

# Fact Sheet



## For Final Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Number: **R30-09300026-2024**  
Application Received: **November 6, 2023**  
Plant Identification Number: **03-54-093-00026**  
Permittee: **Tucker County Solid Waste Authority**  
Mailing Address: **PO Box 445, Davis, WV, 26260**

*Revised: NA*

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Physical Location: Davis, Tucker County, West Virginia  
UTM Coordinates: 632.0 km Easting • 4333.7 km Northing • Zone 17  
Directions: 0.3 miles northwest of the intersection of Route 32 and 93, between  
Thomas and Davis, WV.

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### Facility Description

The Tucker County Sanitary Landfill is a municipal solid waste (MSW) management facility that operates under SIC Code 4953. The landfill accepts municipal solid waste, construction and demolition debris, and approved residual waste streams.

### Emissions Summary

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Plantwide Emissions Summary [Tons per Year]		
Regulated Pollutants	Potential Emissions	2023 Actual Emissions
Carbon Monoxide (CO)	4.85	2.67
Nitrogen Oxides (NO <sub>x</sub> )	0	0
Particulate Matter (PM <sub>2.5</sub> )	1.36	0.98
Particulate Matter (PM <sub>10</sub> )	13.6	9.69

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<b>Plantwide Emissions Summary [Tons per Year]</b>		
<b>Regulated Pollutants</b>	<b>Potential Emissions</b>	<b>2023 Actual Emissions</b>
Total Particulate Matter (TSP)	42.8	30.59
Sulfur Dioxide (SO <sub>2</sub> )	0	0
Volatile Organic Compounds (VOC)	11.36	6.26
<b>Hazardous Air Pollutants</b>		
Toluene	4.44	2.45
Dichloromethane (Methylene Chloride)	1.47	0.81
Perchloroethylene (Tetrachloroethylene)	0.76	0.42
Other HAPs	6.35	3.11
Total HAPs	13.02	6.79

*Some of the above HAPs may be counted as PM or VOCs.*

**Non-methane organic compounds (NMOC)** – The current emission rate estimate (calculated for year 2022) is 5.67 Mg/yr. The projected closure year is 2057. The projected NMOC emission rate of 34 Mg/yr, triggering the requirements for the construction of a collection and control system will not occur prior to facility closure. The NMOC emission rate estimates were calculated using EPA’s Landfill Gas Emissions Model (LandGEM) software. The values used for k and Lo were “0.050 year<sup>-1</sup>” and “170 m<sup>3</sup>/Mg” respectively. The site specific NMOC concentration used in the model was 105.5 ppmv as hexane, as determined by Tier 2 testing in September 2023.

**Title V Program Applicability Basis**

This facility has a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters. Due to this facility's design capacity, Tucker County Solid Waste Authority is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

**Legal and Factual Basis for Permit Conditions**

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

This facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR6	Open burning prohibited.
	45CSR11	Standby plans for emergency episodes.
	45CSR23	To Prevent and Control Emissions from Municipal Solid Waste Landfills
	WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
	45CSR30	Operating permit requirement.
	40 C.F.R. Part 61, Subpart M	Asbestos inspection and removal

	40 C.F.R. Part 82 Subpart F	Ozone depleting substances
	40 C.F.R. Part 60 Subpart XXX	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
State Only:	45CSR4	No objectionable odors.
	45CSR17	To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and other sources of Fugitive Particulate Matter

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

**Active Permits/Consent Orders**

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit ( <i>if any</i> )
N/A	N/A	N/A

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table," which may be downloaded from DAQ's website.

**Determinations and Justifications**

This is the initial Title V permit for Tucker County Solid Waste Authority's Tucker County Sanitary Landfill.

**Section 4.0**

All applicable requirements from the following are in Section 4.0 of the Title V Permit:

- **45CSR23 (Control of Air Pollution from Municipal Solid Waste Landfills)**

45CSR23 establishes emission standards applicable to Municipal Solid Waste (MSW) Landfills.

This facility is a new MSW Landfill (constructed, reconstructed, or modified after July 17, 2014) that is larger than 2.5 million megagrams or 2.5 million cubic meters; therefore, this facility is subject to Section 5 of 45CSR23.

According to 45CSR§23-5.1, new MSW landfills shall comply with all applicable standards of performance, requirements, and provisions of 40 C.F.R. 60 Subpart XXX, including any reference methods, performance specifications, and other test methods associated with Subpart XXX.

This facility was modified after July 17, 2014; therefore, it is not subject to 45CSR23 Section 7.

- **40 C.F.R. 60 Subpart XXX (Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014)**

40 C.F.R. 60 Subpart XXX establishes emission standards for applicable MSW Landfills constructed, reconstructed, or modified after July 17, 2014.

This facility is a MSW Landfill that is larger than 2.5 million megagrams or 2.5 million cubic meters, and was modified in December 2015; therefore, it is subject to 40 C.F.R. 60 Subpart XXX.

This facility is not currently required to have an active collection system and control device installed because of NMOC emissions. They are currently Tier 2 with NMOC emissions of 5.67 Mg/yr. NMOC emissions must be reported annually, or a 5-year projection must be provided in lieu of the annual report in accordance with condition 4.5.1.b

### **Non-Applicability Determinations**

The following requirements have been determined not to be applicable to the subject facility due to the following:

**40 C.F.R. Part 64**

The facility does not have any pollutant specific emissions units (PSEU) that satisfy all of the applicability criteria requirements of 40 CFR §64.2(a). [(1) have pre-control regulated pollutant potential emissions (PTE) equal to or greater than the “major” threshold limits to be classified as a major source; 2) are subject to an emission limitation or standard and; 3) have a control device to achieve compliance with such emission limitation or standard.] Therefore, the facility is not subject to the Compliance Assurance Monitoring (CAM) rule.

**40 C.F.R. 60  
Subpart Kb**

The Leachate Tank’s VOL vapor pressure is less than 3.5 kPa.

### **Request for Variances or Alternatives**

None.

### **Insignificant Activities**

Insignificant emission unit(s) and activities are identified in the Title V application.

### **Comment Period**

Beginning Date: September 11, 2024

Ending Date: October 11, 2024

### **Point of Contact**

All written comments should be addressed to the following individual and office:

Nikki Moats  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street SE

Charleston, WV 25304  
Phone: 304/414-1282  
Nikki.B.Moats@wv.gov

### **Procedure for Requesting Public Hearing**

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

### **Response to Comments (Statement of Basis)**

The following boilerplate changes have been made to the permit. These changes to the boilerplate became effective September 23, 2024.

- Condition 3.1.6 - Revised the citation to refer to the current version of the WV Code.
- Condition 3.3.1. - Revised the citation to refer to the current version of the WV Code.
- Condition 3.3.1.b. - Added “If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit shall be revised in accordance with 45CSR§30-6.4 or 45CSR§30-6.5 as applicable.”