Anaerobic Digestion Regulatory Overview
6 NYCRR Part 361-3.3

Is all waste generated on-site? (& no sanitary waste)
YES
EXEMPT
361-3.3(a)(1)

NO

Does all waste accepted fall under the following exemption criteria?
- Animal manure and bedding; OR
- $\leq 1,000 \text{ lbs/wk}$ or $1 \text{ cy/wk SSO}$

YES
EXEMPT
361-3.3(a)(2) & (3)

NO

Accepts SANITARY WASTE?
YES
PERMIT
361-3.3(d) & (e)

NO

Located on a CAFO, or on a farm with an approved CNMP?
NO

Total waste accepted is $< 50 \text{ tons per day}$?
YES

REGISTRATION
361-3.3(b)(1)

NO

Is non-manure waste $\leq 50\%$ of the total waste accepted?
YES

EXEMPT
361-3.3(a)(4)

Note:
1) This chart is a summary. There may be other conditions that apply. See the regulations for details.
2) See the regulations for criteria applicable to digestate management.