



## **PART 70**

# **PERMIT TO OPERATE**

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth herein.

**Operating Permit Number:** OP2010-113A  
**Expiration Date:** November 1, 2015  
**Installation ID:** 011-0039  
**Project Number:** 2011-01-048

**Installation Name and Address**

Prairie View Regional Waste Facility, LLC  
P. O. Box 29  
Lamar, MO 64759  
Barton County

**Parent Company's Name and Address**

Republic Services Inc.  
5605 Moreau River Access Rd.  
Jefferson City, MO 65109

**Installation Description:**

The facility includes the closed Lamar Landfill; the active Prairie View Regional Waste Facility (PVRWF); a gas collection system; two open landfill flares; leachate and fuel storage tanks; and other support operations. The installation is a major source of Carbon Monoxide (CO) and Hazardous Air Pollutants (HAPs).

The two landfills are operated by the Prairie View Regional Waste Facility, LLC. The landfills are located at the junction of State Route DD and U.S. Highway 71 in Barton County, Missouri.

This is a significant modification to the existing operating permit.

**FEB 28 2013**

Effective Date

  
\_\_\_\_\_  
Director or Designee  
Department of Natural Resources

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

The facility includes the closed Lamar Landfill; the active Prairie View Regional Waste Facility (PVRWF); a gas collection system; two open landfill flares; leachate and fuel storage tanks; and other support operations. The installation is a major source of Carbon Monoxide (CO) and Hazardous Air Pollutants (HAPs).

The two landfills are operated by the Prairie View Regional Waste Facility, LLC. The landfills are located at the junction of State Route DD and U.S. Highway 71 in Barton County, Missouri.

This is a Significant Modification to the existing operating permit. This project makes several changes to the current Operating Permit (OP2010-113). There were three storage tanks added to the Emission Units without Limitations. Permit Condition (EU0010 through EU0040)-004 was removed in its entirety and is now what was Permit Condition (EU0030 and EU0040)-005. There were also several changes made to Permit Condition (EU0010 through EU0040)-001 and Permit Condition (EU0030 and EU0040)-004.

Reported Air Pollutant Emissions, tons per year								
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)	Particulate Matter ≤ 2.5 Microns (PM-2.5)
2011	11.03	0.82	2.34	4.92	43.85	--	1.03	2.00
2010	12.42	2.62	7.50	4.85	140.57	--	1.91	4.11
2009	12.81	2.49	7.11	4.59	133.23	--	1.81	4.00
2008	14.52	2.34	6.69	4.36	125.44	--	1.70	3.99
2007	16.89	2.14	6.11	4.14	114.64	--	1.56	2.60

### EMISSION UNITS WITH LIMITATIONS

The following list provides a description of the equipment at this installation that emits air pollutants and that are identified as having unit-specific emission limitations.

Emission Unit #	Description of Emission Unit	2008 EIQ Reference #
EU0010	Lamar Landfill	EP-01
EU0020	PVRWF	EP-01
EU0030	Lamar Landfill Flare	EP-07
EU0040	PVRWF Flare	EP-08

### **EMISSION UNITS WITHOUT LIMITATIONS**

The following list provides a description of the equipment that does not have unit specific limitations at the time of permit issuance.

<u>Description of Emission Source</u>	<u>2008 EIQ Reference #</u>
One 1000-gallon diesel fuel portable tank at working face	EP-02
Paved haul road	EP-03
Unpaved haul road	EP-04
One 500-gallon gasoline storage tank	EP-05
Two 6,000-gallon diesel storage tanks	EP-06
Two 20,000-gallon leachate storage tanks	EP-09
Two 50,000-gallon leachate storage tanks	EP-10
One 500-gallon used oil tank	EP-11
One 250-gallon hydraulic oil tank	EP-12
One 250-gallon motor oil tank	EP-13
One 55-gallon coolant tank	EP-14
One 6,000 Btu/hr used oil heater	EP-15
One 1,000-gallon propane storage tank	EP-16
One 5,000-gallon diesel storage tank	EP-20
One 500-gallon propane storage tank	EP-21
Two 250-gallon propane storage tanks	EP-22

### **DOCUMENTS INCORPORATED BY REFERENCE**

These documents have been incorporated by reference into this permit.

- ACP Construction Permit 102005-003, Issued October 27, 2005

## **II. Plant Wide Emission Limitations**

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

None.

### III. Emission Unit Specific Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

<b>EU0010 – LAMAR LANDFILL</b> <b>EU0020 – PVRWF</b> <b>EU0030 – LAMAR LANDFILL FLARE</b> <b>EU0040 – PVRWF FLARE</b>			
Emission Unit	Description	Manufacturer/ Model #	2008 EIQ Reference #
EU0010	Lamar Landfill: closed Municipal Solid Waste (MSW) landfill; equipped with active gas collection system; closure date July 2004	NA	EP-01
EU0020	Prairie View Regional Waste Facility (PVRWF) Landfill: active Municipal Solid Waste (MSW) landfill; equipped with active gas collection system	NA	EP-01
EU0030	Lamar Landfill Flare: open elevated flare to control landfill gas; MHDR 54.64 MMBtu at a maximum flow rate of 2,000 SCFM; construction date 2005	John Zinc Company/ 10" x 30' ZEF	EP-07
EU0040	PVRWF Flare: open elevated flare to control landfill gas; MHDR 54.64 MMBtu at a maximum flow rate of 2,000 SCFM; construction date 2005	John Zinc Company/ 10" x 30' ZEF	EP-08

**PERMIT CONDITION (EU0010 through EU0040)-001**

10 CSR 10-6.060 Construction Permits Required  
 Construction Permit No. 102005-003, Issued October 5, 2005

**Operational Requirements:**

Prairie View Regional Waste Facility (PVRWF) shall maintain the combined flow of the EU0030 and EU0040 (Lamar Landfill flare and PVRWF flare) equal to or less than 2,500 SCFM. [CP No. 102005-003, Special Condition No. 3]

**Monitoring/Recordkeeping:**

- 1) Prairie View Regional Waste Facility shall monitor and record the flow rate to the flares at least once every seven (7) days. The flow meters shall be located such that the Department of Natural Resources' employees may easily observe them. [CP No. 102005-003, Special Condition No. 3]
- 2) All records shall be maintained for five (5) years.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

**Reporting:**

- 1) If the combined flow rate indicates more than 2,500 SCFM, Prairie View Regional Waste Facility shall report within 10 days to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102. [CP No. 102005-003, Special Condition No. 3]

- 2) The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

**PERMIT CONDITION (EU0010 through EU0040)-002**

10 CSR 10-6.070 New Source Performance Standards  
40 CFR Part 60, Subpart A General Provisions and Subpart WSW Standards of Performance for  
Municipal Solid Waste Landfills

**Operational Requirements:**

- 1) The active collection system shall: [§60.752(b)(2)(ii)(A)]
  - a) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control system equipment; [§60.752(b)(2)(ii)(A)(1)]
  - b) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of: [§60.752(b)(2)(ii)(A)(2)]
    - i) five years or more if active; or [§60.752(b)(2)(ii)(A)(2)(i)]
    - ii) two years or more if closed or at final grade. [§60.752(b)(2)(ii)(A)(2)(ii)]
  - c) Collect gas at a sufficient extraction rate; [§60.752(b)(2)(ii)(A)(3)]
  - d) Be designed to minimize off-site migration of subsurface gas. [§60.752(b)(2)(ii)(A)(4)]
- 2) The permittee shall route all the collected gas to an open flare designed and operated in accordance with §60.18 except as noted in §60.754(e) *See Permit Condition (EU0030 and EU0040)-004.* [§60.752(b)(2)(iii)(A)]
- 3) The collection and control system may be capped or removed provided that all the conditions of §60.752(b)(2)(v)(A), (B), and (C) are met: [§60.752(b)(2)(v)]
  - a) The landfill shall be a closed landfill as defined in §60.751 of Subpart WSW. A closure report shall be submitted to the Director as provided in §60.757(d); [§60.752(b)(2)(v)(A)]
  - b) The collection and control system shall have been in operation a minimum of 15 years; and [§60.752(b)(2)(v)(B)]
  - c) Following the procedures specified in §60.754(b) of Subpart WSW, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart. [§60.752(b)(2)(v)(C)]
- 4) The permittee shall operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for: [§60.753(a)]
  - a) five years or more if active; or [§60.753(a)(1)]
  - b) two years or more if closed or at final grade; [§60.753(a)(2)]
- 5) The permittee shall operate the collection system with negative pressure at each wellhead except under the following conditions: [§60.753(b)]
  - a) A fire or increased well temperature. The permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in §60.757(f)(1); [§60.753(b)(1)]
  - b) Use of a geomembrane or synthetic cover. The permittee shall develop acceptable pressure limits in the design plan; [§60.753(b)(2)]

- c) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Director; [§60.753(b)(3)]
- 6) The permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than five percent. The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. [§60.753(c)]
- a) The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by an approved GCCS design plan. [§60.753(c)(1)]
- b) Unless an alternative test method is established as allowed by an approved GCCS design plan, the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that: [§60.753(c)(2)]
- i) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span; [§60.753(c)(2)(i)]
- ii) A data recorder is not required; [§60.753(c)(2)(ii)]
- iii) Only two calibration gases are required, a zero and span, and ambient air may be used as the span; [§60.753(c)(2)(iii)]
- iv) A calibration error check is not required; [§60.753(c)(2)(iv)]
- v) The allowable sample bias, zero drift, and calibration drift are  $\pm 10$  percent. [§60.753(c)(2)(v)]
- 7) The permittee shall operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. [§60.753(d)]
- 8) The permittee shall operate the system such that all collected gases are vented to a control system designed and operated in compliance with §60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour; and [§60.753(e)]
- 9) The permittee shall operate the control system at all times when the collected gas is routed to the system. [§60.753(f)]
- 10) If monitoring demonstrates that the operational requirements in §60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) or §60.755(c) of Subpart WWW. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section. [§60.753(g)]

**Testing:**

- 1) The permittee shall calculate the NMOC emission rate using either Equation 1 or Equation 2. Both equations may be used if the actual year-to-year solid waste acceptance rate is known for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown for part of the life of the landfill. The values to be used in both equations are 0.05 per year for k, 170 cubic meters per megagram for  $L_O$ , and 4,000 parts per million by volume as hexane for the  $C_{NMOC}$ . [§60.754(a)(1)]
- a) The following equation shall be used if the actual year-to-year solid waste acceptance rate is known. [§60.754(a)(1)(i)]

$$M_{NMOC} = \sum_{i=1}^n 2 k L_o M_i (e^{-kt_i}) (C_{NMOC}) (3.6 \times 10^{-9}) \quad (\text{Eq. 1})$$

Where:

$M_{NMOC}$  = Total NMOC emission rate from the landfill, megagrams per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$M_i$  = mass of solid waste in the  $i^{\text{th}}$  section, megagrams

$t_i$  = age of the  $i^{\text{th}}$  section, years

$C_{NMOC}$  = concentration of NMOC, parts per million by volume as hexane

$3.6 \times 10^{-9}$  = conversion factor

The mass of non-degradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for  $M_i$  if documentation of the nature and amount of such wastes is maintained

- b) The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown. [§60.754(a)(1)(ii)]

$$M_{NMOC} = 2L_oR (e^{-kc} - e^{-kt}) C_{NMOC} (3.6 \times 10^{-9}) \quad (\text{Eq. 2})$$

Where:

$M_{NMOC}$  = mass emission rate of NMOC, megagrams per year

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$R$  = average annual acceptance rate, megagrams per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$t$  = age of landfill, years

$C_{NMOC}$  = concentration of NMOC, parts per million by volume as hexane

$c$  = time since closure, years; for active landfill  $c=0$  and  $e^{-kc} = 1$

$3.6 \times 10^{-9}$  = conversion factor

The mass of non-degradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of  $R$ , if documentation of the nature and amount of such wastes is maintained.

- 2) The permittee may use other methods to determine the NMOC concentration or a site-specific  $k$  as an alternative to the methods required in §60.754(a)(3) and (a)(4) if the method has been approved by the Director. [§60.754(a)(5)]
- 3) The permittee shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in §60.752(b)(2)(v), using Equation 3: [§60.754(b)]

$$M_{NMOC} = 1.89 \times 10^{-3} Q_{LFG} C_{NMOC} \quad (\text{Eq. 3})$$

Where:

$M_{NMOC}$  = mass emission rate of NMOC, megagrams per year

$Q_{LFG}$  = flow rate of landfill gas, cubic meters per minute

$C_{NMOC}$  = NMOC concentration, parts per million by volume as hexane

- a) The flow rate of landfill gas,  $Q_{LFG}$ , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of Section 4 of Method 2E of appendix A of part 60. [§60.754(b)(1)]
- b) The average NMOC concentration,  $C_{NMOC}$ , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of appendix A of part 60. If using Method 18 of appendix A of part 60, the minimum list of compounds to be tested shall be those published in the most recent *Compilation of Air Pollutant Emission Factors (AP-42)*. The

sample location on the common header pipe shall be before any condensate removal or other gas refining units. The permittee shall divide the NMOC concentration from Method 25C of appendix A of part 60 by six to convert from  $C_{NMOC}$  as carbon to  $C_{NMOC}$  as hexane.

[§60.754(b)(2)]

- c) The permittee may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Director. [§60.754(b)(3)]
- 4) For the performance test required in §60.752(b)(2)(iii)(A), the net heating value of the combusted landfill gas as determined in §60.18(f)(3) is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under §60.18(f)(4). [§60.754(e)]

**Monitoring:**

- 1) The specified methods listed in §60.755(a)(1) through (a)(6) shall be used to determine whether the gas collection system is in compliance. (Except for approved alternatives as provided in an approved GCCS design plan) [§60.755(a)]
  - a) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with §60.752(b)(2)(ii)(A)(1), Equation 4 or 5 shall be used. The  $k$  and  $L_o$  kinetic factors should be those published in the most recent *Compilation of Air Pollutant Emission Factors (AP-42)* or other site-specific values demonstrated to be appropriate and approved by the Director. If  $k$  has been determined as specified in §60.754(a)(4), the value of  $k$  determined from the test shall be used. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure. [§60.755(a)(1)]
    - i) For sites with unknown year-to-year solid waste acceptance rate: [§60.755(a)(1)(i)]

$$Q_m = 2L_oR (e^{-kc} - e^{-kt}) \quad (\text{Eq. 4})$$

Where:

$Q_m$  = maximum expected gas generation flow rate, cubic meters per year

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$R$  = average annual acceptance rate, megagrams per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$t$  = age of the landfill at equipment installation plus the time the permittee intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure,  $t$  is the age of the landfill at installation, years

$c$  = time since closure, years (for an active landfill  $c = 0$  and  $e^{-kc} = 1$ )

- ii) For sites with known year-to-year solid waste acceptance rate: [§60.755(a)(1)(ii)]

$$Q_M = \sum_{i=1}^n 2 k L_o M_i (e^{-kt_i}) \quad (\text{Eq. 5})$$

Where:

$Q_M$  = maximum expected gas generation flow rate, cubic meters per year

$k$  = methane generation rate constant, year<sup>-1</sup>

$L_o$  = methane generation potential, cubic meters per megagram solid waste

$M_i$  = mass of solid waste in the  $i^{\text{th}}$  section, megagrams

$t_i$  = age of the  $i^{\text{th}}$  section, years

- iii) Actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with Equations 4 and 5. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using Equations 4 or 5 or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment. [§60.755(a)(1)(iii)]
  - b) For the purposes of determining sufficient density of gas collectors for compliance with §60.752(b)(2)(ii)(A)(2), the permittee shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Director, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards. [§60.755(a)(2)]
  - c) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with §60.752(b)(2)(ii)(A)(3), the permittee shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within five calendar days, except for the three conditions allowed under §60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Director for approval. [§60.755(a)(3)]
  - d) Owners or operators are not required to expand the system as required in §60.755(a)(3) during the first 180 days after gas collection system startup. [§60.755(a)(4)]
  - e) For the purpose of identifying whether excess air infiltration into the landfill is occurring, the permittee shall monitor each well monthly for temperature and nitrogen or oxygen as provided in §60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within five calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Director for approval. [§60.755(a)(5)]
  - f) An owner or operator seeking to demonstrate compliance with §60.752(b)(2)(ii)(A)(4) through the use of a collection system not conforming to the specifications provided in §60.759 shall provide information satisfactory to the Director as specified in §60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled. [§60.755(a)(6)]
- 2) The permittee shall place each well or design component as specified in the approved design plan as provided in §60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of: [§60.755(b)]
    - a) five years or more if active; or
    - b) two years or more if closed or at final grade. The following procedures shall be used for compliance with the surface methane operational standard as provided in §60.753(d). [§60.755(c)]
    - c) The permittee shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor

- analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in §60.755(d). [§60.755(c)(1)]
- d) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells. [§60.755(c)(2)]
  - e) Surface emission monitoring shall be performed in accordance with Section 4.3.1 of Method 21 of appendix A of part 60, except that the probe inlet shall be placed within five to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions. [§60.755(c)(3)]
  - f) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in §60.755(c)(4) (i) through (v) shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of §60.753(d). [§60.755(c)(4)]
    - i) The location of each monitored exceedance shall be marked and the location recorded. [§60.755(c)(4)(i)]
    - ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance. [§60.755(c)(4)(ii)]
    - iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in §60.755(c)(4)(v) shall be taken, and no further monitoring of that location is required until the action specified in §60.755(c)(4)(v) has been taken. [§60.755(c)(4)(iii)]
    - iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in §60.755(c)(4)(ii) or (iii) shall be re-monitored one month from the initial exceedance. If the one-month re-monitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the one-month re-monitoring shows an exceedance, the actions specified in §60.755(c)(4)(iii) or (v) shall be taken. [§60.755(c)(4)(iv)]
    - v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Director for approval. [§60.755(c)(4)(v)]
  - g) The permittee shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis. [§60.755(c)(5)]
- 3) To comply with the provisions in §60.755(c), the permittee shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices: [§60.755(d)]
- a) The portable analyzer shall meet the instrument specifications provided in Section 3 of Method 21 of Appendix A of part 60, except that “methane” shall replace all references to VOC. [§60.755(d)(1)]
  - b) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air. [§60.755(d)(2)]

- c) To meet the performance evaluation requirements in Section 3.1.3 of Method 21 of appendix A of part 60, the instrument evaluation procedures of Section 4.4 of Method 21 of appendix A of part 60 shall be used. [§60.755(d)(3)]
- d) The calibration procedures provided in Section 4.2 of Method 21 of appendix A of part 60 shall be followed immediately before commencing a surface monitoring survey. [§60.755(d)(4)]
- 4) The provisions of Subpart WWW apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed five days for collection systems and shall not exceed one hour for control devices. [§60.755(e)]
- 5) The permittee shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and: (Except for approved alternatives as provided in an approved GCCS design plan) [§60.756(a)]
  - a) Measure the gauge pressure in the gas collection header on a monthly basis as provided in §60.755(a)(3); and [§60.756(a)(1)]
  - b) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in §60.755(a)(5); and [§60.756(a)(2)]
  - c) Monitor temperature of the landfill gas on a monthly basis as provided in §60.755(a)(5). [§60.756(a)(3)]
- 6) Each owner or operator seeking to comply with §60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment: [§60.756(c)]
  - a) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.
  - b) A device that records flow to or bypass of the flare. The permittee shall either:
    - i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
    - ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.
- 7) Each owner or operator seeking to monitor alternative parameters to those required by §60.753 through §60.756 shall provide information satisfactory to the Director as provided in §60.752(b)(2)(i)(B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Director may specify additional appropriate monitoring procedures. [§60.756(e)]
- 8) Each owner or operator seeking to demonstrate compliance with §60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in §60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring. [§60.756(f)]

**Recordkeeping:**

- 1) The permittee shall keep for at least five years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), 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. [§60.758(a)]

- 2) The permittee shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in §60.758(b)(1) and (b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five years. Records of the control device vendor specifications shall be maintained until removal. [§60.758(b)]
  - a) Records for a collection and control system: [§60.758(b)(1)]
    - i) The maximum expected gas generation flow rate as calculated in §60.755(a)(1). The permittee may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Director. [§60.758(b)(1)(i)]
    - ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §60.759(a)(1). [§60.758(b)(1)(ii)]
  - b) Records for an open flare: the flare type (i.e., steam-assisted, air-assisted, or non-assisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in §60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent. [§60.758(b)(4)]
- 3) The permittee shall keep for five years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. [§60.758(c)]
  - a) The permittee shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under §60.756. [§60.758(c)(2)]
  - b) The permittee shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under §60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent. [§60.758(c)(4)]
- 4) The permittee shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector. [§60.758(d)]
  - a) Each owner or operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §60.755(b). [§60.758(d)(1)]
  - b) Each owner or operator shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or non-degradable waste excluded from collection as provided in §60.759(a)(3)(i) as well as any non-productive areas excluded from collection as provided in §60.759(a)(3)(ii). [§60.758(d)(2)]
- 5) The permittee shall keep for at least five years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in §60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance. [§60.758(e)]
- 6) Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of “design capacity”, shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable. [§60.758(f)]

**Reporting:**

- 1) An amended design capacity report shall be submitted to the Director providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill. [§60.757(a)(3)]
- 2) The permittee shall submit a closure report to the Director within 30 days of waste acceptance cessation. The Director may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Director, no additional wastes may be placed into the landfill without filing a notification of modification as described under §60.7(a)(4). [§60.757(d)]
- 3) The permittee shall submit an equipment removal report to the Director 30 days prior to removal or cessation of operation of the control equipment. [§60.757(e)]
  - a) The equipment removal report shall contain all of the following items: [§60.757(e)(1)]
    - i) A copy of the closure report submitted in accordance with §60.757(d); [§60.757(e)(1)(i)]
    - ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and [§60.757(e)(1)(ii)]
    - iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year. [§60.757(e)(1)(iii)]
  - b) The Director may request such additional information as may be necessary to verify that all of the conditions for removal in §60.752(b)(2)(v) have been met. [§60.757(e)(2)]
- 4) The permittee shall submit to the Director semiannual reports of the recorded information in §60.757(f)(1) through (f)(6). For flares, reportable exceedances are defined under §60.758(c). [§60.757(f)]
  - a) Value and length of time for exceedance of applicable parameters monitored under §60.756(a) and (c). [§60.757(f)(1)]
  - b) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under §60.756. [§60.757(f)(2)]
  - c) Description and duration of all periods when the control device was not operating for a period exceeding one hour and length of time the control device was not operating. [§60.757(f)(3)]
  - d) All periods when the collection system was not operating in excess of five days. [§60.757(f)(4)]
  - e) The location of each exceedance of the 500 parts per million methane concentration as provided in §60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. [§60.757(f)(5)]
  - f) The date of installation and the location of each well or collection system expansion added pursuant to §60.755(a)(3), (b), and (c)(4). [§60.757(f)(6)]
- 5) The permittee shall include the following information with the initial performance test report required under §60.8: [§60.758(g)]
  - a) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion; [§60.758(g)(1)]
  - b) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based; [§60.758(g)(2)]
  - c) The documentation of the presence of asbestos or non-degradable material for each area from which collection wells have been excluded based on the presence of asbestos or non-degradable material; [§60.758(g)(3)]

- d) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on non-productivity and the calculations of gas generation flow rate for each excluded area; and [§60.758(g)(4)]
- e) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and [§60.758(g)(5)]
- f) The provisions for the control of off-site migration. [§60.758(g)(6)]

**PERMIT CONDITION (EU0010 through EU0040)-003**

10 CSR 10-6.070 New Source Performance Standards  
40 CFR Part 63, Subpart A General Provisions and Subpart AAAA National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

**Operational Requirements:**

- 1) The permittee must comply with the requirements of 40 CFR Part 60, Subpart WWW. [§63.1955(a)(1)]
- 2) The permittee must comply with the general provisions of Part 63 specified in Table 1 of Subpart AAAA. [§63.1955(b)]

**Monitoring:**

- 1) Compliance is determined in the same way it is determined for 40 CFR Part 60, Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(c)(1) of Subpart WWW (*indication of the continuous presence of a flame*), are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in Subpart AAAA and have deviated from the requirements of Subpart AAAA. [§63.1960]
- 2) For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in §63.1965(a) through (c). [§63.1965]
  - a) A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) of Subpart WWW are exceeded. [§63.1965(a)]
  - b) A deviation occurs when one hour or more of the hours during the three-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour. [§63.1965(b)]
  - c) A deviation occurs when a SSM plan is not developed or maintained on site. [§63.1965(c)]
- 3) The three-hour block averages used to calculate compliance are calculated in the same way as they are calculated in 40 CFR Part 60, Subpart WWW, except that the data collected during monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments, startups shutdowns, and malfunctions are not to be included in any average computed under this subpart: [§63.1975]

**Recordkeeping:**

- 1) The permittee shall develop a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of Subpart AAAA. [§63.1960]
- 2) The permittee shall keep records and reports as specified in 40 CFR Part 60, Subpart WWW. [§63.1980(a)]

- 3) The permittee shall also keep records and reports as specified in the general provisions of 40 CFR Part 60 and Part 63 as shown in Table 1 of Subpart AAAA. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports. [§63.1980(b)]
- 4) All records shall be maintained for five (5) years.
- 5) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

**Reporting:**

- 1) The permittee shall submit reports as specified in 40 CFR Part 60, Subpart WWW, with one exception: the annual report described in 40 CFR 60.757(f) must be submitted every six months. [§63.1980(a)]
  - a) Semi-Annual reports are due by July 31<sup>st</sup> for monitoring which covers the January through June time period. [§63.10(d)(5)(i)]
  - b) Semi-Annual reports are due by January 31<sup>st</sup> for monitoring which covers the July through December time period. [§63.10(d)(5)(i)]
- 2) The permittee shall submit reports as specified in the general provisions of 40 CFR Part 60 and Part 63 as shown in Table 1 to Subpart AAAA. Applicable reports in the general provisions include the SSM plan reports. [§63.1980(b)]
- 3) If actions taken during a SSM plan are consistent with the procedures in the SSM plan, this information shall be included in the semi-annual SSM plan report. If actions taken during a startup, shutdown and malfunction plan are consistent with the procedures in the startup, shutdown and malfunction plan, this information shall be included in a semi-annual startup, shutdown and malfunction plan report. Any time an action taken during a startup, shutdown and malfunction plan is not consistent with the startup, shutdown and malfunction plan, the source shall report to the Air Pollution Control Program actions taken within two working days after commencing such actions, followed by a letter seven days after the event. [§63.10(d)(5)]

**PERMIT CONDITION (EU0030 and EU0040)-004**

10 CSR 10-6.070 New Source Performance Standards  
40 CFR Part 60, Subpart A General Provisions

**Operational Requirements:**

- 1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in §60.18(f), except for periods not to exceed a total of five minutes during any two consecutive hours. [§60.18(c)(1)]
- 2) Flares shall be operated with a flame present at all times, as determined by the methods specified in §60.18(f). [§60.18(c)(2)]
- 3) The permittee has the choice of adhering to either the heat content specifications in §60.18(c)(3)(ii) and the maximum tip velocity specifications in §60.18(c)(4), or adhering to the requirements in §60.18(c)(3)(i). [§60.18(c)(3)]
  - a) The requirements of §60.18(c)(3)(i) are as follows:
    - i) Flares shall be used that have a diameter of two inches or greater, are non-assisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity,  $V_{max}$ , as determined by the following equation: [§60.18(c)(3)(i)(A)]

$$V_{max} = (X_{H2} - K_1) * K_2 \quad (\text{Eq. 1})$$

Where:

$V_{\max}$  = Maximum permitted velocity, m/sec.

$K_1$  = Constant, 6.0 volume-percent hydrogen.

$K_2$  = Constant, 3.9(m/sec)/volume-percent hydrogen.

$X_{H_2}$  = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946–77. (Incorporated by reference as specified in §60.17).

- ii) The actual exit velocity of a flare shall be determined by the method specified in §60.18(f)(4). [§60.18(c)(3)(i)(B)]
- b) *Heat Content Specifications:* Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is non-assisted. The net heating value of the gas being combusted shall be determined by the methods specified in §60.18(f)(3). [§60.18(c)(3)(ii)]
- c) *Maximum Tip Velocity Specifications:* The requirements of §60.18(c)(4) are as follows:
  - i) Steam-assisted and non-assisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in §60.18(f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in §60.18(c)(4)(ii) and (iii). [§60.18(c)(4)(i)]
  - ii) Steam-assisted and non-assisted flares designed for and operated with an exit velocity, as determined by the methods specified in §60.18(f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf). [§60.18(c)(4)(ii)]
  - iii) Steam-assisted and non-assisted flares designed for and operated with an exit velocity, as determined by the methods specified in §60.18(f)(4), less than the velocity,  $V_{\max}$ , as determined by the method specified in §60.18 f)(5), and less than 122 m/sec (400 ft/sec) are allowed. [§60.18(c)(4)(iii)]
- 4) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity,  $V_{\max}$ , as determined by the method specified in §60.18(f)(6). [§60.18(c)(5)]
- 5) Flares used to comply with this section shall be steam-assisted, air-assisted, or non-assisted. [§60.18(c)(6)]
- 6) The permittee shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. [§60.18(d)]
- 7) Flares shall be operated at all times when emissions may be vented to them. [§60.18(e)]
- 8) Method 22 of appendix A to part 60 shall be used to determine the compliance of flares with the visible emission provisions of Subpart A. The observation period is two hours and shall be used according to Method 22. [§60.18(f)(1)]
- 9) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame. [§60.18(f)(2)]
- 10) For the performance test required in §60.752(b)(2)(iii)(A), the net heating value of the combusted landfill gas is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under §60.18(f)(4). [§60.754(e)]
- 11) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip. [§60.18(f)(4)]

12) The maximum permitted velocity,  $V_{\max}$ , for flares complying with §60.18(c)(4)(iii) shall be determined by the following equation. [§60.18(f)(5)]

$$\text{Log}_{10}(V_{\max})=(H_T+28.8)/31.7 \quad (\text{Eq. 2})$$

Where:

$V_{\max}$  = Maximum permitted velocity, M/sec

28.8 = Constant

31.7 = Constant

$H_T$  = The net heating value as determined in 40 CFR Part 60.752(b)(2)(iii)(A).

13) The maximum permitted velocity,  $V_{\max}$ , for air-assisted flares shall be determined by the following equation. [§60.18(f)(6)]

$$V_{\max}=8.706+0.7084 (H_T) \quad (\text{Eq. 3})$$

Where:

$V_{\max}$  = Maximum permitted velocity, m/sec

8.706 = Constant

0.7084 = Constant

$H_T$  = The net heating value as determined in §60.18(f)(3).

**Monitoring Requirements:**

NSPS Subpart WWW requires only an initial compliance demonstration, which Prairie View Regional Waste has already completed.

**Recordkeeping/Reporting:**

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

## IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the Code of Federal Regulations (CFR), the Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued. The following is only an excerpt from the regulation or code, and is provided for summary purposes only.

### 10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
  - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
    - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
    - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
    - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
  - b) Yard waste, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
    - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
    - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
      - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
      - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
      - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
      - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the Department Director; and

- iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) Prairie View Regional Waste Facility, LLC may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Prairie View Regional Waste Facility, LLC fails to comply with the provisions or any condition of the open burning permit.
- a) In a non-attainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the Director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the Director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005, shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the Director.
- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

#### **10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions**

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
- a) Name and location of installation;
- b) Name and telephone number of person responsible for the installation;
- c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
- d) Identity of the equipment causing the excess emissions;
- e) Time and duration of the period of excess emissions;
- f) Cause of the excess emissions;
- g) Air pollutants involved;
- h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;

- i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the Director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the Director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
  - 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under Section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the Director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under Section 643.080 or 643.151, RSMo.
  - 4) Nothing in this rule shall be construed to limit the authority of the Director or commission to take appropriate action, under Sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
  - 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

#### **10 CSR 10-6.060 Construction Permits Required**

The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

#### **10 CSR 10-6.065 Operating Permits**

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request. [10 CSR 10-6.065(6)(C)3.B]

#### **10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61 Subpart M National Emission Standard for Asbestos**

- 1) The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

- 2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

**10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information**

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee may be required by the Director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the Director.
- 6) The permittee shall complete required reports on state supplied EIQ forms or in a form satisfactory to the Director and the reports shall be submitted to the Director by June 1 after the end of each reporting period.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

**10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential**

This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

**10 CSR 10-6.150 Circumvention**

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

**10 CSR 10-6.170**

**Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

**Emission Limitation:**

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the Director.

- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that non-compliance has occurred, the Director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
  - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
  - b) Paving or frequent cleaning of roads, driveways and parking lots;
  - c) Application of dust-free surfaces;
  - d) Application of water; and
  - e) Planting and maintenance of vegetative ground cover.

**Monitoring:**

The permittee shall conduct inspections of its facilities sufficient to determine compliance with this regulation. If the permittee discovers a violation, the permittee shall undertake corrective action to eliminate the violation.

The permittee shall maintain the following monitoring schedule:

- 1) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
- 2) Should no violation of this regulation be observed during this period then-
  - a) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
  - b) If a violation is noted, monitoring reverts to weekly.
  - c) Should no violation of this regulation be observed during this period then-
    - i) The permittee may observe once per month.
    - ii) If a violation is noted, monitoring reverts to weekly.
- 3) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

**Recordkeeping:**

The permittee shall document all readings on Attachment A, or its equivalent, noting the following:

- 1) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
- 2) Whether the visible emissions were normal for the installation.
- 3) Whether equipment malfunctions contributed to an exceedance.
- 4) Any violations and any corrective actions undertaken to correct the violation.

<b>10 CSR 10-6.180 Measurement of Emissions of Air Contaminants</b>
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- 1) The Director may require any person responsible for the source of emission of air contaminants to make or have made tests to determine the quantity or nature, or both, of emission of air contaminants from the source. The Director may specify testing methods to be used in accordance with good professional practice. The Director may observe the testing. All tests shall be performed by qualified personnel.
- 2) The Director may conduct tests of emissions of air contaminants from any source. Upon request of the Director, the person responsible for the source to be tested shall provide necessary ports in stacks or ducts and other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants.

- 3) The Director shall be given a copy of the test results in writing and signed by the person responsible for the tests.

**10 CSR 10-3.090 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

**10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants**

**Emission Limitation:**

No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions in excess of the limits specified by this rule. This permit will contain the opacity limits identified (10, 20 or 40 percent) for the specific emission units.

**Monitoring/Recordkeeping/Reporting:**

The permittee shall demonstrate compliance with this regulation by meeting the requirements of Permit Condition (EU0010 through EU0040)-002 (40 CFR Part 60 Subpart WWW).

**10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the Department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the Department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the Department. Certain business entities that meet the requirements for state-approved exemption status must allow the Department to monitor training classes provided to employees who perform asbestos abatement.

**Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone**

- 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 motor vehicle air conditioners (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 record keeping 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 substance 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. *Federal Only - 40 CFR Part 82*

#### **10 CSR 10-6.280 Compliance Monitoring Usage**

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the Director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and

- c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued,

### **10 CSR 10-6.065(6)(C)1.B Permit Duration**

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed.

### **10 CSR 10-6.065(6)(C)1.C General Record Keeping and Reporting Requirements**

- 1) Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) October 1st for monitoring which covers the January through June time period, and
    - ii) April 1st for monitoring which covers the July through December time period.
    - iii) Exception. Monitoring requirements which require reporting more frequently than semi annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
  - c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
  - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit, and no later than ten days after any exceedance of any applicable rule, regulation, or other restriction.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

#### **10 CSR 10-6.065(6)(C)1.D Risk Management Plan Under Section 112(r)**

The permittee shall comply with the requirements of 40 CFR Part 68, Accidental Release Prevention Requirements. If the permittee has more than a threshold quantity of a regulated substance in process, as determined by 40 CFR Section 68.115, the permittee shall submit a Risk Management Plan in accordance with 40 CFR Part 68 no later than the latest of the following dates:

- 1) June 21, 1999;
- 2) Three years after the date on which a regulated substance is first listed under 40 CFR Section 68.130; or
- 3) The date on which a regulated substance is first present above a threshold quantity in a process.

#### **10 CSR 10-6.065(6)(C)1.F Severability Clause**

In the event of a successful challenge to any part of this permit, all uncontested permit conditions shall continue to be in force. All terms and conditions of this permit remain in effect pending any administrative or judicial challenge to any portion of the permit. If any provision of this permit is invalidated, the permittee shall comply with all other provisions of the permit.

#### **10 CSR 10-6.065(6)(C)1.G General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any non-compliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated non-compliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to

the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

**10 CSR 10-6.065(6)(C)1.H Incentive Programs Not Requiring Permit Revisions**

No permit revision will be required for any installation changes made under any approved economic incentive, marketable permit, emissions trading, or other similar programs or processes provided for in this permit.

**10 CSR 10-6.065(6)(C)1.I Reasonably Anticipated Operating Scenarios**

None

**10 CSR 10-6.065(6)(C)1.J Emissions Trading**

None

**10 CSR 10-6.065(6)(C)3 Compliance Requirements**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable

requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:

- a) The identification of each term or condition of the permit that is the basis of the certification;
- b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
- c) Whether compliance was continuous or intermittent;
- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

#### **10 CSR 10-6.065(6)(C)6 Permit Shield**

- 1) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
  - a) The application requirements are included and specifically identified in this permit, or
  - b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.
- 2) Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
  - a) The provisions of Section 303 of the Act or Section 643.090, RSMo concerning emergency orders,
  - b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
  - c) The applicable requirements of the acid rain program,
  - d) The authority of the Environmental Protection Agency and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
  - e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.

#### **10 CSR 10-6.065(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for non-compliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

- 2) Be aware that an emergency or upset shall not include non-compliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

#### **10 CSR 10-6.065(6)(C)8 Operational Flexibility**

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under Section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the Air Pollution Control Program as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the Air Pollution Control Program as soon as possible after learning of the need to make the change.
  - b) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.065(6)(C)9 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, no later than the next annual emissions report. This

notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.

- c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
- d) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.020(2)(R)12 Responsible Official**

The application utilized in the preparation of this permit was signed by Brad Zimmerman, Environmental Manager. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

#### **10 CSR 10-6.065(6)(E)6 Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
- 2) The Missouri Department of Natural Resources or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 3) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;  
or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 4) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements), become applicable to that source, provided that, upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;  
or
- 5) The Missouri Department of Natural Resources or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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**10 CSR 10-6.065(6)(E)1.C Statement of Basis**

This permit is accompanied by a statement setting forth the legal and factual basis for the permit conditions (including references to applicable statutory or regulatory provisions). This Statement of Basis, while referenced by the permit, is not an actual part of the permit.

## **VI. Attachments**

Attachments follow.



## STATEMENT OF BASIS

### Permit Reference Documents

These documents were relied upon in the preparation of the operating permit. Because they are not incorporated by reference, they are not an official part of the operating permit.

- 1) Part 70 Operating Permit Application, received October 5, 2006, revised November 30, 2009;
- 2) 2008 Emissions Inventory Questionnaire, received May 21, 2009; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.
- 4) No Construction Permit Required Letter, Issued September 23, 1996
- 5) No Construction Permit Required Letter, Issued October 18, 2000
- 6) No Construction Permit Required Letter, Issued October 29, 2001
- 7) ACP Construction Permit 102005-003, issued October 27, 2005

### Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits

In the operating permit application, the installation indicated they were not subject to the following regulation(s). However, in the review of the application, the agency has determined that the installation is subject to the following regulation(s) for the reasons stated.

None.

### Other Air Regulations Determined Not to Apply to the Operating Permit

The Air Pollution Control Program (APCP) has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

#### 10 CSR 10-6.100, *Alternate Emission Limits*

This rule is not applicable because the installation is in an ozone attainment area.

#### 10 CSR 10-6.310, *Restriction of Emissions from Municipal Solid Waste Landfills*

This rule is not applicable to the installation because according to §(1)(A), this rule does not apply to solid waste municipal landfills for which construction, re-construction or modification commenced on or after May 30, 1991. The installation was modified after May 30, 1991.

### Construction Permit Revisions

The following revisions were made to construction permits for this installation:

None.

### New Source Performance Standards (NSPS) Applicability

#### 10 CSR 10-6.070, *New Source Performance Regulations*

#### 40 CFR Part 60 Subpart Cc, *Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills*

According to §60.32c, this subpart applies to existing MSW landfills for which construction, reconstruction or modification was commenced before May 30, 1991. This installation was modified after May 30, 1991; therefore, it is not subject to this rule.

40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*

According to §60.110b(a), this subpart does not apply to storage vessels with a capacity less than 75 m<sup>3</sup> (19,813 gallons). Each of the following storage tanks has a capacity of less than 75 m<sup>3</sup>; therefore, these storage vessels are not subject to this rule.

Description	EIQ Reference #
One 500-gallon gasoline storage tank	EP-05
Two 6,000-gallon diesel storage tanks	EP-06
One 500-gallon used oil tank	EP-11
One 250-gallon hydraulic oil tank	EP-12
One 250-gallon motor oil tank	EP-13
One 55-gallon coolant tank	EP-14
Three 6,000-Btu/hr combustion heaters	EP-15
One 1,000-gallon propane storage tank	EP-16

According to §60.110b(b), this subpart does not apply to storage vessels with a capacity greater than or equal to 75 m<sup>3</sup> but less than 151 m<sup>3</sup> storing a liquid with a maximum true vapor pressure less than 15.0 kPa. The leachate has a true vapor pressure of less than 15.0 kPa; therefore, the following leachate storage tanks are not subject to this rule.

Description	EIQ Reference #
Two 20,000-gallon leachate storage tanks	EP-09
Two 50,000-gallon leachate storage tanks	EP-10

40 CFR Part 60 Subpart WWW, *Standards of Performance for Municipal Solid Waste Landfills*

This installation is subject to this rule. Annual reports described in §60.757(f) are required to be submitted semiannually as specified in 40 CFR Part 63, Subpart AAAA.

None of the other NSPS standards apply.

**Maximum Achievable Control Technology (MACT) Applicability**

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations*

40 CFR Part 63 Subpart AAAA, *National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills*

This installation is subject to this rule.

None of the other MACT standards apply.

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability**

10 CSR 10-6.080, *Emission Standards for Hazardous Air Pollutants*,

40 CFR Part 61 Subpart M, *National Standards for Asbestos*

This installation is subject to this rule. It is included as a core permit requirement.

None of the other NESHAP standards apply.

**Other Regulatory Determinations**

Project Number 2011-01-048, Significant Modification

This project made several changes to the current Operating Permit (OP2010-113). There were three storage tanks added to the Emission Units without Limitations. Permit Condition (EU0010 through EU0040)-004 was removed in its entirety and replaced by Permit Condition (EU0030 and EU0040)-005. There were also several changes made to Permit Condition (EU0010 through EU0040)-001 and Permit Condition (EU0030 and EU0040)-004.

10 CSR 10-6.220 *Restriction of Emission of Visible Air Contaminants*

The permittee shall demonstrate compliance with this regulation by meeting the requirements of Permit Condition (EU0010 through EU0040)-002 (40 CFR Part 60 Subpart WWW) and Permit Condition (EU0030 and EU0040)-004 (40 CFR Part 60, Subpart A).

10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*

According to §(1)(A)1., emission sources subject to an applicable sulfur compound emission limit under 10 CSR 10-6.070 are exempt. Although the facility is subject to 10 CSR 10-6.070, 40 CFR Part 60 Subpart WWW, Subpart WWW does not contain an applicable sulfur compound emission limit. Therefore, this installation is not exempt from 10 CSR 10-6.260. This rule applies to the flares (EU0030 and EU0040). However, based on the composition of the landfill gas, the minimal SO<sub>2</sub> emissions from the flares will always be expected to be below the allowable limits. Therefore, this rule is not included as a permit condition.

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*

This rule does not apply to the flares (EU0030 and EU0040) because according to §(2)(A), liquids and gases used solely as fuels are excluded in defining process weight.

Historical Notes: The following notes describe the differences between the initial Operating Permit, OP2003-014, issued March 19, 2003, and this renewal Operating Permit.

Current EU ID #	OP2003014 EU ID #	Description	Status
EU0010 and EU0020	EU0010	Lamar Landfill PVRWF	Vertical expansion of landfill and installation of Gas Collection and Control System (GCCS) in 2005
EU0030 and EU0040	NA	Lamar Landfill Flare PVRWF Flare	Installation of two identical flares in 2005

Current EU ID #	OP2003014 EU ID #	Description	Status
NA	EU0020 EU0030 EU0040 EU0050	Leachate Storage Tanks	On October 15, 2003, the EPA amended 40 CFR Part 60 Subpart Kb to eliminate recordkeeping requirements for storage vessels with a capacity < 75 m <sup>3</sup> , and for storage vessels with a capacity between 75 and 151 m <sup>3</sup> storing liquid with vapor pressure < 15 kPa. Consequently, these tanks are currently Emission Units Without Limitations

**Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis**

Any regulation which is not specifically listed in either the Operating Permit or in the above Statement of Basis does not appear, based on this review, to be an applicable requirement for this installation for one or more of the following reasons:

- 1) The specific pollutant regulated by that rule is not emitted by the installation;
- 2) The installation is not in the source category regulated by that rule;
- 3) The installation is not in the county or specific area that is regulated under the authority of that rule;
- 4) The installation does not contain the type of emission unit which is regulated by that rule;
- 5) The rule is only for administrative purposes.

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the Air Pollution Control Program's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the Air Pollution Control Program a schedule for achieving compliance for that regulation(s).

Prepared by:

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Jason Dickneite  
Environmental Engineer

Mr. Brad Zimmerman  
Prairie View Regional Waste Facility, LLC  
P. O. Box 29  
Lamar, MO 64759

Re: Prairie View Regional Waste Facility, LLC, 011-0039  
Permit Number: **OP2010-113 A**

Dear Mr. Zimmerman:

Enclosed with this letter is your Part 70 operating permit. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

Project Number 2011-01-048, Significant Modification: This project made several changes to the current Operating Permit (OP2010-113). There were three storage tanks added to the Emission Units without Limitations. Permit Condition (EU0010 through EU0040)-004 was removed in its entirety and is now what was Permit Condition (EU0030 and EU0040)-005. There were also several changes made to Permit Condition (EU0010 through EU0040)-001 and Permit Condition (EU0030 and EU0040)-004.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Jason Dickneite at the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Michael J. Stansfield, P.E.  
Operating Permit Unit Chief

MJS:jdk

Enclosures

c: Southwest Regional Office  
PAMS File: 2011-01-048