all of the qualified operators are not available.

40 CFR 60.5160

**Operator Review of Site-Specific Documentation**

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

40 CFR 60.5165

This section describes the various emission limits that the owner or operator of a sewage sludge incinerator is required to meet in order to demonstrate compliance with Subpart M MMM.

40 CFR 60.5170

40 CFR 60.5170 (f)

This section requires the facility owner or operator to monitor certain characteristics of the sewage sludge fed to the incineration unit.

40 CFR 60.5175

This requirement specifies operating limits with monitoring and recordkeeping requirements for an alternative mercury control system as specified in an EPA approved Alternative Site-Specific Monitoring Plan for three control equipment.

40 CFR 60.5190

This condition specifies how do I establish operating limits for minimum pressure drop across the wet scrubber system, minimum scrubber liquid pH, minimum combustion chamber operating temperature, and the minimum scrubber flow rate.

40 CFR 60.5190 (b)

This section requires that the facility establish the minimum pressure drop across the wet scrubber during each performance test in order to demonstrate compliance with the requirements of Subpart M MMM.

40 CFR 60.5190 (c)

This section requires that the facility establish the minimum wet scrubber liquid flow rate during each performance test in order to demonstrate compliance with the requirements of Subpart M MMM.

Division of Air Resources  
Permit Review Report

Permit ID: 9-1448-00012/00013  
03/30/2026

40 CFR 60.5190 (d)

This section requires that the facility establish the minimum scrubber liquid pH during each performance test in order to demonstrate compliance with the requirements of Subpart MMMM.

40 CFR 60.5190 (e)

This section requires that the facility owner or operator establish the minimum combustion chamber operating temperature (or afterburner temperature) during each performance test to demonstrate compliance with the requirements of Subpart MMMM.

40 CFR 60.5200

This section requires the owner or operator of a Sewage Sludge Incineration (SSI) unit to develop and implement a site-specific monitoring plan for the SSI unit.

40 CFR 60.5205

This section describes the methods that the owner or operator of a sewage sludge incineration unit must use to demonstrate continuous compliance with the standards and limitations of 40 CFR 60 Subpart MMMM.

40 CFR 60.5205 (a) (3)

This section describes when the owner or operator of a sewage sludge incineration unit may conduct performance testing at a reduced frequency.

40 CFR 60.5210

40 CFR 60.5215

This section requires that the facility owner or operator to conduct an annual inspection of the air pollution control device(s) installed at the facility and make any necessary repairs.

40 CFR 60.5225

The owner or operator of a Sewage Sludge Incinerator (SSI) must install, operate, calibrate and maintain the continuous parameter monitoring systems according to the

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

requirements in 60.5225(a)(1) and 60.5225 (a)(2), as applicable and in accordance with the monitoring plans. If the SSI unit has a bypass stack, the facility must install, calibrate (to manufacturer's specifications), maintain, and operate a device or method for measuring the use of the bypass stack including date, time, and duration.

40 CFR 60.5230

This section describes the type and format of records that the owner or operator of a sewage sludge incinerator must keep in order to demonstrate compliance with 40 CFR 60 Subpart MMMM.

40 CFR 60.5235

The owner or operator of a Sewage Sludge Incinerator must submit the reports specified in §60.5235 (a) through §60.5235 (i), as required. See 40CFR60 Subpart MMMM, Table 6 for a summary of these reports.

40 CFR 60.5235 (c)

This section requires the facility owner or operator to submit annual compliance reports to the Department.

40 CFR 60.5235 (d)

This section requires the facility owner or operator to submit semiannual deviation reports to the Department.

40 CFR 61.32 (a)

This condition is to show compliance with the emission standard for beryllium.

40 CFR 61.55 (a)

This regulation requires an annual emissions test for mercury if the emissions exceed 1,600 grams per 24 hour period.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 60, Subpart IIII

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

This regulation contains the Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The facility owner is responsible for reviewing this regulation in detail and complying with all applicable technical, administrative and reporting requirements.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

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 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 212-1.3

Based upon the following requirements, all air contaminants will assigned an Environmental Rating from A to D.

- (a) Toxic and other properties and emission rate potential of the air contaminant;
- (b) location of the process emission source or emission point(s) for the air contaminant with respect to residences or other sensitive environmental receptors, taking into account the area's anticipated growth;
- (c) emission dispersion characteristics at or near the process emission source or emission point(s), taking into account the physical location of the process emission source or emission point(s) relative to the surrounding buildings and terrain; and
- (d) the projected maximum cumulative impact of an air contaminant taking into account

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

emissions from all process emission sources at the facility under review and the pre-existing ambient concentration of the air contaminant under review.

6 NYCRR 212-1.5 (e) (1)

A process emission source subject to a Federal New Source performance Standard satisfies the requirements of Part 212 for the respective air contaminant regulated by the Federal standard.

6 NYCRR 212-1.5 (e) (2)

A process emission source subject to the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) satisfies the requirements of Part 212 for the respective air contaminant regulated by the Federal standard.

However, NESHAPs regulating High Toxicity Air Contaminants (HTACs) must provide evidence that the maximum offsite ambient air concentration is less than the AGC/SGC and that emissions are less than the PB trigger for the respective air contaminant.

6 NYCRR 212-1.5 (g)

This provision requires the facility owner or operator to operate and maintain all process emission sources, including the associated air pollution control and monitoring equipment, in a manner consistent with safety, good air pollution control practices, good engineering practices and manufacturers' recommendations for minimizing emissions.

6 NYCRR 212-2.2

Table 2 of 212-2.2 lists the compounds eligible for the alternative compliance option. The table lists actual annual mass emission limits for select compounds. The mass emission limit represents a conservative offsite concentration which will be below the respective annual guideline concentration for the particular air contaminant.

6 NYCRR 225-1.2 (d)

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

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**Compliance Certification  
Summary of monitoring activities at ECSD NO 3 SOUTHTOWNS WATER RESOURCE  
RECOVERY FACILITY:**

<b>Location Facility/EU/EP/Process/ES</b>	<b>Cond No.</b>	<b>Type of Monitoring</b>
---		
FACILITY	29	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	53	intermittent emission testing
FACILITY	54	intermittent emission testing
FACILITY	55	intermittent emission testing
FACILITY	56	intermittent emission testing
FACILITY	57	intermittent emission testing
FACILITY	58	intermittent emission testing
FACILITY	59	intermittent emission testing
FACILITY	60	intermittent emission testing
FACILITY	61	intermittent emission testing
FACILITY	62	intermittent emission testing
FACILITY	63	intermittent emission testing
FACILITY	64	record keeping/maintenance procedures
FACILITY	65	record keeping/maintenance procedures
FACILITY	66	record keeping/maintenance procedures
FACILITY	67	record keeping/maintenance procedures
FACILITY	68	record keeping/maintenance procedures
FACILITY	69	monitoring of process or control device parameters as surrogate
FACILITY	70	monitoring of process or control device parameters as surrogate
FACILITY	71	monitoring of process or control device parameters as surrogate
FACILITY	72	record keeping/maintenance procedures
FACILITY	73	record keeping/maintenance procedures
FACILITY	74	record keeping/maintenance procedures
FACILITY	75	record keeping/maintenance procedures
FACILITY	76	record keeping/maintenance procedures
FACILITY	77	record keeping/maintenance procedures
FACILITY	78	record keeping/maintenance procedures
FACILITY	79	record keeping/maintenance procedures
FACILITY	80	record keeping/maintenance procedures
FACILITY	81	record keeping/maintenance procedures
FACILITY	82	record keeping/maintenance procedures
FACILITY	83	record keeping/maintenance procedures
FACILITY	84	record keeping/maintenance procedures
FACILITY	85	record keeping/maintenance procedures
FACILITY	86	record keeping/maintenance procedures
FACILITY	87	record keeping/maintenance procedures
FACILITY	88	record keeping/maintenance procedures
FACILITY	89	record keeping/maintenance procedures
FACILITY	34	intermittent emission testing
FACILITY	35	monitoring of process or control device parameters

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

		as surrogate
FACILITY	36	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	90	monitoring of process or control device parameters as surrogate
FACILITY	91	intermittent emission testing
FACILITY	92	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	98	record keeping/maintenance procedures
FACILITY	99	record keeping/maintenance procedures
FACILITY	28	monitoring of process or control device parameters as surrogate

-----  
----  
**Basis for Monitoring**

The following is a brief explanation or justification for each monitoring activity.

**6NYCRR Part 212**

**6 NYCRR 212-2.1**

Southtowns Water Resource Recovery Facility (WRRF) operates two fluidized bed incinerators (FBIs) for the disposal of sewage sludge (SS) generated onsite. Emissions from the sewage sludge incinerators (SSIs) are controlled by a venturi/impingement plate wet scrubber system, followed by a mercury removal system and a mist eliminator. Each FBI and wet scrubber system is interlocked to prevent operation of the FBI without emission control. Contaminants generated by the SSIs include, particulates, hydrogen chloride, carbon monoxide, dioxins/furans, oxides of nitrogen, sulfur dioxide, metals and volatile organic compounds (VOCs).

The FBIs are process operations as defined under 6NYCRR212. Emissions from the fluidized bed sewage sludge incineration process are subject to the requirements of 6NYCRR Part 212 General Process Emission Sources. Each FBI emits metals, including high toxicity air contaminants (HTACs) arsenic, beryllium, chromium, and nickel listed in §212-2.2 Table 2, and non HTACs copper, tin, and zinc. These contaminants are emitted as particulates from each FBI and are controlled by the wet scrubber system. Performance tests conducted in 2016, 2017 and 2018 have consistently shown wet scrubber system removal efficiencies that exceed 98% for these contaminants. The FBIs are regulated under 40CFR60 Subpart Mmmm which requires continuous monitoring of wet scrubber operating parameters to verify that the wet scrubber system meets the minimum differential pressure and flow rates recorded during the latest performance test for control of particulates and metals. A technical review of these contaminants was conducted in accordance with NYSDEC DAR-1 Guidelines for the Evaluation and Control

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

of Ambient Air Contaminants under Part 212. Since each fluidized bed incinerator is interlocked with the associated wet scrubber, the Part 212 evaluation considered each FBI and wet scrubber system as one process emission source. The emission rate potential (ERP) for arsenic, chromium, nickel, copper, tin, and zinc, calculated using stack test data from performance tests conducted during 2016, 2017 and 2018 for 40CFR60 Subpart M after control, was less than 0.1 lb/hr for each contaminant. For the Part 212 evaluation, HTACs were assigned an environmental rating of A and non-HTACs were assigned an environmental rating of B. In accordance with Subdivision 212-2.3(b), Table 4 - Degree of Air Cleaning Required for Non-Criteria Air Contaminants (Table 4), air dispersion modeling must demonstrate that the maximum offsite air concentration is less than the applicable annual guideline concentration/short-term guideline concentration (AGC/SGC) for each of these contaminants based on their ERP and environmental rating. AerScreen dispersion modeling results showed that the predicted maximum offsite concentration of each contaminant is less than the respective short-term and annual guideline concentrations (SGC/AGC) demonstrating compliance with Table 4. Based on the results of the Part 212 evaluation, the potential health and environmental impacts from arsenic, beryllium, chromium, nickel, copper, tin, and zinc are acceptable and compliance with 6NYCRR212 requirements has been demonstrated. No further action is required.

Selenium is also emitted from the incineration of sewage sludge in the FBIs. However, since the emission rate potential (ERP) of selenium is less than 100 pounds per year facility-wide, selenium is not subject to 6NYCRR212 requirements.

### **6NYCRR 212-3**

Sewage sludge incinerators are subject to the requirements of 40CFR503 Subpart E, a Clean Water Act regulation, which limits emissions of heavy metals and total hydrocarbons. In accordance with 40CFR503 Subpart E, Southtowns WWRf uses a continuous emissions monitoring system (CEMS) to monitor and record total hydrocarbon concentration, moisture, oxygen, and carbon monoxide concentration in each SSI exhaust stack. The CEMS also records combustion bed temperature in the FBIs. The CEMS corrects the total hydrocarbon concentration for 0 % moisture and to 7 % oxygen, to verify compliance with the 100 ppmvd @ 7% O<sub>2</sub> monthly average limit. Annual reports required under 40CFR503 Subpart E show compliance with the 100 ppmvd @7% limit for total hydrocarbons for each SSI, with monthly averages well below the limit. The department accepts compliance with 40CFR503 as compliance with 6NYCRR212 for total hydrocarbons.

### **6NYCRR 212-1.5(e)(1)**

In accordance with 6NYCRR212-1.5(e)(1), compliance with 6NYCRR212 is demonstrated through compliance with 40CFR60 Subpart M – Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Subpart M). Southtowns WWRf has demonstrated compliance with Subpart M requirements for all emission limits for existing

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

fluidized bed sewage sludge incinerators, including particulates, hydrogen chloride, carbon monoxide, dioxins/furans, mercury, oxides of nitrogen, sulfur dioxide, cadmium, and lead.

**6NYCRR 212-1.5(e)(2)**

In accordance with 6NYCRR212-1.5(e)(2), a process emission source subject to the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) under 40 CFR Part 61 or Part 63 satisfies the requirements Part 212 for the respective air contaminant regulated by the Federal standard if the facility owner or operator can demonstrate that the process emission source complies with the relevant Federal regulation and, for those NESHAPs regulating HTACs found in Section 212-2.2, Table 2 – High Toxicity Air Contaminant List, of this Part, provide a Toxic Impact Assessment (TIA) demonstrating that the maximum offsite ambient air concentration is less than the AGC/SGC and that emissions are less than the PB trigger for the respective air contaminant. Beryllium is regulated under 40CFR Part 61 Subpart C for which compliance has been demonstrated through performance tests conducted during 2016, 2017 and 2018. In accordance with 6NYCRR212-1.5(e)(2), since beryllium is a high toxicity air contaminant it requires a TIA. The air dispersion modeling that was conducted by NYSDEC during the Part 212 review qualifies as a TIA and demonstrated compliance with Part 212 for beryllium.

**6NYCRR 212-2.2**

A monitoring condition under 6NYCRR212 requires testing and evaluation of chromium (VI) emissions. If present, compliance with 6NYCRR212 requirements must be demonstrated.

**6NYCRR 212-2.2**

Mercury is also emitted from the FBIs. It is regulated under 40CFR61, Subpart E, for which compliance has been demonstrated. Mercury is listed in Section 212-2.2, Table 2 – High Toxicity Air Contaminants. Emissions are controlled by mercury adsorption modules located downstream of the wet scrubber system. An air quality analysis was conducted by NYSDEC during 6NYCRR212 review using the emission rates for mercury determined during the 40CFR60 Subpart MMMM performance tests conducted during 2016, 2017 and 2018. The dispersion analysis showed that the predicted maximum offsite concentration of mercury is less than its short-term and annual guideline concentrations (SGC/AGC) demonstrating compliance with Table 4. The actual annual emissions estimated based on the emission rate determined during 2016, 2017 and 2018 performance tests are approximately 3 lbs/yr, which is less than the 5 lbs/yr mass emission limit (MEL) for mercury listed in 6NYCRR212-2.2 Table 2. Since the removal efficiency of the mercury adsorption system is variable, annual actual emissions of mercury must be tracked and compared to the MEL to demonstrate continuous compliance with 6NYCRR212.

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**40CFR60 Subpart Mmmm:**

**40CFR60.5165**

This requirement specifies emission limits for nine contaminants, including sulfur dioxide (SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), lead (Pb), cadmium (Cd), mercury (Hg), dioxins/furans, hydrogen chloride (HCl), and particulates. Annual Performance tests are required to verify compliance with these limits. Monitoring of wet scrubber system parameters (pressure differential, flow rate of scrubber liquid at inlet, pH of scrubber liquid at outlet), combustion chamber temperatures, and mercury adsorption system parameters based on performance test results is required under 60.5190. Compliance with these operating limits will ensure compliance with the specified pollutant limits.

**40CFR60.5170 (f)**

Southtowns WRRF must continuously monitor and record the feed rate of sewage sludge to each fluidized bed sewage sludge incinerator (FB SSI) unit and calculate a 24-hour rolling average for all hours of operation. Southtowns WRRF must also maintain a record of the daily average moisture content of sewage sludge fed to the FB SSI unit. This requires at least one grab sample taken per day of the sewage sludge fed to each operating FB SSI unit. This is used to calculate the daily average moisture content of the sewage sludge fed to the FB SSI. The moisture content is necessary to determine dry tons of sludge fed to the operating FB SSI. Each FB SSI will have its own feed rate limit established during the performance test. The facility owner or operator shall maintain a record of each daily average moisture content calculated pursuant to this condition at the facility for a period of at least five years. Such records must be made available to the Department upon request.

**40CFR60.5175**

Southtowns WRRF operates two fluidized bed sewage sludge incinerators. Each FBI is equipped with a mercury control system consisting of a mercury scrubbing stage, a mist eliminator (ME) stage and spray lances located downstream of the wet scrubber system. The mercury scrubbing stage contains three (3) to four (4) sorbent polymer composite (SPC) modules, in series, that chemically adsorb mercury, removing it from the gas stream exiting the wet scrubber system. The SPC modules use pleated SPC material to maximize contact with the gas stream. The ME stage, installed after the mercury scrubbing stage, is comprised of a mesh mist eliminator pad to remove any remaining entrained water droplets contained in the gas stream exiting the SPC modules. The spray lances are used to intermittently inject atomized water to irrigate the upstream side of the ME and to clean debris and H<sub>2</sub>SO<sub>4</sub> generated from SO<sub>2</sub> in the exhaust from the SPC modules below. Monitoring of the mercury control system is required to ensure that mercury is continuously removed from the FBI exhaust. Monitoring requirements include continuous recording of temperature at the outlet of the mercury modules, monitoring of differential pressure across the modules, mercury loading to the SPC material, removal efficiency of the modules, operation of an air-drying process and operation and maintenance of the spray lances according to manufacturer's specifications. Temperature monitoring is required because the SPC material deteriorates above 180 degrees Fahrenheit. There is a small variation in temperature across the modules, so inlet and outlet temperatures are essentially the same.

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

High differential pressure (dP) across the mercury modules can indicate a problem with blinding or buildup of particulate on the SPC material. The dP across the modules is limited to 0.5 in H<sub>2</sub>O multiplied by the number of modules in series. The FBI's are equipped with 3-4 modules resulting in a dP limit of 1.5-2.0 inches of water. The SPC material is inspected/sampled periodically and tested for mercury mass loading. The inlet and outlet emission rate of mercury is monitored at the same time to verify that the modules are removing mercury sufficiently to ensure compliance with the mercury limit. The removal efficiency of the SPC material contained in each module begins to decline after 1.75 pounds of mercury (Hg) has been chemically adsorbed. The facility will inspect, sample and test the SPC material quarterly for the entire lifetime of the module system, until the removal efficiency has stabilized. This schedule for inspection and sampling of the SPC may change depending on the results of the quarterly inspections/sampling. The manufacturer has determined that water in the exhaust gas that passes through the modules contributes to a build-up of moisture that interferes with the removal efficiency of the SPC material. The facility will install and operate an auxiliary purge air skid to dry wet scrubber exhaust upstream of the mercury module system whenever sludge is incinerated.

**40CFR60.5190 (b), (c), (d) and (e)**

The operating parameters recorded during the latest performance test that verified compliance with the pollutant limits have been established as operating limits under the Air Title V permit. Operating limits include the minimum total pressure drop across the scrubber system, the minimum flow rate into the scrubber, the minimum pH of the scrubber fluid at the outlet of the scrubber, and the minimum temperature of the combustion bed. Continuous compliance with these limits will ensure compliance with the pollutant limits specified under §60.5165. Southtowns WRRF is required to operate this control technology according to site-specific monitoring plans and their Air Title V permit. The facility has opted to monitor the pH of the scrubber liquid at the inlet and outlet of the impingement plate scrubber to demonstrate that this control equipment does not participate in removal of the acid gases, HCl and SO<sub>2</sub>.

**40CFR60 Subpart O**

**40 CFR 60.152(a)(1)**

This is the stack test requirement to meet the 1.30 pounds of particulate per ton of sludge feed limit in the regulation. A stack test is required per permit term to demonstrate compliance and set up surrogate monitoring conditions. Compliance with this limit is demonstrated during the performance test conducted under 40CFR60 Subpart M.

**40 CFR 60.152(a)(2)**

This portion of the regulation limits opacity from the incinerators to less than 20%. The condition requires observation of the stack plume once per shift during daylight hours and how to proceed if any opacity is noted.

**40 CFR 60.153(a)(1)**

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

This portion of the regulation requires the facility to measure volume of sludge fed to the incinerators. The limit is established during the stack test and is a parameter that prevents overcharging and subsequent exceedance of the particulate limit.

**40 CFR 60.153(a)(2)**

This portion of the regulation requires access to the sludge for sampling. Sampling of sludge is used to determine changes in the characteristics of the sludge which may lead to a particulate standard exceedance.

**40 CFR 60.153(b)(1)**

This portion of the regulation establishes the minimum differential pressure limit for the scrubbers. This is a surrogate monitoring condition which infers compliance with the particulate standard if appropriate differential water pressure is maintained. The regulation allows a 30% reduction in the total differential pressure across the wet scrubber system, when an average particulate emission rate of 0.75 lb/ton dry sludge input or less is achieved during the most recent performance test.

**40 CFR 60.153(b)(2)**

This portion of the regulation states the maximum oxygen limit in the incinerator exhaust gas. This is established during each stack test and insures proper combustion and control particulate emissions. Low oxygen levels reduce NOx formation. This parameter is continuously monitored. The regulation allows a 3% increase in average oxygen content recorded during the most recent performance test to set an upper limit on oxygen content in the incinerator exhaust, measured upstream of any rabble shaft cooling air inlet into the incinerator exhaust gas stream, fan, ambient air recirculation damper, or any other source of dilution air.

**40 CFR 60.153(b)(3), NSPS Subpart O**

This portion of the regulation requires the installation, calibration, maintenance and operation of temperature measuring devices at every hearth in the incinerator. Continuous operation and recording of temperature is only required if the particulates exceed 0.75 lb PM/ton dry sludge input during the most recent performance test.

**40 CFR 60.153(b)(4)**

This portion of the regulation requires the installation, calibration, maintenance and operation of a device to measure fuel flow to the incinerator. Continuous operation and recording of fuel flow to the incinerator is only required if the particulate emissions exceed 0.75 lb PM/ton dry sludge input during the most recent performance test.

**40CFR61 Subpart C**

**Division of Air Resources  
Permit Review Report**

**Permit ID: 9-1448-00012/00013  
03/30/2026**

**40 CFR 61.32(a), NESHAP Subpart C**

This regulation limits Beryllium emissions from sewage sludge incinerators. To verify compliance with the limit of 10 grams beryllium per day specified in this regulation, a performance test must be conducted at least once per term of permit. This is verified during performance tests required under 40CFR60 Subpart MMMM.

**40CFR61 Subpart E**

**40 CFR 61.52(b), NESHAP Subpart E**

This regulation limits mercury emissions from sewage sludge incinerators. To verify compliance with the limit of 3200 grams mercury per day specified in this regulation, a performance test must be conducted at least once per term of permit. This is verified during performance tests required under 40CFR60 Subpart MMMM.

**40CFR 60, NSPS Subpart IIII**

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII. Southtowns Water Resource Recovery Facility (Southtowns WRRF) operates one 4-stroke, lean burn compression ignition (CI) internal combustion engine (ICE), which is subject to the applicable requirements under 40CFR60 Subpart IIII for emergency power generation. Southtowns WRRF is responsible for complying with all applicable technical, administrative and reporting requirements specified in 40 CFR 60 Subpart IIII and in this Air Title V permit.