



## WESTCHESTER COUNTY DEPARTMENT OF HEALTH GUIDELINES FOR FILING APPLICATIONS FOR AIR CONTAMINATION SOURCES INCINERATORS

### APPLICATIONS FOR PERMIT TO CONSTRUCT OR MODIFY

- Description:** Prior to the Construction of a new or modification of an existing emission point, approval must be secured from the Westchester County Department of Health.
- Applicable Codes:** Chapter 873, Article XIII, Sections 873.1303.1, 873.1306.1 and 873.1318-873.1320 of the Laws of Westchester County and Chapter III, Part 201, Subparts 201 and 219 of the New York State Environmental Conservation Rules and Regulations.
- Fees:** Chapter 873, Article XXI of the Laws of Westchester County

Incinerators must be stack tested to demonstrate compliance with the standards by either on-site testing or submittal of a test report for an identical incinerator tested in New York and approved by the NYSDEC. Protocol for testing must be submitted for approval at least 30 days prior to stack testing. Results of stack test must be submitted by applicant to department 60 days after completion of tests.

When requesting approval to construct or modify air contamination sources pursuant to the above provision, the following list serves as the minimum filing requirements.

1. A licensed Professional Engineer licensed and registered to practice in the State of New York must prepare applications.
2. Application fee: **\$670.00** per emission point. Check shall be made out to Westchester County Department of Health.
3. A letter of Authorization bearing the original signature of the owner or owner's representative authorizing the Professional Engineer to file applications and plans on behalf of owner.
4. If the owner is a corporation, the Certificate of Resolution for Authorization form should be completed, signed, and notarized. This form is for the corporation to authorize an employee (not the engineer) to sign the application documents on its behalf. Form can be found on our website at: (<https://health.westchestercountyny.gov/images/stories/pdfs/CertificateResolution-fillable.pdf>)
5. Two (2) original Westchester County Department of Health Application for a Permit to Construct or Certificate to Operate a Source of Air Contamination (Form A) with all relevant items completed. This form must be dated and bear the original seal/stamp and original signature of the Professional Engineer and the signature of the owner.
6. Two (2) original Westchester County Department of Health Application for Permit to Construct or Certificate to Operate (Form B3) with all relevant items completed.
7. Environmental Assessment Form

**WESTCHESTER COUNTY DEPARTMENT OF HEALTH**  
**GUIDELINES FOR FILING APPLICATIONS FOR AIR CONTAMINATION SOURCES**  
**INCINERATORS** (Continued)

8. Proof of Workers' Compensation Insurance (Form C-105.2, U-26.3, SI-12, or SIG-105.2) and Proof of Disability and Paid Family Leave Benefits Insurance (Form DB-120.1 or DB-155) for the Facility Owner. Contact your insurance carrier to obtain these forms. If your facility does not require insurance coverage, please visit the workers compensation board's website (<https://www.wcb.ny.gov>) and request a Certificate of Attestation of Exemption, Form CE-200. Upon completion of the form online, print up certificate, sign, date, and submit to this department.
9. One (1) original Engineer's Report bearing the original seal/stamp and original signature of the Professional Engineer. The Engineer's Report must provide a narrative of the scope, details and specification of the project.
10. Provide calculations on how contaminants emission rates are derived. All contaminants generated from process must be included. An abbreviated listing of significant (health-or quantity-based) contaminants will only be accepted with appropriate support documentation. Calculations must be signed and stamped/sealed by the Professional Engineer.
11. Support documents, such as Safety Data Sheets (SDS), manufacturers' specifications, stack test results, emission factors, references, etc. shall be provided.
12. Provide the basis for the design, i.e., residence time, maintaining temperature.
13. Provide basis for the determination of control equipment size or selection for example contact time, air to cloth ratio, liquid to gas flow ratio, pressure loss, breakthrough time, etc.
14. Provide equipment specification, if applicable, and details of control and monitoring devices.
15. Plans:

Minimum of two (2) sets are required, additional copies of plans may be submitted at owner's discretion. Plans should include:

  - i. Site plan showing property line, local streets, building dimensions, stacks location (proposed and existing), nearest receptor with distance from stack, north arrow and prevailing wind direction.
  - ii. Plan and elevation views that provide details on the process and equipment relating to this source of air contamination, for example process equipment, air pollution control equipment, ducts, fans, stack or exhaust outlet, etc. An elevation view of process indicating stack height and height of stack above roof must be provided.
  - iii. Equipment details, for example, type, make, model, capacity, refuse charged, hearth/chamber type, flow, temperature control, stack diameter, dimensions, etc.
  - iv. Professional Engineer's original seal/stamp and original signature on each drawing matching those on application.
  - v. Plans prepared in accordance with New York State Education Law and bearing alteration warning statement.

All forms can be found on our website <https://health.westchestercountyny.gov/air-pollution-forms>

NYSDEC may be required. Contact the NYSDEC at (914) 803-8174  
(Maria Antoniou) or (914) 803-8139 (Densford Escarpetta).

**WESTCHESTER COUNTY DEPARTMENT OF HEALTH  
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INCINERATORS (Continued)**

**APPLICATION FOR CERTIFICATE TO OPERATE**

**Description:** Prior to the activation of a newly constructed or of a modified existing emission point, approval must be secured from the Westchester County Department of Health.

When requesting Certificate to Operate an emission point pursuant to the above provisions, the following list serves as the minimum requirements.

1. A licensed Professional Engineer licensed and registered to practice in the State of New York must prepare applications.
2. Two (2) Westchester County Department of Health Applications for a Permit to Construct or Certificate to Operate a Source of Air Contamination (Form A) with the Completion of Works section filled out.
3. Two (2) Westchester County Department of Health Applications for Permit to Construct or Certificate to Operate (Form B3) with items #97 and #98 completed.
4. Letter of Certification from Professional Engineer indicating that construction was in accordance with approved plans. Letter must bear original seal and original signature of Professional Engineer.
5. Two (2) sets of "As Built" plans with original seal/stamp and original signature of Professional Engineer. Plans must be prepared in accordance with New York State Education Law and must bear alteration warning statement and be marked "As Built".
6. Stack Test Results demonstrating contaminants emitted conform to standards set forth in code.

Questions may be directed to Air Quality Program, Natasha Court PE, Associate Engineer at (914) 995-7278 or Gregory Toothill PE, Senior Engineer (914) 995-7299.

**Please submit completed applications to:**

Westchester County Department of Health  
Bureau of Environmental Quality  
11 Martine Avenue  
White Plains, NY 10606  
Attention: Air Quality Program