

PUBLIC NOTICE

The Iowa Department of Natural Resources (DNR) is proposing to renew the Title V Operating Permit for Dubuque Metropolitan Sanitary Landfill. This facility is located at 101 Airborne Road, Dubuque, IA 52003. DNR is currently reviewing an application for renewal submitted by Dubuque Metropolitan Sanitary Landfill to operate their existing refuse systems facility.

Dubuque Metropolitan Sanitary Landfill is required to obtain a Title V Operating Permit pursuant to 567 Iowa Administrative Code (IAC) 24.101. This facility has the potential to emit the following air pollutants annually:

PM-2.5 (particulate matter 2.5 microns or less in diameter): 0.03 tons
PM-10 (particulate matter ten microns or less in diameter): 0.03 tons
Particulate Matter: 0.03 tons
Sulfur Dioxide: 0.01 tons
Nitrogen Oxides: 0.07 tons
Volatile Organic Compounds: 8.70 tons
Carbon Monoxide: 1.69 tons
Lead: 0 tons
Hazardous Air Pollutants: 5.50 tons

Based on the information provided in the Title V Operating Permit renewal application, the DNR has made an initial determination that the facility meets all the applicable criteria for the issuance of an operating permit specified in 567 IAC 24.107.

A copy of the Public Notice is available for public inspection at the:

Carnegie-Stout Public Library
360 W. 11th Street
Dubuque, IA 52001
Phone: 563-589-4225

These documents are also available on the Air Quality Bureau's website at:

www.iowadnr.gov/titlev-draft

For additional information or for a copy of the draft permit or fact sheet contact:

Zane Peters
Iowa Department of Natural Resources - Air Quality Bureau
6200 Park
Ste #200
Des Moines, Iowa 50321
Phone: (515) 808-0458
E-mail: zane.peters@dnr.iowa.gov

A complete record of the permit review, including the renewal application and the draft permit, is available for public inspection Monday-Friday, 8:00 a.m. - 4:30 p.m., at the DNR address shown above.

The public comment period for the draft permit will run from May 7, 2026 through June 6, 2026. During the public comment period, anyone may submit written comments on the permit. Mail signed comments to Zane Peters at the DNR address shown above. The beginning date of this public comment period also serves as the beginning of the U.S. Environmental Protection Agency's (EPA) 45-day review period, provided the EPA does not seek a separate review period.

Written requests for a public hearing concerning the permit may also be submitted during the comment period. Any hearing request must state the person's interest in the subject matter, and the nature of the issues proposed to be raised at the hearing. DNR will hold a public hearing upon finding, on the basis of requests, a significant degree of relevant public interest in a draft permit. Mail hearing requests to Zane Peters at the DNR address shown above.

DNR will keep a record of the issues raised during the public participation process, and will prepare written responses to all comments received. The comments and responses will be compiled into a responsiveness summary document. After the close of the public comment period, DNR will make a final decision on the renewal application. The responsiveness summary and the final permit will be available to the public upon request.

Individuals with disabilities or limited English proficiency are encouraged to participate in all DNR activities, including submitting public comments. If a reasonable accommodation or language services are needed to participate, contact the Air Quality Bureau staff member listed or Relay Iowa TTY Service at 800-735-7942 in advance to advise them of your specific needs. DNR's language access and disability nondiscrimination plans are available at <https://www.iowadnr.gov/about/nondiscrimination-accessibility-language-access>.

**Iowa Department of Natural Resources
Title V Operating Permit**

Name of Permitted Facility: Dubuque Metropolitan Sanitary Landfill

Facility Location: 101 Airborne Road, Dubuque, IA 52003

Air Quality Operating Permit Number: 11-TV-003R3

Expiration Date:

Permit Renewal Application Deadline:

EIQ Number: 92-6939

Facility File Number: 31-01-151

Responsible Official

Name: Ken Miller

Title: Solid Waste Agency Administrator

Mailing Address: 925 Kerper Court, Dubuque, IA 52001

Phone #: 563-589-4354

Permit Contact Person for the Facility

Name: Joe Mayne

Title: Solid Waste Facility Supervisor

Mailing Address: 925 Kerper Court, Dubuque, IA 52001

Phone #: 563-557-8220

This permit is issued in accordance with 567 Iowa Administrative Code Chapter 24, and is issued subject to the terms and conditions contained in this permit.

For the Director of the Department of Natural Resources

Marnie Stein, Supervisor of Air Operating Permits Section

Date

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Abbreviations

acfm.....	actual cubic feet per minute
CFR.....	Code of Federal Regulation
CE	control equipment
CEM.....	continuous emission monitor
°F.....	degrees Fahrenheit
EIQ.....	emissions inventory questionnaire
EP	emission point
EU	emission unit
gr/dscf	grains per dry standard cubic foot
IAC.....	Iowa Administrative Code
IDNR.....	Iowa Department of Natural Resources
Mg/yr.....	Megagrams per year
MVAC.....	motor vehicle air conditioner
NAICS.....	North American Industry Classification System
NESHAP.....	National emissions standards for hazardous air pollutants
NMOC.....	non-methane organic compounds
NSPS	new source performance standard
ppmv	parts per million by volume
lb/hr.....	pounds per hour
lb/MMBtu	pounds per million British thermal units
SCC.....	Source Classification Codes
scfm.....	standard cubic feet per minute
SIC	Standard Industrial Classification
TPY	tons per year
USEPA.....	United States Environmental Protection Agency

Pollutants

PM.....	particulate matter
PM ₁₀	particulate matter ten microns or less in diameter
SO ₂	sulfur dioxide
NMOC.....	non-methane organic compounds
NO _x	nitrogen oxides
VOC	volatile organic compound
CO.....	carbon monoxide
HAP.....	hazardous air pollutant

I. Facility Description and Equipment List

Facility Name: Dubuque Metropolitan Sanitary Landfill

Permit Number: 11-TV-003R3

Facility Description: Refuse Systems (SIC 4953)

Equipment List

Emission Point Number	Emission Unit Number	Emission Unit Description	DNR Construction Permit Number
EP-1	EU-1	Landfill (uncaptured emissions) ⁽¹⁾	10-A-211-S1
EP-2	EU-1	Landfill (captured emissions) ⁽¹⁾	10-A-212-S1

⁽¹⁾ Pursuant to 567 IAC 24.101(1)"c" any source that is required to obtain a Title V operating permit solely because of an NSPS requirement, and which is not a major source, is required to obtain a Title V permit only for the emission unit(s) and related equipment causing the source to be subject to the Title V program. There may be other emission units at this facility that are not included in the Title V operating permit.

II. Plant-Wide Conditions

Facility Name: Dubuque Metropolitan Sanitary Landfill
Permit Number: 11-TV-003R3

Permit conditions are established in accord with 567 Iowa Administrative Code rule 24.108. When 567 IAC as amended May 15, 2024, and cited in this permit becomes State Implementation Plan (SIP) approved, it will supersede 567 IAC as amended February 8, 2023. Prior to May 15, 2024, all Title V rule citations in this Title V permit were found and cited in 567 IAC Chapter 22. During the period from May 15, 2024, to the date that 567 IAC as amended May 15, 2024, is approved into the SIP, both 567 IAC as amended May 15, 2024 and 567 IAC as amended February 8, 2023 form the legal basis for the applicable requirements included in this permit. A crosswalk showing the citation changes is attached to this permit in Appendix B.

Permit Duration

The term of this permit is: 5 Years
Commencing on:
Ending on:

Amendments, modifications and reopenings of the permit shall be obtained in accordance with 567 Iowa Administrative Code rules 24.110 - 24.114. Permits may be suspended, terminated, or revoked as specified in 567 Iowa Administrative Code Rules 24.115.

Emission Limits

Unless specified otherwise in the Source Specific Conditions, the following limitations and supporting regulations apply to all emission points at this plant:

Opacity (visible emissions): 40% opacity
Authority for Requirement: 567 IAC 23.3(2)"d"

Sulfur Dioxide (SO₂): 500 parts per million by volume
Authority for Requirement: 567 IAC 23.3(3)"e"

Particulate Matter:

No person shall cause or allow the emission of particulate matter from any source in excess of the emission standards specified in this chapter, except as provided in 567 – Chapter 24. For sources constructed, modified or reconstructed on or after July 21, 1999, the emission of particulate matter from any process shall not exceed an emission standard of 0.1 grain per dry standard cubic foot of exhaust gas, except as provided in 567 – 21.2(455B), 23.1(455B), 23.4(455B) and 567 – Chapter 24.

For sources constructed, modified or reconstructed prior to July 21, 1999, the emission of particulate matter from any process shall not exceed the amount determined from Table I, or

amount specified in a permit if based on an emission standard of 0.1 grain per standard cubic foot of exhaust gas or established from standards provided in 23.1(455B) and 23.4(455B).
Authority for Requirement: 567 IAC 23.3(2)"a"

Fugitive Dust: Attainment and Unclassified Areas - A person shall take reasonable precautions to prevent particulate matter from becoming airborne in quantities sufficient to cause a nuisance as defined in Iowa Code section 657.1 when the person allows, causes or permits any materials to be handled, transported or stored or a building, its appurtenances or a construction haul road to be used, constructed, altered, repaired or demolished, with the exception of farming operations or dust generated by ordinary travel on unpaved roads. Ordinary travel includes routine traffic and road maintenance activities such as scarifying, compacting, transporting road maintenance surfacing material, and scraping of the unpaved public road surface. (the preceding sentence is State Only) All persons, with the above exceptions, shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property on which the emissions originate. The public highway authority shall be responsible for taking corrective action in those cases where said authority has received complaints of or has actual knowledge of dust conditions which require abatement pursuant to this subrule. Reasonable precautions may include, but not be limited to, the following procedures.

1. Use, where practical, of water or chemicals for control of dusts in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
2. Application of suitable materials, such as but not limited to asphalt, oil, water or chemicals on unpaved roads, material stockpiles, race tracks and other surfaces which can give rise to airborne dusts.
3. Installation and use of containment or control equipment, to enclose or otherwise limit the emissions resulting from the handling and transfer of dusty materials, such as but not limited to grain, fertilizer or limestone.
4. Covering, at all times when in motion, open-bodied vehicles transporting materials likely to give rise to airborne dusts.
5. Prompt removal of earth or other material from paved streets or to which earth or other material has been transported by trucking or earth-moving equipment, erosion by water or other means.
6. Reducing the speed of vehicles traveling over on-property surfaces as necessary to minimize the generation of airborne dusts.

Authority for Requirement: 567 IAC 23.3(2)"c"

III. Emission Point-Specific Conditions

Facility Name: Dubuque Metropolitan Sanitary Landfill
Permit Number: 11-TV-003R3

Emission Point ID Number: EP-1

Associated Equipment

Emission Unit vented through this Emission Point: EU-1
Emission Unit Description: Landfill (uncaptured emissions)
Raw Material/Fuel: Municipal Solid Waste
Design Capacity: 5,370,688 Megagrams

Applicable Requirements

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)

The emissions from this emission point shall not exceed the levels specified below.

Pollutant: Opacity

Emission Limit(s): 40% ⁽¹⁾

Authority for Requirement: 567 IAC 23.3(2)"d"

DNR Construction Permit 10-A-211-S1

⁽¹⁾An exceedance of the indicator opacity of 10% will require the owner/operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the DNR may require additional proof to demonstrate compliance.

Pollutant: Particulate Matter (PM)

Emission Limit(s): 0.1 gr/dscf

Authority for Requirement: 567 IAC 23.3(2)"a"

DNR Construction Permit 10-A-211-S1

Pollutant: Fugitive Dust

Emission Limit: No person shall allow, cause or permit any materials to be handled, transported or stored; or a building, its appurtenances or a construction haul road to be used, constructed, altered, repaired or demolished, without taking reasonable precautions to prevent a nuisance. All persons shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property on which the emissions originate.

Authority for Requirement: 567 IAC 23.3(2)"c"

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

Operating Limits:

- A. The owner or operator shall follow all applicable requirements of NSPS Subpart XXX §60.760-§60.769: Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
- B. The owner or operator shall apply to modify this construction permit if a gas collection and control system is required to be installed in accordance with §60.762(b)(2).
- C. The capacity of the municipal solid waste (MSW) landfill covered by this permit shall not exceed 5,370,688 Megagrams. The capacity limit applies to the total amount of solid waste that is, or will be, located in the following areas of the MSW landfill: all closed sections of the landfill (i.e. in-place waste), all open landfill areas or cells that are currently receiving waste, and all future open areas or cells of the MSW landfill. This limit applies to the entire MSW landfill in a contiguous geographical space that is used, or has been used, for the disposal of municipal solid waste. This limit does not preclude the owner or operator from having to comply with any other local, state or federal permit that limits or defines the design capacity of the landfill.

Reporting & Recordkeeping:

All records as required shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner. These records shall show the following:

- A. In accordance with §60.768(a), the owner or operator shall keep the following records for at least five years: up-to-date, readily accessible, on-site records of the design capacity report that showed that the landfill has a capacity greater than 2.5 million Megagrams and 2.5 million cubic meters, the current amount of solid waste in- place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable.
- B. The owner or operator of the MSW landfill shall maintain the following monthly records:
 - a. The amount of solid waste accepted or received at the MSW landfill in mass (Megagrams)⁽¹⁾.
 - b. The total amount of solid waste that has been received at the landfill in all open and closed areas of the MSW landfill in mass (Megagrams)⁽¹⁾.
- C. Prior to increasing the capacity of this landfill above the permit limit of 5,370,688 Megagrams, the owner or operator shall apply to the Iowa DNR, Air Quality Bureau to modify this construction permit. An increase in the capacity of the landfill above what is specified in this construction permit is not allowed without the issuance of a modified air construction permit. Note: if there is a partial cell that puts the capacity over 5,370,688 Megagrams then the landfill will need to amend the permit prior to starting construction on that cell.

- D. -The owner or operator has shown through Tier 2 testing that the landfill’s NMOC emissions are less than 34 Megagrams per year. In accordance with 60.762(b)(1) the owner or operator must do the following:
 - a. Calculate the NMOC emission rate annually using the procedures specified in §60.764(a) until such time as the calculated NMOC emission rate is equal to or greater than 34 Megagrams per year or the landfill is closed.
 - b. Submit an annual report of NMOC emissions; or
 - c. Submit an estimate of NMOC emissions for the next 5-year period in lieu of the annual NMOC report in accordance with 60.767(b)(ii).
- E. -The NMOC emission rate for the landfill shall be calculated using the procedures specified in §60.764. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.
- F. If the NMOC emissions from the landfill resulting from the Tier 2 testing are equal to or greater than 34 Megagrams per year, the owner or operator shall either submit a design plan to install a gas collection and control system in accordance with §60.762(b)(2) or shall determine the site-specific methane generation rate constant (k) and shall recalculate the NMOC emission rate using the site-specific methane generation rate constant and the procedures specified in §60.764(a) (4) (i.e. Tier 3). The revised NMOC emission rate report based on the provisions of §60.764(a)(4) shall be submitted within 1 year of the first calculated emission rate exceeding 34 Megagrams per year.

⁽¹⁾To convert tons to Megagrams, multiply by 0.91.

Authority for Requirement: 40 CFR Part 60, Subpart XXX
DNR Construction Permit 10-A-211-S1

NSPS and NESHAP Applicability

The landfill is subject to NSPS Subpart XXX (40 CFR §60.760 – 40 CFR §60.769) – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014. The MSW landfill is also subject to the General Provisions of Subpart A (40 CFR §60.1 – 40 CFR §60.19).

Authority for Requirement: DNR Construction Permit 10-A-211-S1
40 CFR Part 60, Subpart XXX
567 IAC 23.1(2)"rrr"

Monitoring Requirements

The owner/operator of this equipment shall comply with the monitoring requirements listed below.

Testing:

Pollutant: Non-methane Organic Compounds (NMOC) ⁽¹⁾

Test Method: 40 CFR 60, Appendix A, Method 25 or 25C ⁽²⁾

⁽¹⁾ NMOC as measured according to the provisions of §60.764

⁽²⁾ In accordance with §60.764(a)(3) the landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known area of nondegradable solid waste. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

Tier 2: The landfill owner or operator shall determine the NMOC concentration as outlined in §60.764(a)(3). The landfill owner shall recalculate the NMOC mass emission rate using the equations provided in §60.764(a)(1)(i) or §60.764(a)(1)(ii) using the average NMOC concentration from the collected samples instead of the default value. If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 34 Mg per year, then the landfill owner shall either comply with §60.762(b)(2) or determine the site-specific methane generation rate as outlined in §60.764(a)(4). If the resulting NMOC mass emission rate is less than 34 Mg per year, the landfill owner shall submit a periodic estimate of the emission rate report as provided in §60.767(b)(1) and retest the site-specific NMOC concentration every 5 years.

Frequency - Tier 2 is required to be completed once every 5 years to determine the NMOC concentration (C_{NMOC}). Tier 3 is required to be performed only once to determine the methane generation rate constant (k). The most recent Tier 2 sampling was conducted on December 17, 2026. The next Tier 2 test shall be completed by December 16, 2030. The revised NMOC emission rate report with the recalculated emission rate based on NMOC sampling and analysis shall be submitted within 180 days of the first calculated exceedance of 34 Megagrams per year per §60.767(c)(1).

Tier 3: If the landfill decides to complete Tier 3, the site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E (see §60.764(a)(4)). The landfill owner shall estimate the NMOC mass emission rate using the equations provided in §60.764(a)(1)(i) or §60.764(a)(1)(ii) using the average NMOC concentration from the collected samples and using a site-specific methane generation rate constant (k), instead of the default values. The landfill owner shall compare the resulting NMOC mass emission rate to the standard of 34 Mg per year. If the NMOC mass emission rate as calculated is equal to or greater than 34 Mg per year, the owner or operator shall comply with §60.762(b)(2). If the NMOC mass emission rate is less than 34 Mg per year, then the owner or operator shall submit a periodic emission rate report as provided in §60.767(b)(1) using the equations in §60.764(a)(1)(i) or §60.764(a)(1)(ii) and using the site-specific methane generation rate constant and NMOC

concentration. The calculation of the methane generation rate constant is performed only once and shall be used in all subsequent annual NMOC emission rate calculations.

If Tier 3 is completed, the revised NMOC emission rate report based on the provisions of §60.767(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 34 megagrams per year (see §60.767(c)(2)).

Authority for Requirement: DNR Construction Permit 10-A-211-S1
40 CFR Part 60, Subpart XXX

Agency Approved Operation & Maintenance Plan Required? Yes No

Facility Maintained Operation & Maintenance Plan Required? Yes No

Compliance Assurance Monitoring (CAM) Plan Required? Yes No

Authority for Requirement: 567 IAC 24.108(3)

Emission Point ID Number: EP-2

Associated Equipment

Emission Unit vented through this Emission Point: EU-1
Control Equipment ID Number: CE-2
Emissions Control Equipment Description: Flare #1
Emission Unit Description: Landfill (captured emissions)
Raw Material/Fuel: Landfill gas
Design Capacity: 700 scfm inlet flow, 23.1 MMBtu/hr

Applicable Requirements

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)

The emissions from this emission point shall not exceed the levels specified below.

Pollutant: Opacity

Emission Limit(s): 40% ⁽¹⁾

Authority for Requirement: 567 IAC 23.3(2)"d"

DNR Construction Permit 10-A-212-S1

⁽¹⁾An exceedance of the indicator opacity of "no visible emissions" will require the owner/operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the DNR may require additional proof to demonstrate compliance.

Pollutant: Particulate Matter (PM)

Emission Limit(s): 0.1 gr/dscf

Authority for Requirement: 567 IAC 23.3(2)"a"

DNR Construction Permit 10-A-212-S1

Pollutant: Sulfur Dioxide (SO₂)

Emission Limit(s): 500 ppmv

Authority for Requirement: 567 IAC 23.3(3)"e"

DNR Construction Permit 10-A-212-S1

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

Operating Limits:

- A. The flare shall be equipped with an automatic gas ignition system.
- B. The flare is not required to comply with requirements from §60.762(b) because the NMOC emission rate from the landfill is less than 34 Megagrams per year. The owner or operator shall apply to modify this construction permit if a gas collection and control system is required to be installed in accordance with §60.762(b)(2).

Reporting & Recordkeeping:

All records as required shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner. These records shall show the following:

- A. The owner or operator shall properly operate and maintain equipment to continuously monitor the pilot flame or the gas ignition system. The owner or operator shall record any periods of time during which there was no pilot flame or the gas ignition system was not in operation.
- B. The flare shall be installed, operated and maintained in accordance with the recommendations of its manufacturer.

Authority for Requirement: DNR Construction Permit 10-A-212-S1

NSPS and NESHAP Applicability

The landfill is subject to NSPS Subpart XXX (40 CFR §60.760 – 40 CFR §60.769) – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014. The MSW landfill is also subject to the General Provisions of Subpart A (40 CFR §60.1 – 40 CFR §60.19).

Authority for Requirement: DNR Construction Permit 10-A-212-S1
40 CFR Part 60, Subpart XXX

Emission Point Characteristics

The emission point shall conform to the specifications listed below.

Stack Height, (ft, from the ground): 28.66

Stack Opening, (inches, dia.): 8.3

Exhaust Flow Rate (scfm): 6,650

Exhaust Temperature (°F): 1,600

Discharge Style: Vertical Unobstructed

Authority for Requirement: DNR Construction Permit 10-A-212-S1

The temperature and flowrate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that either the temperature or flowrate above are different than the values stated, the owner or operator shall submit a request to the Department within thirty (30) days of the discovery to determine if a permit amendment is required or submit a permit application requesting to amend the permit.

Monitoring Requirements

The owner/operator of this equipment shall comply with the monitoring requirements listed below.

Agency Approved Operation & Maintenance Plan Required? Yes No

Facility Maintained Operation & Maintenance Plan Required? Yes No

Compliance Assurance Monitoring (CAM) Plan Required? Yes No

Authority for Requirement: 567 IAC 24.108(3)

IV. General Conditions

This permit is issued under the authority of the Iowa Code subsection 455B.133(8) and in accordance with 567 Iowa Administrative Code (IAC). When 567 IAC as amended May 15, 2024, and cited in this permit becomes State Implementation Plan (SIP) approved, it will supersede 567 IAC as amended February 8, 2023. Prior to May 15, 2024, all Title V rule citations in this Title V permit were found and cited in 567 IAC Chapter 22. During the period from May 15, 2024, to the date that 567 IAC as amended May 15, 2024, is approved into the SIP, both 567 IAC as amended May 15, 2024, and 567 IAC as amended February 8, 2023 form the legal basis for the applicable requirements included in this permit. A crosswalk showing the citation changes is attached to this permit in Appendix B.

G1. Duty to Comply

1. The permittee must comply with all conditions of the Title V permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. *567 IAC 24.108(9)"a"*
2. Any compliance schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based. *567 IAC 24.105(2)"h"(3)*
3. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be enforceable by the administrator and are incorporated into this permit. *567 IAC 24.108(1)"b"*
4. Unless specified as either "state enforceable only" or "local program enforceable only", all terms and conditions in the permit, including provisions to limit a source's potential to emit, are enforceable by the administrator and citizens under the Act. *567 IAC 24.108(14)*
5. It shall not be a defense for a permittee, in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. *567 IAC 24.108(9)"b"*
6. For applicable requirements with which the permittee is in compliance, the permittee shall continue to comply with such requirements. For applicable requirements that will become effective during the permit term, the permittee shall meet such requirements on a timely basis. *567 IAC 24.108(15)"c"*

G2. Permit Expiration

1. Except as provided in rule 567—24.104(455B), permit expiration terminates a source's right to operate unless a timely and complete application for renewal has been submitted in accordance with rule 567—24.105(455B). *567 IAC 24.116(2)*
2. To be considered timely, the owner, operator, or designated representative (where applicable) of each source required to obtain a Title V permit shall submit on forms or electronic format specified by the Department. Additional copies to local programs or EPA are not required for application materials submitted through the electronic format specified by the Department. The application must include all emission points, emission units, air pollution control equipment, and monitoring devices at the facility. All emissions generating activities, including fugitive emissions, must be included. The definition of a complete application is as indicated in 567 IAC 24.105(2). *567 IAC 24.105*

G3. Certification Requirement for Title V Related Documents

Any application, report, compliance certification or other document submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. All certifications shall state that, based on information and belief formed after reasonable

inquiry, the statements and information in the document are true, accurate, and complete. 567 IAC 24.107(4)

G4. Annual Compliance Certification

By March 31 of each year, the permittee shall submit compliance certifications for the previous calendar year. The certifications shall include descriptions of means to monitor the compliance status of all emissions sources including emissions limitations, standards, and work practices in accordance with applicable requirements. The certification for a source shall include the identification of each term or condition of the permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with all applicable department rules. For sources determined not to be in compliance at the time of compliance certification, a compliance schedule shall be submitted which provides for periodic progress reports, dates for achieving activities, milestones, and an explanation of why any dates were missed and preventive or corrective measures. The compliance certification shall be submitted to the administrator, director, and the appropriate DNR Field office. 567 IAC 24.108(15)"e"

G5. Semi-Annual Monitoring Report

By March 31 and September 30 of each year, the permittee shall submit a report of any monitoring required under this permit for the 6 month periods of July 1 to December 31 and January 1 to June 30, respectively. All instances of deviations from permit requirements must be clearly identified in these reports, and the report must be signed by a responsible official, consistent with 567 IAC 24.107(4). The semi-annual monitoring report shall be submitted to the director and the appropriate DNR Field office. 567 IAC 24.108 (5)

G6. Annual Fee

1. The permittee is required under subrule 567 IAC 24.106 to pay an annual fee based on the total tons of actual emissions of each regulated air pollutant. Beginning July 1, 1996, Title V operating permit fees will be paid on July 1 of each year. The fee shall be based on emissions for the previous calendar year.
2. The fee amount shall be calculated based on the first 4,000 tons of each regulated air pollutant emitted each year. The fee to be charged per ton of pollutant will be available from the department by June 1 of each year. The Responsible Official will be advised of any change in the annual fee per ton of pollutant.
3. The emissions inventory shall be submitted annually by March 31 with forms specified by the department documenting actual emissions for the previous calendar year.
4. The fee shall be submitted annually by July 1 with forms specified by the department.
5. If there are any changes to the emission calculation form, the department shall make revised forms available to the public by January 1. If revised forms are not available by January 1, forms from the previous year may be used and the year of emissions documented changed. The department shall calculate the total statewide Title V emissions for the prior calendar year and make this information available to the public no later than April 30 of each year.
6. Phase I acid rain affected units under section 404 of the Act shall not be required to pay a fee for emissions which occur during the years 1993 through 1999 inclusive.
7. The fee for a portable emissions unit or stationary source which operates both in Iowa and out of state shall be calculated only for emissions from the source while operating in Iowa.
8. Failure to pay the appropriate Title V fee represents cause for revocation of the Title V permit as indicated in 567 IAC 24.115(1)"d".

G7. Inspection of Premises, Records, Equipment, Methods and Discharges

Upon presentation of proper credentials and any other documents as may be required by law, the permittee shall allow the director or the director's authorized representative to:

1. Enter upon the permittee's premises where a Title V source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
4. Sample or monitor, at reasonable times, substances or parameters for the purpose of ensuring compliance with the permit or other applicable requirements. *567 IAC 24.108 (15)"b"*

G8. Duty to Provide Information

The permittee shall furnish to the director, within a reasonable time, any information that the director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the director copies of records required to be kept by the permit, or for information claimed to be confidential, the permittee shall furnish such records directly to the administrator of EPA along with a claim of confidentiality. *567 IAC 24.108 (9)"e"*

G9. General Maintenance and Repair Duties

The owner or operator of any air emission source or control equipment shall:

1. Maintain and operate the equipment or control equipment at all times in a manner consistent with good practice for minimizing emissions.
2. Remedy any cause of excess emissions in an expeditious manner.
3. Minimize the amount and duration of any excess emission to the maximum extent possible during periods of such emissions. These measures may include but not be limited to the use of clean fuels, production cutbacks, or the use of alternate process units or, in the case of utilities, purchase of electrical power until repairs are completed.
4. Schedule, at a minimum, routine maintenance of equipment or control equipment during periods of process shutdowns to the maximum extent possible. *567 IAC 21.8(1)*

G10. Recordkeeping Requirements for Compliance Monitoring

1. In addition to any source specific recordkeeping requirements contained in this permit, the permittee shall maintain the following compliance monitoring records, where applicable:

- a. The date, place and time of sampling or measurements
- b. The date the analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses; and
- f. The operating conditions as existing at the time of sampling or measurement.
- g. The records of quality assurance for continuous compliance monitoring systems (including but not limited to quality control activities, audits and calibration drifts.)

2. The permittee shall retain records of all required compliance monitoring data and support information for a period of at least 5 years from the date of compliance monitoring sample, measurement report or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous compliance monitoring, and copies of all reports required by the permit.

3. For any source which in its application identified reasonably anticipated alternative operating scenarios, the permittee shall:
 - a. Comply with all terms and conditions of this permit specific to each alternative scenario.
 - b. Maintain a log at the permitted facility of the scenario under which it is operating.
 - c. Consider the permit shield, if provided in this permit, to extend to all terms and conditions under each operating scenario. *567 IAC 24.108(4), 567 IAC 24.108(12)*

G11. Evidence used in establishing that a violation has or is occurring.

Notwithstanding any other provisions of these rules, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any provisions herein.

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:
 - a. A monitoring method approved for the source and incorporated in an operating permit pursuant to 567 Chapter 24;
 - b. Compliance test methods specified in 567 Chapter 21; or
 - c. Testing or monitoring methods approved for the source in a construction permit issued pursuant to 567 Chapter 22.
2. The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
 - a. Any monitoring or testing methods provided in these rules; or
 - b. Other testing, monitoring, or information gathering methods that produce information comparable to that produced by any method in subrule 21.5(1) or this subrule. *567 IAC 21.5(1)-567 IAC 21.5(2)*

G12. Prevention of Accidental Release: Risk Management Plan Notification and Compliance Certification

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Act, the permittee shall notify the department of this requirement. The plan shall be filed with all appropriate authorities by the deadline specified by EPA. A certification that this risk management plan is being properly implemented shall be included in the annual compliance certification of this permit. *567 IAC 24.108(6)*

G13. Hazardous Release

The permittee must report any situation involving the actual, imminent, or probable release of a hazardous substance into the atmosphere which, because of the quantity, strength and toxicity of the substance, creates an immediate or potential danger to the public health, safety or to the environment. A verbal report shall be made to the department at (515) 725-8694 and to the local police department or the office of the sheriff of the affected county as soon as possible but not later than six hours after the discovery or onset of the condition. This verbal report must be followed up with a written report as indicated in 567 IAC 131.2(2). *567 IAC Chapter 131-State Only*

G14. Excess Emissions and Excess Emissions Reporting Requirements

1. Excess Emissions. Excess emission during a period of startup, shutdown, or cleaning of control equipment is not a violation of the emission standard if the startup, shutdown or cleaning is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions. Cleaning of control equipment which does not require the shutdown of the process equipment shall be limited to one six-minute period per one-hour period. An incident of excess emission (other than an incident during startup, shutdown or cleaning of control equipment) is a

violation. If the owner or operator of a source maintains that the incident of excess emission was due to a malfunction, the owner or operator must show that the conditions which caused the incident of excess emission were not preventable by reasonable maintenance and control measures. Determination of any subsequent enforcement action will be made following review of this report. If excess emissions are occurring, either the control equipment causing the excess emission shall be repaired in an expeditious manner or the process generating the emissions shall be shutdown within a reasonable period of time. An expeditious manner is the time necessary to determine the cause of the excess emissions and to correct it within a reasonable period of time. A reasonable period of time is eight hours plus the period of time required to shut down the process without damaging the process equipment or control equipment. A variance from this subrule may be available as provided for in Iowa Code section 455B.143. In the case of an electric utility, a reasonable period of time is eight hours plus the period of time until comparable generating capacity is available to meet consumer demand with the affected unit out of service, unless, the director shall, upon investigation, reasonably determine that continued operation constitutes an unjustifiable environmental hazard and issue an order that such operation is not in the public interest and require a process shutdown to commence immediately.

2. Excess Emissions Reporting

a. Initial Reporting of Excess Emissions. An incident of excess emission (other than an incident of excess emission during a period of startup, shutdown, or cleaning) shall be reported to the appropriate field office of the department within eight hours of, or at the start of the first working day following the onset of the incident. The reporting exemption for an incident of excess emission during startup, shutdown or cleaning does not relieve the owner or operator of a source with continuous monitoring equipment of the obligation of submitting reports required in 567-subrule 21.10(6). An initial report of excess emission is not required for a source with operational continuous monitoring equipment (as specified in 567-subrule 21.10(1)) if the incident of excess emission continues for less than 30 minutes and does not exceed the applicable emission standard by more than 10 percent or the applicable visible emission standard by more than 10 percent opacity. The initial report may be made by electronic mail (E-mail), in person, or by telephone and shall include as a minimum the following:

- i. The identity of the equipment or source operation from which the excess emission originated and the associated stack or emission point.
- ii. The estimated quantity of the excess emission.
- iii. The time and expected duration of the excess emission.
- iv. The cause of the excess emission.
- v. The steps being taken to remedy the excess emission.
- vi. The steps being taken to limit the excess emission in the interim period.

b. Written Reporting of Excess Emissions. A written report of an incident of excess emission shall be submitted as a follow-up to all required initial reports to the department within seven days of the onset of the upset condition, and shall include as a minimum the following:

- i. The identity of the equipment or source operation point from which the excess emission originated and the associated stack or emission point.
- ii. The estimated quantity of the excess emission.
- iii. The time and duration of the excess emission.
- iv. The cause of the excess emission.

- v. The steps that were taken to remedy and to prevent the recurrence of the incident of excess emission.
- vi. The steps that were taken to limit the excess emission.
- vii. If the owner claims that the excess emission was due to malfunction, documentation to support this claim. *567 IAC 21.7(1)-567 IAC 21.7(4)*

G15. Permit Deviation Reporting Requirements

A deviation is any failure to meet a term, condition or applicable requirement in the permit. Reporting requirements for deviations that result in a hazardous release or excess emissions have been indicated above (see G13 and G14). Unless more frequent deviation reporting is specified in the permit, any other deviation shall be documented in the semi-annual monitoring report and the annual compliance certification (see G4 and G5). *567 IAC 24.108(5)"b"*

G16. Notification Requirements for Sources That Become Subject to NSPS and NESHAP Regulations

During the term of this permit, the permittee must notify the department of any source that becomes subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance of new stationary sources) or section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants), 567-subrule 23.1(4) (emission standards for hazardous air pollutants for source categories) or section 112 of the Act. This notification shall be submitted in writing to the department pursuant to the notification requirements in 40 CFR Section 60.7, 40 CFR Section 61.07, and/or 40 CFR Section 63.9. *567 IAC 23.1(2), 567 IAC 23.1(3), 567 IAC 23.1(4)*

G17. Requirements for Making Changes to Emission Sources That Do Not Require Title V Permit Modification

1. Off Permit Changes to a Source. Pursuant to section 502(b)(10) of the CAAA, the permittee may make changes to this installation/facility without revising this permit if:
 - a. The changes are not major modifications under any provision of any program required by section 110 of the Act, modifications under section 111 of the act, modifications under section 112 of the act, or major modifications as defined in 567 IAC Chapter 24.
 - b. The changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions);
 - c. The changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or as total emissions);
 - d. The changes are not subject to any requirement under Title IV of the Act (revisions affecting Title IV permitting are addressed in rules 567—24.140(455B) through 567 - 24.144(455B));
 - e. The changes comply with all applicable requirements.
 - f. For each such change, the permitted source provides to the department and the administrator by certified mail, at least 30 days in advance of the proposed change, a written notification, including the following, which must be attached to the permit by the source, the department and the administrator:
 - i. A brief description of the change within the permitted facility,
 - ii. The date on which the change will occur,
 - iii. Any change in emission as a result of that change,
 - iv. The pollutants emitted subject to the emissions trade
 - v. If the emissions trading provisions of the state implementation plan are

invoked, then Title V permit requirements with which the source shall comply; a description of how the emissions increases and decreases will comply with the terms and conditions of the Title V permit.

vi. A description of the trading of emissions increases and decreases for the purpose of complying with a federally enforceable emissions cap as specified in and in compliance with the Title V permit; and

vii. Any permit term or condition no longer applicable as a result of the change.
567 IAC 24.110(1)

2. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), record keeping, reporting, or compliance certification requirements. *567 IAC 24.110(2)*

3. Notwithstanding any other part of this rule, the director may, upon review of a notice, require a stationary source to apply for a Title V permit if the change does not meet the requirements of subrule 24.110(1). *567 IAC 24.110(3)*

4. The permit shield provided in subrule 24.108(18) shall not apply to any change made pursuant to this rule. Compliance with the permit requirements that the source will meet using the emissions trade shall be determined according to requirements of the state implementation plan authorizing the emissions trade. *567 IAC 24.110(4)*

5. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes, for changes that are provided for in this permit. *567 IAC 24.108(11)*

G18. Duty to Modify a Title V Permit

1. Administrative Amendment.

a. An administrative permit amendment is a permit revision that does any of the following:

i. Correct typographical errors

ii. Identify a change in the name, address, or telephone number of any person identified in the permit, or provides a similar minor administrative change at the source;

iii. Require more frequent monitoring or reporting by the permittee; or

iv. Allow for a change in ownership or operational control of a source where the director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the director.

b. The permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. The request shall be submitted to the director.

c. Administrative amendments to portions of permits containing provisions pursuant to Title IV of the Act shall be governed by regulations promulgated by the administrator under Title IV of the Act.

2. Minor Title V Permit Modification.

a. Minor Title V permit modification procedures may be used only for those permit modifications that satisfy all of the following:

- i. Do not violate any applicable requirement;
 - ii. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the Title V permit;
 - iii. Do not require or change a case by case determination of an emission limitation or other standard, or an increment analysis;
 - iv. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed in order to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include any federally enforceable emissions caps which the source would assume to avoid classification as a modification under any provision under Title I of the Act; and an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Act;
 - v. Are not modifications under any provision of Title I of the Act; and
 - vi. Are not required to be processed as significant modification under rule 567 - 24.113(455B).
- b. An application for minor permit revision shall be on the minor Title V modification application form and shall include at least the following:
- i. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - ii. The permittee's suggested draft permit;
 - iii. Certification by a responsible official, pursuant to 567 IAC 24.107(4), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
 - iv. Completed forms to enable the department to notify the administrator and the affected states as required by 567 IAC 24.107(7).
- c. The permittee may make the change proposed in its minor permit modification application immediately after it files the application. After the permittee makes this change and until the director takes any of the actions specified in 567 IAC 24.112(4) "a" to "c", the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time, the permittee need not comply with the existing permit terms and conditions it seeks to modify. However, if the permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against the facility.

3. Significant Title V Permit Modification.

Significant Title V modification procedures shall be used for applications requesting Title V permit modifications that do not qualify as minor Title V modifications or as administrative amendments. These include but are not limited to all significant changes in monitoring permit terms, every relaxation of reporting or recordkeeping permit terms, and any change in the method of measuring compliance with existing requirements. Significant Title V modifications shall meet all requirements of 567 IAC Chapter 24, including those for applications, public participation, review by affected states, and review by the administrator, as those requirements that apply to Title V issuance and renewal.

The permittee shall submit an application for a significant permit modification not later than three months after commencing operation of the changed source unless the existing Title V

permit would prohibit such construction or change in operation, in which event the operation of the changed source may not commence until the department revises the permit. *567 IAC 24.111-567 IAC 24.113*

G19. Duty to Obtain Construction Permits

Unless exempted in 567 IAC 22.1(2) or to meet the parameters established in 567 IAC 22.1(1)"c", the permittee shall not construct, install, reconstruct or alter any equipment, control equipment or anaerobic lagoon without first obtaining a construction permit, or conditional permit, or permit pursuant to rule 567 IAC 22.8, or permits required pursuant to rules 567 IAC 22.4, 567 IAC 22.5, 567 IAC 31.3, and 567 IAC 33.3 as required in 567 IAC 22.1(1). A permit shall be obtained prior to the initiation of construction, installation or alteration of any portion of the stationary source or anaerobic lagoon. *567 IAC 22.1(1)*

G20. Asbestos

The permittee shall comply with 567 IAC 23.1(3)"a", and 567 IAC 23.2(3)"g" when activities involve asbestos mills, surfacing of roadways, manufacturing operations, fabricating, insulating, waste disposal, spraying applications, demolition and renovation operations (*567 IAC 23.1(3)"a"*); training fires and controlled burning of a demolished building (*567 IAC 23.2*).

G21. Open Burning

The permittee is prohibited from conducting open burning, except as provided in 567 IAC 23.2. *567 IAC 23.2 except 23.2(3)"j"; 567 IAC 23.2(3)"j" - State Only*

G22. Acid Rain (Title IV) Emissions Allowances

The permittee shall not exceed any allowances that it holds under Title IV of the Act or the regulations promulgated there under. Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide held by the owners and operators of the unit or the designated representative of the owners and operators is prohibited. Exceedences of applicable emission rates are prohibited. "Held" in this context refers to both those allowances assigned to the owners and operators by USEPA, and those allowances supplementally acquired by the owners and operators. The use of any allowance prior to the year for which it was allocated is prohibited. Contravention of any other provision of the permit is prohibited. *567 IAC 24.108(7)*

G23. Stratospheric Ozone and Climate Protection (Title VI) Requirements

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to § 82.106.
 - b. The placement of the required warning statement must comply with the requirements pursuant to § 82.108.
 - c. The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.
 - d. No person may modify, remove, or interfere with the required warning statement except as described in § 82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must

comply with the standards for recycling and recovery equipment pursuant to § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.

d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with reporting and recordkeeping requirements pursuant to § 82.166. ("MVAC-like appliance" as defined at § 82.152)

e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.

f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant,

5. The permittee shall be allowed to switch from any ozone-depleting or greenhouse gas generating substances to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *40 CFR part 82*

G24. Permit Reopenings

1. 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. *567 IAC 24.108(9)"c"*

2. Additional applicable requirements under the Act become applicable to a major part 70 source with a remaining permit term of 3 or more years. Revisions shall be made as expeditiously as practicable, but not later than 18 months after the promulgation of such standards and regulations.

a. Reopening and revision on this ground is not required if the permit has a remaining term of less than three years;

b. Reopening and revision on this ground is not required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii) as amended to May 15, 2001.

c. Reopening and revision on this ground is not required if the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. *567 IAC 24.108(17)"a"*, *567 IAC 24.108(17)"b"*

3. A permit shall be reopened and revised under any of the following circumstances:

- a. The department receives notice that the administrator has granted a petition for disapproval of a permit pursuant to 40 CFR 70.8(d) as amended to July 21, 1992, provided that the reopening may be stayed pending judicial review of that determination;
- b. The department or the administrator determines that the Title V permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Title V permit;
- c. Additional applicable requirements under the Act become applicable to a Title V source, provided that the reopening on this ground is not required if the permit has a remaining term of less than three years, the effective date of the requirement is later than the date on which the permit is due to expire, or the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. Such a reopening shall be complete not later than 18 months after promulgation of the applicable requirement.
- d. Additional requirements, including excess emissions requirements, become applicable to a Title IV affected source under the acid rain program. Upon approval by the administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
- e. The department or the administrator determines that the permit must be revised or revoked to ensure compliance by the source with the applicable requirements. *567 IAC 24.114*

4. Proceedings to reopen and reissue a Title V permit shall follow the procedures applicable to initial permit issuance and shall effect only those parts of the permit for which cause to reopen exists. *567 IAC 24.114*

5. A notice of intent shall be provided to the Title V source at least 30 days in advance of the date the permit is to be reopened, except that the director may provide a shorter time period in the case of an emergency. *567 IAC 24.114*

G25. Permit Shield

1. The director may expressly include in a Title V permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- a. Such applicable requirements are included and are specifically identified in the permit; or
- b. The director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

2. A Title V permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

3. A permit shield shall not alter or affect the following:

- a. The provisions of Section 303 of the Act (emergency orders), including the authority of the administrator under that section;
- b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- c. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Act;
- d. The ability of the department or the administrator to obtain information from the facility pursuant to Section 114 of the Act. *567 IAC 24.108 (18)*

G26. Severability

The provisions of this permit are severable and if any provision or application of any provision is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding. *567 IAC 24.108 (8)*

G27. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. *567 IAC 24.108 (9)"d"*

G28. Transferability

This permit is not transferable from one source to another. If title to the facility or any part of it is transferred, an administrative amendment to the permit must be sought consistent with the requirements of *567 IAC 24.111(1)*. *567 IAC 24.111 (1)"d"*

G29. Disclaimer

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. *567 IAC 22.3(3)"c"*

G30. Notification and Reporting Requirements for Stack Tests or Monitor Certification

The permittee shall notify the department's stack test contact in writing not less than 30 days before a required test or performance evaluation of a continuous emission monitor is performed to determine compliance with applicable requirements of *567 – Chapter 23* or a permit condition. Such notice shall include the time, the place, the name of the person who will conduct the test and other information as required by the department. If the owner or operator does not provide timely notice to the department, the department shall not consider the test results or performance evaluation results to be a valid demonstration of compliance with applicable rules or permit conditions. Upon written request, the department may allow a notification period of less than 30 days. At the department's request, a pretest meeting shall be held not later than 15 days prior to conducting the compliance demonstration. A testing protocol shall be submitted to the department no later than 15 days before the owner or operator conducts the compliance demonstration. A representative of the department shall be permitted to witness the tests. Results of the tests shall be submitted in writing to the department's stack test contact in the form of a comprehensive report within six weeks (42 days) of the completion of the testing. Compliance tests conducted pursuant to this permit shall be conducted with the source operating in a normal manner at its maximum continuous output as rated by the equipment manufacturer, or the rate specified by the owner as the maximum production rate at which the source shall be operated. In cases where compliance is to be demonstrated at less than the maximum continuous output as rated by the equipment manufacturer, and it is the owner's intent to limit the capacity to that rating, the owner may submit evidence to the department that the source has been physically altered so that capacity cannot be exceeded, or the department may require additional testing, continuous monitoring, reports of operating levels, or any other information deemed necessary by the department to determine whether such source is in compliance.

Stack test notifications, reports and correspondence shall be sent to:

Stack Test Review Coordinator
Iowa DNR, Air Quality Bureau
6200 Park Ave
Suite 200
Des Moines, IA 50321
(515) 343-6589

Within Polk and Linn Counties, stack test notifications, reports and correspondence shall also be directed to the supervisor of the respective county air pollution program.

567 IAC 21.10(7)"a", 567 IAC 21.10(9)

G31. Prevention of Air Pollution Emergency Episodes

The permittee shall comply with the provisions of 567 IAC Chapter 26 in the prevention of excessive build-up of air contaminants during air pollution episodes, thereby preventing the occurrence of an emergency due to the effects of these contaminants on the health of persons.

567 IAC 26.1(1)

G32. Contacts List

The current address and phone number for reports and notifications to the EPA administrator is:

Iowa Compliance Officer
Air Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 7
11201 Renner Blvd.
Lenexa, KS 66219
(913) 551-7020

The current address and phone number for reports and notifications to the department or the Director is:

Chief, Air Quality Bureau
Iowa Department of Natural Resources
6200 Park Ave
Suite 200
Des Moines, IA 50321
(515) 313-8325

Reports or notifications to the DNR Field Offices or local programs shall be directed to the supervisor at the appropriate field office or local program. Current addresses and phone numbers are:

Field Office 1

1101 Commercial Court, Suite 10
Manchester, IA 52057
(563) 927-2640

Field Office 2

2300-15th St., SW
Mason City, IA 50401
(641) 424-4073

Field Office 3

1900 N. Grand Ave.
Spencer, IA 51301
(712) 262-4177

Field Office 4

1401 Sunnyside Lane
Atlantic, IA 50022
(712) 243-1934

Field Office 5

6200 Park Ave
Suite 200
Des Moines, IA 50321
(515) 725-0268

Field Office 6

1023 West Madison Street
Washington, IA 52353-1623
(319) 653-2135

Polk County Public Works Dept.

Air Quality Division
5885 NE 14th St.
Des Moines, IA 50313
(515) 286-3351

Linn County Public Health

Air Quality Branch
1020 6th Street SE
Cedar Rapids, IA 52401
(319) 892-6000

V. Appendix A – Reference Web Link

40 CFR 60 Subpart XXX - Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-XXX>

VI. Appendix B – Executive Order 10 (EO10) Rules Crosswalk

Iowa Department of Natural Resources

Draft Title V Operating Permit Fact Sheet

This document has been prepared to fulfill the public participation requirements of 40 CFR Part 70 and 567 Iowa Administrative Code (IAC) 24.107(6). 40 CFR Part 70 contains operating permit regulations pursuant to Title V of the Clean Air Act.

The Iowa Department of Natural Resources (DNR) finds that:

1. Dubuque Metropolitan Sanitary Landfill, located at 101 Airborne Road, Dubuque, IA 52003 has applied to renew their Title V Operating Permit. The designated responsible official of this facility is Ken Miller.
2. Dubuque Metropolitan Sanitary Landfill is a refuse systems facility. This facility consists of 2 emission units with potential emissions of:

Pollutant	Abbreviation	Potential Emissions (Tons per Year)
Particulate Matter ($\leq 2.5 \mu\text{m}$)	PM _{2.5}	0.03
Particulate Matter ($\leq 10 \mu\text{m}$)	PM ₁₀	0.03
Particulate Matter	PM	0.03
Sulfur Dioxide	SO ₂	0.01
Nitrogen Oxides	NO _x	0.07
Volatile Organic Compounds	VOC	8.70
Carbon Monoxide	CO	1.69
Lead	Lead	0
Hazardous Air Pollutants ⁽¹⁾	HAP	5.50

⁽¹⁾ May include the following: See application.

3. Dubuque Metropolitan Sanitary Landfill submitted a Title V Operating Permit renewal application on November 6, 2025. Based on the information provided in these documents, DNR has made an initial determination that the facility meets all the applicable criteria for the issuance of an operating permit specified in 567 IAC 24.107.
4. DNR has complied with the procedures set forth in 567 IAC 24.107, including those regarding public notice, opportunity for public hearing, and notification of EPA and surrounding state and local air pollution programs.

DNR procedures for reaching a final decision on the draft permit:

1. The public comment period for the draft permit will run from May 7, 2026 through June 6, 2026. During the public comment period, anyone may submit written comments on the permit. Mail signed comments to Zane Peters at the DNR address shown below. The beginning date of this public comment period also serves as the beginning of the U.S. Environmental Protection Agency's (EPA) 45-day review period, provided the EPA does not seek a separate review period.
2. Written requests for a public hearing concerning the permit may also be submitted during the comment period. Any hearing request must state the person's interest in the subject matter, and the nature of the issues proposed to be raised at the hearing. DNR will hold a public hearing upon finding, on the basis of requests, a significant degree of relevant public interest in a draft permit. Mail hearing requests to Zane Peters at the DNR address shown below.
3. DNR will keep a record of the issues raised during the public participation process, and will prepare written responses to all comments received. The comments and responses will be compiled into a responsiveness summary document. After the close of the public comment period, DNR will make a final decision on the renewal application. The responsiveness summary and the final permit will be available to the public upon request.

Zane Peters
Iowa Department of Natural Resources - Air Quality Bureau
6200 Park Ave
Ste #200
Des Moines, Iowa 50321
Phone: (515) 808-0458
E-mail: zane.peters@dnr.iowa.gov

DNR concludes that:

1. DNR has authority under 455B.133 Code of Iowa to promulgate rules contained in 567 IAC Chapters 21-33, including, but not limited to, rules containing emission limits, providing for compliance schedules, compliance determination methods and issuance of permits.
2. DNR has the authority to issue operating permits for air contaminant sources and to include conditions in such permits under 455B.134 Code of Iowa.
3. The emission limits included in this permit are authorized by 455B.133 Code of Iowa and 567 IAC Chapters 21-33.
4. DNR is required to comply with 567 IAC Chapter 24 in conjunction with issuing a Title V Operating Permit.
5. The issuance of this permit does not preclude the DNR from pursuing enforcement action for any violation.

Title V Application Review Notes

Applicant:	Dubuque Metropolitan Sanitary Landfill
SIC Code:	4953
City:	Dubuque
County:	Dubuque
EIQ#:	92-6939
Facility#:	31-01-151
Permit #:	11-TV-003R3
Reviewer:	Zane Peters
Date:	03/25/2026

Facility Identification

Facility Name: **Dubuque Metropolitan Sanitary Landfill**
Facility Location: **101 Airborne Road, Dubuque, IA 52003**
Responsible Official: Ken Miller
Phone: 563-589-4354

Background

The Dubuque Metropolitan Sanitary Landfill (DMSL) (EIQ Number 92-6939) is a municipal solid waste landfill which serves Dubuque, Clayton, and Delaware counties (IA) and also receives waste from Grant County, WI and Jo Davis County, IL. The DMSL is operated by the Dubuque Area Metropolitan Area Solid Waste Agency (DMASWA) and consists of two unlined cells and seven lined cells. Active landfill operations currently occur within Cells 4 - 8 and Cell 9, Phases I-IV.

Dubuque Metropolitan Sanitary Landfill (DMSL), located at 14501 Highway 20 West near Dubuque has applied for renewal 3 of their Part 70 Title V Operating Permit. DMSL began accepting waste in 1976. The design capacity for DMSL is 5,370,688 Megagrams. The calculated NMOC emission rate using Tier 2 results is less than 50 Mg/yr. Therefore, a gas collection system is not required by NSPS XXX for DMSL at this time.

Since the last permit renewal was issued on May 13, 2021, DMASWA has entered into an agreement with a landfill gas-to-energy (LFGTE) developer to build and install a renewable natural gas (RNG) facility for converting landfill gas to RNG. Emissions from the landfill are controlled by a voluntary (non-regulated) landfill gas collection and control system (GCCS) and either combusted within a flare or sent to the RNG plant for treatment. Per IDNR correspondence dated June 24, 2020, it was determined that the Landfill and the RNG facility are separate stationary sources for the purposes of Title V applicability/regulations. The current Title V permit covers the landfill (EU-1) and emissions from facilities owned by DMASWA (landfill fugitive emissions, EP-1, and flare emissions, EP-2).

According to 567 IAC 24.101(1)"c" this landfill is required to obtain a Title V Operating Permit because it is subject to 40 CFR Part 60, Subpart XXX, the Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or

Modification After July 17, 2014. The previous renewal of DMSL's Title V permit (11-TV-003R2) stated that DMSL was subject to 40 CFR 60 Subpart W. However, the design waste capacity of DMSL has increased and subsequently been realized since the Subpart XXX qualifying date of July 17, 2014. Any source required to obtain a Title V operating permit solely because of an NSPS requirement, and which is not a major source, is required to obtain a Title V permit only for the emission units and related equipment causing the source to be subject to the Title V program. In the case of DMSL, the only emission unit causing the source to be subject to the Title V program is the landfill, including controlled and uncontrolled emissions. Other emission units not included in the Title V Permit may be present at this facility.

Title V Applicability

Pollutant	Major for Title V?
PM ₁₀	<input type="checkbox"/>
SO ₂	<input type="checkbox"/>
NO _x	<input type="checkbox"/>
VOC	<input type="checkbox"/>
CO	<input type="checkbox"/>
Lead	<input type="checkbox"/>
Individual HAP	<input type="checkbox"/>
Total HAPs	<input type="checkbox"/>

Program Applicability

- Major for PSD: No
- 40 CFR 60 NSPS: Yes
 - Subpart XXX – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
- 40 CFR Part 61 NESHAP: Yes
 - Subpart M – Disposal of Asbestos Waste (see General Condition G20 of the Title V Permit)
- 40 CFR Part 63 NESHAP: No
- Major Source of HAPs: No
- Acid Rain: No
- Stratospheric Ozone Protection: No
- Prevention of Accidental Releases: No

40 CFR 60, Subpart XXX – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014

This landfill is subject to 40 CFR Subpart XXX based on being a Municipal Solid Waste Landfill that has been modified after July 17, 2014. The design waste capacity of DMSL has increased and subsequently been realized since the Subpart XXX qualifying date of July 17, 2014. In September 2014, a permit amendment was issued to DMSL to authorize construction of Phases

II through IV of Cell 9 and approve the associated landfill expansion. Then, in 2015, Cell 9 Phase II was constructed, and this additional design capacity was realized. Therefore, the DMSL is subject to 40 CFR 60, Subpart XXX requirements. This facility has an estimated design capacity of 5,370,688 Megagrams. A MSWL facility with a capacity greater than 2.5 Megagrams must calculate their non-methane organic compounds (NMOC) to determine if collection and control requirements are applicable. The most recent Tier 2 testing was completed on December 22, 2020. The NMOC emission rate did not exceed 50 Mg/year for years 2015 through 2020. At this time, the landfill gas collection system with flare at DMSL is voluntary.

40 CFR Part 61, Subpart M – Disposal of Asbestos Waste

This landfill is subject to 40 CFR 61, Subpart M – Disposal of Asbestos Waste. The permittee shall comply with 567 IAC 23.1(3)"a", and 567 IAC 23.2(3)"g" when activities involve asbestos mills, surfacing of roadways, manufacturing operations, fabricating, insulating, waste disposal, spraying applications, demolition and renovation operations, training fires and controlled burning of a demolished building. *567 IAC 23.1(3)"a", and 567 IAC 23.2.* See General Condition G20 within the Operating Permit.

40 CFR Part 63 Subpart AAAA – Municipal Solid Waste Landfills for facilities (without a bioreactor)

This facility is of the source type, but is *not* subject to 40 CFR 63, Subpart AAAA - Municipal Solid Waste Landfills. A facility is subject to AAAA if they have a design capacity equal to or greater than 2.5 million Mg. and have estimated uncontrolled NMOC emissions equal to or greater than 50 Mg/yr as calculated according to 60.754(a), or is a major source or is collocated with a major source. DMSL does not have estimated uncontrolled NMOC emissions equal to or greater than 50 Mg/yr and is not a major source. Therefore, DMSL is not subject to Subpart AAAA.

Construction Permits Issued Since Last Title V Permit

None

Changes Made Since the Last Title V Issuance

General Changes

- Permit number, expiration date, and renewal application deadline updated (pp. 1, 4, 5, 7, footer)
- Responsible Official and Permit Contact information updated (pp. 1)
- General Conditions updated to the most recent version (pp. 15-28)
- Executive Order 10 Rules Crosswalk added (pp. 30)

Periodic Monitoring

All periodic monitoring requirements are in accordance with the Department's Periodic Monitoring Guidance Document.

EP-1 does not have any control equipment. Therefore, it does not require CAM or O&M plans at this time.

EP-2 has Flare #1 (CE-2) as control equipment. Based on the numbers provided in this renewal application, this emission point qualifies for an Agency O&M plan. However, the monitoring required by the construction permit satisfies this requirement. No formal plan will be required at this time.