



**Air Pollution Control
Title V Permit to Operate
Statement of Basis for Permit No. V-SUIT-0047-2019.01
Minor Permit Revision
February 23, 2022**

**Transit Waste, LLC
Bondad Recycling Center and Depository
Southern Ute Indian Reservation
La Plata County, Colorado**

Description of Permit Revision

On October 27, 2021, the Southern Ute Indian Tribe Air Quality Program (AQP) received a minor permit revision application from Transit Waste, LLC for the Bondad Recycling Center and Depository (Bondad).

Transit Waste, LLC requested the removal of the 40 CFR §60, Subpart WWW provisions and replacement with the 40 CFR §62, Subpart OOO provisions in the Bondad Title V permit.

In accordance with the minor permit requirements of RAC § 2-111(3), Transit Waste submitted the following information to the AQP:

- A cover letter outlining the request, identifying the units to be replaced
- 40 CFR §62, Subpart OOO Compliance Matrix
- Initial Design Capacity Report
- Non-Methane Organic Compound (NMOC) Emission Rate Report

On November 3, 2021, the AQP requested the following additional information to complete the request:

- A signed CTAC (Certification of Truth & Accuracy and Completeness) form signed by a responsible official with a statement that the CTAC form is being submitted in reference to the application and documentation submitted on October 27, 2021.

On November 8, 2021 Transit Waste, LLC provided the requested information.

The requested revision:

- does not violate any applicable requirement
- does not involve significant permit revisions to existing monitoring, reporting, or recordkeeping requirements
- does not require or change any case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis
- does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the permittee has assumed to avoid an applicable requirement to which the source would be otherwise subject, including any federally enforceable

emission cap assumed to avoid classification as a modification under Title I of the Clean Air Act and any alternative emissions limit approved pursuant to regulations promulgated under § 112(i)(5) of the Clean Air Act, and 42 U.S.C. § 7412(i)(5)

- is not a title I modification
- is not required to be processed as a significant permit revision pursuant to § 2-111(4) of the RAC

Applicability Analysis:

40 CFR Part 62, Subpart OOO: Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction on or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014. This subpart applies to each municipal solid waste landfill in each portion of Indian country that commenced construction, reconstruction, or modification on or before July 17, 2014 and has accepted waste at any time since November 8, 1987. The regulation promulgates a Federal plan to implement the emission guidelines and compliance times for municipal solid waste landfills.

According to Transit Waste, LLC the Bondad Recycling Center and Depository is a solid waste landfill that commenced construction in June 1997. **Therefore, Subpart OOO does apply.**

40 CFR Part 60, Subpart WWW: Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction or Modification on or After May 30, 1991, but Before July 18, 2014. This subpart applies to each municipal solid waste landfill that commenced construction, reconstruction, or modification on or after May 30, 1991, but before July 18, 2014. An affected municipal solid waste landfill must continue to comply with the subpart until it (1) becomes subject to the more stringent requirements in an approved and effective state or federal plan that implements subpart Cf of Part 60 (emission guidelines and compliance times) for municipal solid waste or modifies or reconstructs after July 17, 2014.

According to Transit Waste, LLC the Bondad Recycling Center and Depository is solid waste landfill that commenced construction in June 1997, has not been modified or reconstructed after July 17, 2014 and has become subject to an approved and effective federal plan that implements subpart Cf of part 60 with the promulgation of 40 CFR §62, Subpart OOO on May 21, 2021. **Therefore, Subpart WWW does not apply.**

The AQP has made the following changes to the permit requested in the revision application:

- Section III. Site Specific Permit Terms: 1.2
 - As requested, replaced 40 CFR §60, Subpart WWW with 40 CFR §62, Subpart OOO

The AQP has made the following changes to the permit not requested in the revision application:

- Updated permit numbers and permitting dates.

AQP is making these revisions as a minor permit revision in accordance with RAC 2-111(3). The permit will be reissued as permit number V-SUIT-0047-2019.01

For specific applicability information regarding the Title V permit for this facility, please reference the Statement of Basis for permit number V-SUIT-0047-2019.00.