

Draft-Statement of Basis - Narrative

Title V Permit

Type of Permit Action: New Title V

Facility: Lea (County of) - Landfill
Company: Lea County Solid Waste Authority
Permit No(s): P298L
Tempo/IDEA ID No.: 3947 - PRT20200001
Permit Writer: Urshula Bajracharya

Fee Tracking (not required for Title V)

Tracking	NSR tracking entries completed: <input type="checkbox"/> Yes <input type="checkbox"/> No
	NSR tracking page attached to front cover of permit folder: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Paid Invoice Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Balance Due Invoice Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Invoice Comments:

Permit Review	Date to Enforcement: TBD	Date of Enforcement Reply: TBD
	Date to Applicant: TBD	Date of Applicant Reply: TBD
	Date to EPA: TBD or N/A	Date of EPA Reply: TBD or N/A
	Date to Supervisor: 2/23/2022	

1.0 Plant Process Description:

The Lea County Landfill (LCLF) is an existing solid waste facility operating in compliance with its current Solid Waste Permits SWM-130402 and SWM-130402(SP), and the New Mexico Environment Department Solid Waste Rules (20.9.2-20.9.10 NMAC). LCLF is publicly owned by the Lea County Solid Waste Authority (LCSWA) and operated under contract by Waste Connections, Inc. (WCI). LCLF is currently permitted to accept municipal solid waste (MSW), including construction and demolition debris (C&D) and tires, and the following eight special wastes:

- Treated formally characteristic hazardous wastes
- Packing house and killing plant offal
- Sludge
- Industrial solid waste
- Spill of a chemical substance or commercial product
- Petroleum contaminated soils (PCS)
- Asbestos
- Special waste not otherwise specified

2.0 Description of this Modification:

This is a new Title V. The facility does not require an NSR. The facility will have an alternative operating scenario for control measures for disposal routes and control efficiency.

3.0 Source Determination:

- 1. The emission sources evaluated include the entire facility.
- 2. Single Source Analysis:
 - A. SIC Code: Do the facilities belong to the same industrial grouping (i.e., same two-digit SIC code grouping, or support activity)? Yes
 - B. Common Ownership or Control: Are the facilities under common ownership or control? Yes
 - C. Contiguous or Adjacent: Are the facilities located on one or more contiguous or adjacent properties? Yes
- 3. Is the source, as described in the application, the entire source for 20.2.70, 20.2.72, 20.2.73, or 20.2.74 NMAC applicability purposes? Yes

4.0 PSD Applicability:

Title V action does not determine PSD applicability; see the History Table for a summary of previous PSD applicability determinations.

5.0 History (In descending chronological order, showing NSR and TV): *The asterisk denotes the current active NSR and Title V permits that have not been superseded.

Permit Number	Issue Date	Action Type	Description of Action (Changes)
P298L		New Title V	This is a new Title V. The facility does not require an NSR.

6.0 Public Response/Concerns: As of **Month XX, 20XX** or the issuance date of this permit, this permit writer is not aware of any public comment or concern. **[This date can be any date from the end of the public notice period to the issuance date of the permit.]**

7.0 Compliance Testing:

Unit No.	Compliance Test	Test Dates
N/A	N/A	N/A

8.0 Startup and Shutdown:

- A. If applicable, did the applicant indicate that a startup, shutdown, and emergency operational plan was developed in accordance with 20.2.70.300.D(5)(g) NMAC? Yes
- B. If applicable, did the applicant indicate that a malfunction, startup, or shutdown operational plan was developed in accordance with 20.2.72.203.A.5 NMAC? N/A
- C. Did the applicant indicate that a startup, shutdown, and scheduled maintenance plan was developed and implemented in accordance with 20.2.7.14.A and B NMAC?
- D. Does the facility have emissions due to routine or predictable startup, shutdown, and maintenance? No

9.0 Compliance and Enforcement Status [Title V and NSR/PSD new or modification.]

The statement received from Teri Waldron from Compliance and Enforcement section on July

22, 2021 states that “There is no outstanding notice of violation and no settlement agreement for which all actions have not been completed. No compliance plan needs to be placed in the Title V Permit.”

10.0 Modeling:

AQB modeling report by Mingcheng Ren dated March 11, 2022, states: This modeling analysis demonstrates that operation of the facility described in this report neither causes nor contributes to any exceedances of applicable air quality standards. The standards relevant at this facility are NAAQS for PM10 and PM2.5.

11.0 State Regulatory Analysis (NMAC/AQCR):

Citation 20 NMAC	Title	Applies (Y/N)	Unit(s) or Facility	Justification:
2.1	General Provisions	Yes	Entire Facility	The facility is subject to Title 20 Environmental Protection Chapter 2 Air Quality of the New Mexico Administrative Code so is subject to Part 1 General Provisions, Update to Section 116 of regulation for Significant figures & rounding. Applicable with no permitting requirements.
2.3	Ambient Air Quality Standards	No		Title V: 20.2.3.9 NMAC, LIMITATION OF APPLICABILITY TO 20.2.70 NMAC. The requirements of NMAAQs are not applicable requirements under 20.2.70 NMAC, as defined by 20.2.3.9 NMAC, 20.2.3.9 NMAC does not limit the applicability of this part to sources required to obtain a permit under the minor NSR regulation, 20.2.72 NMAC, nor does it limit which terms and conditions of NSR permits issued pursuant to 20.2.72 NMAC are applicable requirements in a Title V permit.
2.7	Excess Emissions	Yes	Entire Facility	Applies to all facilities' sources
2.64	Municipal Solid Waste Landfills	Yes	Unit 3	Requires Title V permits for all landfills with design capacities over 2.5 million megagrams or 2.5 million cubic meters (NSPS XXX).
2.70	Operating Permits	Yes	Entire Facility	This is not a Major Title V source but is subject to the Title V permit program in accordance with 20.2.70.200.B NMAC.
2.71	Operating Permit Fees	Yes	Entire Facility	Source is subject to 20.2.70 NMAC as cited at 20.2.71.109 NMAC.
2.72	Construction Permits	No		NSR Permits are not applicable requirement, including 20.2.72 NMAC.
2.73	NOI & Emissions Inventory Requirements	Yes	Entire Facility	Applicable to all facilities that require a permit. PER > 10 tpy for a regulated air contaminant.
2.75	Construction Permit Fees	No	Entire Facility	No, in accordance with 20.2.75.11.E an annual NSR enforcement and compliance fee shall not apply to sources subject to 20.2.71 NMAC.
2.77	New Source Performance	Yes	See Sources subject to 40 CFR 60	Applies to any stationary source constructing or modifying and which is subject to the requirements of 40 CFR Part 60.

Citation 20 NMAC	Title	Applies (Y/N)	Unit(s) or Facility	Justification:
2.78	Emissions Standards for HAPs	No	See Sources subject to 40 CFR 61	This regulation applies to all sources emitting hazardous air pollutants, which are subject to the requirements of 40 CFR Part 61.
2.82	MACT Standards for Source Categories of HAPs	No	See sources subject to 40 CFR 63	This regulation applies to all sources emitting hazardous air pollutants, which are subject to the requirements of 40 CFR Part 63.

12.0 Federal Regulatory Analysis:

Federal Regulation	Title	Applies (Y/N)	Unit(s) or Facility	Comments
Air Programs Subchapter C (40 CFR 50)	National Primary and Secondary Ambient Air Quality Standards	Yes	Entire Facility	Independent of permit applicability; applies to all sources of emissions for which there is a Federal Ambient Air Quality Standard.
NSPS Subpart A (40 CFR 60)	General Provisions	Yes	See sources subject to a Subpart in 40 CFR 60	Applies if any other subpart applies.
NSPS 40 CFR 60, Subparts WWW, XXX, Cc, and Cf	Standards of performance for Municipal Solid Waste (MSW) Landfills	Yes for XXX	Entire Facility	See 60.30c, 60.30f, 60.750, and/or 60.760 XXX applies to municipal solid waste landfills that commenced construction, reconstruction, or modification after July 17, 2014. Lea County Landfill is a new landfill subject to XXX. This landfill facility has a design capacity greater than 2.5 million megagrams (Mg). The NMOC emission threshold for implementing an NMOC control system under this rule is 34 Mg per year. At present, the projection for this landfill is below the 34 Mg threshold (the current projection is 7.2 Mg/yr NMOC for the year 2026).
NESHAP Subpart A (40 CFR 61)	General Provisions	Possibly	See sources subject to a Subpart in 40 CFR 61	Applies if any other subpart applies.
40 CFR 61, Subpart M	National Emissions Standards for Hazardous Air Pollutants: Asbestos	Possibly	Asbestos waste	Potentially may apply to the handling of asbestos waste.
MACT	General	No	See	Applies if any other subpart applies.

Federal Regulation	Title	Applies (Y/N)	Unit(s) or Facility	Comments
Subpart A (40 CFR 63)	Provisions		sources subject to a Subpart in 40 CFR 63	
40 CFR 68	Chemical Accident Prevention	Yes	Entire Facility	An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under §68.115 Threshold determination and 68.130 List of substances, 68 Use link for list and more info. This regulation was revised in the Federal Register date 1-13-17. The effective date of the revision was delayed until March 21, 2017 (see FR 1-26-17). As stated by the applicant: Facility-wide Risk Management Plan in Place.

13.0 Exempt and/or Insignificant Equipment that do not require monitoring:

Title V - Insignificant Activities (Dated March 24, 2005) as defined by 20.2.70.7.QNMAC:

Unit Number	Source Description	Make	Model No.	Max Capacity	List Specific 20.2.72.202 NMAC Exemption (e.g. 20.2.72.202.B.5)	Date of Manufacture /Reconstruction²
			Serial No.	Capacity Units	Insignificant Activity citation (e.g. IA List Item #1. a)	Date of Installation /Construction²
2.a	Portable Gasoline-Powered Air Compressor	Ingersol Rand	2475F14G	14	20.2.72.202.A.2	2017
			N/A	HP	Item 6; Portable gas engine < 500 HP	2017
2.b	Portable Light Plant/Generator	Allmand	ML8	8	20.2.72.202.B.5	2014
			N/A	KW	Item 6; Portable diesel engine < 200 HP	2014
2.c	Used Oil Tank	N/A	N/A	250	N/A	N/A
			N/A	gallon	Item #5. Vapor pressure <10 mm Hg	N/A
2.d	Diesel Fuel Tank (1,000-Gallon)	N/A	N/A	1,000	N/A	N/A
			N/A	gallon	Item #8, < 25,000 gallons	N/A

14.0 New/Modified/Unique Conditions (Format: Condition#: Explanation):

A. This is a new permit and all the conditions are new to the permit.

15.0 For Title V action: Cross Reference Table between NSR Permit and TV Permit [P298L](#). NSR permit conditions cross referenced to the TV permit are federally enforceable conditions, and therefore brought forward into the TV permit:

The facility does not have an NSR permit, and this is a new Title V permit.

16.0 Permit specialist's notes to other NSR or Title V permitting staff concerning changes and updates to permit conditions.

A. This is a new permit.