



**Missouri Department of Natural Resources  
Air Pollution Control Program**

**AIR PROGRAM ADVISORY FORUM  
Thursday June 25, 2009  
Meeting Notes**

Emission Inventory Reporting

The department realizes the burden changes in deadlines will have on industry. These changes would occur for the 2010 reporting year, data submitted in 2011. Based on the discussion after the presentation, the current proposal is a submittal date of March 1<sup>st</sup> for Basic sources, No Operating Permit sources and paper submittals and April 1<sup>st</sup> for electronic submittal utilizing MOEIS. Anyone can submit March 1<sup>st</sup> and payment for everyone is due on June 1<sup>st</sup>. A formal rulemaking, with comment period, for this change will occur and the rule will be final by the end of 2010. If anyone has ideas, please send them to Jim Kavanaugh or Calvin Ku.

The presentation is available on the air forum's web page:

<http://www.dnr.mo.gov/env/apcp/AirAdvisory/APCPstakeholder.htm>

Permitting – Burning Biomass

Based on federal rules and guidance, burning of biomass or other alternative fuels typically require an air permit action. See attached page for additional information. For assistance in biomass permitting, please contact Kendall Hale or Kyra Moore at (573) 526-3835.

No Permit Required Determinations

The department has recently changed the procedure on issuing "No Permit Required" letters to installations based on the use of control equipment. The "No Permit" letter stipulates the control equipment must be used at all times. Due to EPA Region VII's interpretation that this does not define potential to emit, the department is no longer counting control when making a permit determination. Therefore, installations that previously did not need a permit for the installation of equipment with control will now need to obtain a permit. This involves the interpretation of "potential to emit" and is not changing any regulation.

Inherent controls are still allowed when calculating potential to emit. Inherent moisture in rock for quarrying is considered inherent. For other controls besides inherent moisture, the department recommends the facility submit justification for inherent controls. Upon concurrence from EPA that the controls are inherent, a no permit letter may be issued.

Please see the document "New Source Review Permit Determinations – Consideration of Control Equipment" on the air forum's web page for further information.

Rules Briefing

On June 22, 2009, the Order of Rulemakings were filed for the following rule actions: 10 CSR 10-5.570 Control of Sulfur Emissions from Stationary Boilers; 10 CSR 10-6.260 Restriction of Emissions of Sulfur Compounds; 10 CSR 10-6.045 Open Burning Requirements; 10 CSR 10-6.120 Restriction of Emissions of Lead from Specific Lead



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Smelter –Refinery Installations; and 10 CSR10-6.320 Sales Tax Exemption. With these five filings, the rules are all on schedule to become effective on September 30, 2009.

On June 25, 2009, proposed rulemakings were filed to amend the three state Clean Air Interstate Rule regulations 10 CSR 10-6.362, 10-6.364, and 10-6.366. The amendments to these rules will update the definition of cogenerator used in the rule to match the federal definition. The amendments will also update facility identification numbers to correspond to their current identification codes. The public hearing for the amendments is expected in September.

The Missouri Air Conservation Commission voted June 25, 2009 to move forward with draft text for a revised odor regulation. The revised regulation will go through the normal rulemaking procedure, including a public hearing and opportunity for public comment.

### Mark Your Calendars

3<sup>rd</sup> Annual REGFORM Air Seminar, in coordination with MDNR, is scheduled for November 5, 2009. Location to be announced.

### Future Meetings

Thursday September 17, 2009, **10:00 to noon** Bennett Springs Conference Room  
Thursday December 3, 2009 1:00 to 3:00 in Bennett Springs Conference Room



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**Air Pollution Control Program**

**Permitting the Burning of Biomass**

There are several issues to address when making a determination of whether or not a New Source Review (Construction) permit is required to burn biomass.

- 1) Will the use of biomass in existing boilers constitute a modification or major modification to the existing installation?

**Modification** is defined in 10 CSR 10-6.020(2)(M)10 as: Any physical change, or change in the method of operation of, a source operation or attendant air pollution control equipment which would cause an increase in potential emissions of any air pollutant emitted by the source operation.

**Major Modification** is defined in 10 CSR 10-6.020(2)(M)3 as:

Any physical change or change in the method of operation at an installation or in the attendant air pollution control equipment that would result in a significant net emissions increase of any pollutant. A physical change or a change in the method of operation, unless previously limited by enforceable permit conditions, shall not include:

- A. Routine maintenance, repair and replacement of parts;
- B. Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, a prohibition under the Power Plant and Industrial Fuel Use Act of 1978, or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
- C. Use of an alternative fuel or raw material, if prior to January 6, 1975, the source was capable of accommodating the fuel or material, unless the change would be prohibited under any enforceable permit conditions which was established after January 6, 1975;
- D. An increase in the hours of operation or in the production rate unless the change would be prohibited under any enforceable permit condition which was established after January 6, 1975; or
- E. Use of an alternative fuel by reason of an order or rule under Section 125 of the Clean Air Act.

The switch from combusting coal to biomass does constitute a physical change or a change in the method of operation, unless 10 CSR 10-6.020(2)(M)3.C applies. If 10 CSR 10-6.020(2)(M)3.C applies a demonstration that the plant, as a whole, was capable of burning the alternative fuel is necessary.

- 2) Potential Emissions of the entire project. Identify all emission sources associated with the biomass project including emissions from biomass receiving, handling, storage, and the boilers. Emissions should be calculated based upon continuous operation (i.e. 8,760 hours per year). Any physical or operational limitations need to be clearly defined in the calculations.

For additional guidance on alternative fuels, search for “alternative fuels” or “biomass” on EPA’s “NSR Policy and Guidance” Database, found at the following link:  
<http://www.epa.gov/region07/programs/artd/air/nsr/nsr.htm>