



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Permitting Overview

Kendall Hale

Air Pollution Control Program

2014 Permit Workload

Operating Permits		Construction Permits		Total	
Received	Completed	Received	Completed	Received	Completed
300	278	524	474	824	752

Permit Review Efficiency Emphasis

- Timely and thorough completeness reviews
- Clear and fair expectations for responses to permit writer's questions
 - Expectations communicated in completeness notifications
 - 15 days to answer questions or supply requested information
 - Will allow one extension of 30 days
 - 10 days to review draft permits

Greenhouse Gas Permitting

- United States Supreme Court's Decision in *Utility Air Regulatory Group v. Environmental Protection Agency*
 - PSD can not be triggered based solely on GHG emissions
 - Title V permit can not be required if GHG emissions are the only pollutant greater than major source levels
 - If PSD is triggered by another pollutant and GHG emissions above thresholds, then BACT must be done for GHG emission

Confidential Information

- 10 CSR 10-6.210 Confidential Information
- A claim of confidentiality shall be granted if:
 - The owner or operator has asserted a business confidentiality claim
 - The owner or operator has satisfactorily shown that it has taken reasonable measures to protect the confidentiality of the information and that it intends to continue to take those measures
 - The information is not, and has not been, reasonably obtained without the owner's or operator's consent by other persons



Confidential Information Cont'd

- No statute specifically requires public disclosure of the information
- The information is not emission data
- The owner or operator has satisfactorily shown that public disclosure of the information –
 - Is likely to cause substantial harm to business' competitive position; or
 - Was voluntarily submitted and its disclosure would be likely to impair the director's ability to obtain necessary information in the future.

Confidential Claims Procedure

- Submit two copies of the permit application – a confidential version and a public version
- Submit justification based upon 10 CSR 10-6.210 for each claim of confidentiality
- The confidentiality request will be reviewed and a response provided to the applicant on whether or not confidentiality has be granted
- If preliminary decision is to deny confidentiality request, then applicant has 15 working days to provide additional justification

Basic Operating Permits

- Rulemaking is moving forward to remove requirement for installation to obtain a Basic Operating Permit due solely because of an incinerator, applicable NSPS or MACT standard
- Still working at revising the Basic Operating Permit application and permit format

Permitting Issues and Challenges

- To model or not to model
 - Traditional permitting thresholds have been based upon annual emissions or limits. New standards have shorter averaging times.
- Justification for representative monitoring data to satisfy pre-construction monitoring requirements for PSD permitting
- Appropriate background concentrations to use in air quality analysis
- Appropriate size of interactive inventory for air quality analysis

Permitting Issues and Challenges Cont'd

- PSD can be triggered for PM_{2.5} based solely on NO_x and SO₂ emissions
- Baseline date can be triggered for PM_{2.5} based solely on NO_x and SO₂ emissions
- How to handle production increases at an installation when the only thing that is occurring is removing a limit from an older permit
- Old permits that have an emission limit for a stack that has multiple emission units vented through the stack and one of the emission units is being modified

Permitting Issues and Challenges Cont'd

- Air curtain destructors may require a Title V Operating Permit
- Significant Modification to an installation's Part 70 Operating Permit is required for those sources wishing to remove COMS due to changes in 10 CSR 10-6.220

Division of Environmental Quality Director: Leanne Tippett Mosby

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Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.