



Missouri Department of Natural Resources Air Pollution Control Program

Alternate Fuels

Kendall Hale

NSR Unit Chief

Air Pollution Control Program

573-751-4817

Modification

Defined in 10 CSR 10-6.020(2)(M)10 –

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

Defined in 10 CSR 10-6.020(2)(M)3 –

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 change in the method of operation, unless previously limited by enforceable permit conditions, shall not include:

Major Modification cont'd

- 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*

Not a Major Modification

Company needs to document the following:

- Unit was physically in existence prior to January 6, 1975
- The alternate fuel being contemplated was part of the original unit's design and that the unit has had the continuous ability to burn such fuel; and
- The unit was capable of accommodating the use of the alternate fuel without making changes to the unit or the installation

Not a Major Modification

- If the alternate fuel was reviewed as part of a New Source Review (NSR) application and was specifically allowed in the NSR Permit.
- If NSR permit considered the alternate fuel and the company did not install sufficient equipment at the time of installation, then the use of the alternate fuel needs to be re-evaluated for NSR applicability.

If Exemption Does Not Apply

- Follow normal NSR permitting process in determining significant emissions increase and significant net emissions increase.
- **DO NOT** slide the alternate fuel into the installation's operating permit without considering NSR.

Guidance Documents

- EPA New Source Review Policy and Guidance Database
<http://www.epa.gov/Region7/programs/artd/air/nsr/nsrpg.htm>
- EPA Enforcement Related Policy and Guidance Documents
<http://www.epa.gov/compliance/resources/policies/civil/index.html> (all statutes) OR
http://cfpub.epa.gov/compliance/resources/policies/civil/caa/details.cfm?CAT_ID=&SUB_ID=94&templatePage=9&title=New%20Source%20Review%20and%20Prevention%20of%20Significant%20Deterioration (for NSR specific enforcement policies)
- Environmental Appeals Board Opinions
http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/Board+Decisions?OpenPage
- Office of Enforcement and Compliance Assurance Consent Decree Database
<http://cfpub.epa.gov/compliance/cases/> OR
<http://cfpub.epa.gov/compliance/cases/index.cfm?templatePage=11> (listed by statute)
- General Information on NSR (including recent rulemakings): <http://www.epa.gov/nsr/>