

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

www.dnr.mo.gov

MAR - 2 2007

Mr. R. D. James
Manager
A.C. Riley Cotton Co., LLC
9712 U.S. Hwy. 61
New Madrid, MO 63869

Re: A.C. Riley Cotton Co., LLC, 143-0046
Permit Number: **OP2007-008**

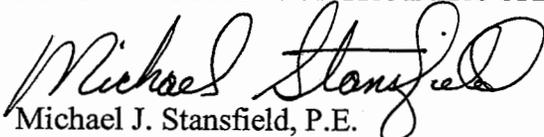
Dear Mr. James:

Enclosed with this letter is your intermediate 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 you read and understand the requirements contained in your permit.

If you have any questions or need additional information, please contact Nicole Voyles in the Air Pollution Control Program at (573) 751-4817, or write to the Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102. Thank you for your time and consideration.

Sincerely,

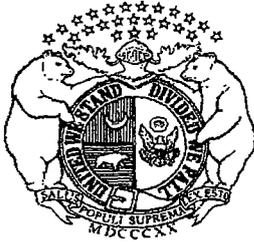
AIR POLLUTION CONTROL PROGRAM


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

MJS: nvk

Enclosures

c: Ms. Tamara Freeman, US EPA Region VII
Southeast Regional Office
PAMS File: 2006-10-070



**State of Missouri
Department of Natural Resources
Air Pollution Control Program
P.O. Box 176
Jefferson City, MO 65102**

For Office Use Only

Facility Name:	<u>A.C. Riley Cotton Co., LLC</u>	Permit No.:	<u>OP2007-008</u>
Facility ID No.:	<u>143-0046</u>	Expiration Date:	<u>MAR - 1 2012</u>
Project No.:	<u>2006-10-070</u>		

**GENERAL PERMIT / APPLICATION TO OPERATE
A COTTON GINNING INSTALLATION**

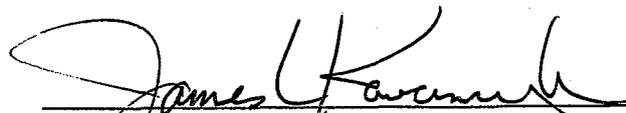
for

Intermediate State General Operating Permit

In compliance with the provisions of Missouri State Rule 10 CSR 10-6.065, this cotton gin installation is authorized to operate in the State of Missouri, in accordance with emissions limitations, operating requirements and other conditions set forth in this General Permit. The potential emissions of particulate matter smaller than or equal to 10 microns in aerodynamic diameter (PM₁₀) is less than 100 tons in any twelve month period.

MAR - 2 2007

Effective Date


Director or Designee
Department of Natural Resources

State of Missouri
 Department of Natural
 Resources
 Air Pollution Control Program

S.B.

OFFICE USE ONLY	
FILING FEE \$	100.00
CHECK NO. 1989	CHECK RECEIVED 12/18/06
CHECK AMOUNT \$ 100.00	CHECK DATE 12/13/06
PROJECT NUMBER 2006-10-070	

**GENERAL PERMIT APPLICATION - COTTON GIN INSTALLATION
 - INTERMEDIATE STATE OPERATING PERMIT -**

Section I - GENERAL INFORMATION (See Instructions)			
All applications must be submitted in duplicate and accompanied by a single \$100 filing fee.			
A. Installation Name <i>A.C. RILEY COTTON CO, LLC</i>	FIPS Number <i>143</i>	Plant No. <i>0046</i>	Year Submitted <i>2006</i>
Installation Street Address <i>9712 US Hwy 61</i>		County Name <i>New Madrid</i>	
City <i>NEW MADRID</i>	State <i>MO</i>	Zip Code <i>63869</i>	Installation Phone Number <i>(573) 748-5574</i>
Installation Mailing Address <i>PO BOX 157</i>		Installation Fax Number <i>(573) 748-2041</i>	
City <i>NEW MADRID</i>	State <i>MO</i>	Zip Code <i>63869</i>	MO Senatorial District Number
Contact Person Mr. <input checked="" type="checkbox"/> Ms. <input type="checkbox"/> <i>R.D. JAMES</i>		MO Representative District Number	
Contact Person Title <i>MANAGER</i>		Contact Person E-Mail Address <i>r.d.james@sbcglobal.net</i>	
B. Parent Company Name <i>N/A</i>	Phone Number ()		Fax Number ()
Mailing Address	City		State Zip Code
Contact Person Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>	Contact Person Title		Contact Person E-Mail Address
C. Installation Type (check one):	<input type="checkbox"/> Cotton gin with no / incomplete controls <input type="checkbox"/> Cotton gin with complete cyclone controls <input checked="" type="checkbox"/> Cotton gin with cyclones on high pressure air and screens on low pressure air		
D. Type of Application (If this is the first time, check "Initial"):			
<input type="checkbox"/> Initial <input type="checkbox"/> Amendment		<input checked="" type="checkbox"/> Renewal (Current Permit No. <i>per your office project #</i> <input type="checkbox"/> Administrative Amendment <i>2002-03-12L is my permit #.</i>	

SECTION II – EMISSION INVENTORY. If your installation has not previously submitted Emission Inventory Questionnaire (EIQ) Forms, you must submit an EIQ with this application in duplicate. If you have previously submitted an EIQ or your EIQ is already electronically on file through MoEIS, then you do not need to submit a hard copy of the EIQ with this application. Amendments or changes to a previously submitted EIQ must be submitted at the same time as the general operating permit application – or submitted electronically through MoEIS. The additional EIQ forms must clearly state that they are replacement or additional forms.

SECTION III – POTENTIAL EMISSIONS. Complete the following section if you qualify for the Intermediate State options. See instructions. If you can use the Basic Operating Permit, it may be to your advantage to do so.

Intermediate State Installation – Potential Emissions Limited to Less Than 100 TPY by Standardized Production Limits with No Additional Control Devices. If your installation is willing to agree to any of the standardized limits noted in the instructions for this subsection and below, then **check the blank below** indicating what production/process limits your installation is willing to accept. Be sure to check the “applicable” box in Section 8.01 of the General Permit (Section VI) as well. The limit selected will also replace any limits contained in previously issued state or local agency-issued “Permits to Construct.”

Table 1. Intermediate State Installation	
Installation Type	Standardized Maximum Production Rates
Cotton gin with no controls or incomplete control of high pressure air	_____ 15,800 bales per year
Cotton gin with cyclones on high pressure air and screens on low pressure air	<input checked="" type="checkbox"/> 60,000 bales per year
Cotton gin with cyclones on both high and low pressure air	_____ 75,000 bales per year

Existing Receiving or Production Permit Limits. If lower than that noted in the instructions, note any present installation-wide annual receiving or production limits contained in your State or local agency-issued “Permits to Construct” in the blank(s) provided, and also, check the “applicable” box in Section 8.02 of the General Permit (Section VI).

Table 2. Existing Installation – Construction Permit Limits		
Permit Number & Condition Number	Date Issued	Annual Production Rates*
		Bales per year

* As contained in present “Permits to Construct.”

Section IV – Compliance Statement

A. Compliance status with respect to all Applicable Requirements effective at time of Permit Issuance as noted in Section VI – General Permit under Section 6.0 – Applicable Requirements.; Section 7.0 – Pollution Control Requirements., if applicable; and Section 8.0 – Production or Processing Limits., if applicable.

Will your installation be in compliance with all applicable requirements at the time of permit issuance and continue to comply with these requirements?

Yes No (If Yes, go to Subsection B. of this Section; if No, complete 1. – 4. below for each applicable requirement for which compliance is not achieved.)

1. Identify applicable requirement for which compliance is not achieved:

2. Narrative description of how compliance will be achieved with this applicable requirement:

3. Detailed Schedule of Compliance:

<u>Steps</u>	<u>Date Expected</u>
_____	_____
_____	_____

4. Frequency for submittal of progress reports (6 month minimum)

5. Starting date for submittal of progress reports:

B. Compliance status with respect to all Applicable Requirements effective after permit issuance:

Will your installation be in compliance with all applicable requirements taking effect during the term of the permit and meet such requirements on a timely basis?

Yes No (If Yes, go to next section; if No, complete 1. and 2. below for each requirement for which compliance is not expected.)

1. Identify applicable requirement that you expect will not be complied with:

2. Detailed Schedule Leading to Compliance:

<u>Steps</u>	<u>Date Expected</u>
_____	_____
_____	_____

Section V – Applicant’s Certification Statement

“Except for requirements identified in the above statement for which compliance is not achieved, I hereby certify that, based on information and belief formed after reasonable inquiry, the air contaminant source identified in this application is in compliance with all applicable requirements.”

Signature of Responsible Official of Company *R James* Date 10/6/06

Type or Print Name of Signer R D JAMES

Official Title of Signer MANAGER Telephone Number (573) 748-5574

Section VI - General Permit. Review all applicable General Permit Sections and address all "check boxes."

**GENERAL PERMIT TO OPERATE
A COTTON GINNING
INSTALLATION**

Section 1.0 – Qualification for the Intermediate General Operating Permit

- 1.01 This installation shall qualify as an Intermediate State Installation as set forth in Missouri State Rule 10 CSR 10-6.065(1)(C).
- 1.02 This installation shall not qualify as a Basic State or Part 70 Installation as set forth in Missouri State Rule 10 CSR 10-6.065(1)(B) and (D).
- 1.03 The permittee shall be subject to an enforcement action for operating without an individual operating permit if it is later determined that the source does not qualify for this General Operating Permit. The permitting authority's decision to issue this permit is based on the representations made by the permittee in the General Operating Permit Application.
- 1.04 This general permit is valid only for the specific activity indicated in the General Operating Permit Application. Any deviation from the specific activity and the conditions for undertaking that activity shall constitute a violation of this permit.

Section 2.0 – Operating Permit Flexibility and Modifications

- 2.01 The permittee shall have the permit flexibility to make changes as long as the proposed change is not considered a permit modification or does not exceed the emission limitations in Section 6.0 of this permit. A permit modification includes any proposed change at the installation which will increase the potential emissions of carbon monoxide, nitrogen oxides, particulate matter less than ten microns, sulfur dioxide or volatile organic compounds, such that the installation's potential emissions will exceed 100 tons per year of any of the previously mentioned pollutants. If the permitting authority considers the proposed change as a modification, the cotton gin shall be required to obtain an individual permit issued under Missouri State Rule 10 CSR 10-6.065(6) Part 70 Operating Permits.
- 2.02 The owner or operator shall provide the permitting authority written notice at least seven days prior to any proposed change. The written notice shall include a brief description of the change(s) within the permitted installation, the date on which the change is to occur, and any change in emissions. The permitting authority will notify the owner or operator whether the proposed change can be completed or will be considered a permit modification and have to undergo the appropriate procedures before the proposed change can be completed.
- 2.03 Administrative Permit Amendment. The permittee is required to notify the permitting authority in writing of any administrative permit amendment regarding the permitted source. The source may implement the change upon submission of notice, subject to final action by the permitting authority. Administrative permit amendments include any change which:
 1. Corrects typographical errors such as misspelled words, incorrect effective date, etc.;
 2. Allows for a change in ownership or operational control of a cotton gin installation where the permitting authority determines that no other change in the General Operating Permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee is submitted to the permitting authority;
 3. Incorporates into this permit the requirements of a unified construction permit issued by the permitting authority as long as potential emissions are less than 100 tons per year;
 4. Does not increase the potential emissions equal to or greater than 100 tons per year; or

5. Any other change that the permitting authority determines to be of similar nature to those in this subsection.

Section 3.0 - Permit Duration, Applications, Renewal and Expiration

3.01 This permit is issued for a fixed term of five years. The permit term shall commence on the date of receipt or acceptance, whichever is later. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted.

3.02 **Duty to reapply.** The owner or operator of the Installation shall submit a timely and complete operating permit application for coverage by the General Operating Permit in accordance with this section.

1. Timely application.

a. Initial Application – Intermediate. Any installation that becomes subject to 10 CSR 10-6.065(4) or (5) after April 11, 1998, shall file a complete operating permit application no later than 30 days after commencement of operations.

b. Permit Renewal – Intermediate. File renewal notification at least six months before the date the current operating permit expires.

2. Complete application.

a. An application will be deemed complete if it provides all the information required in the General Permit Application Form.

b. The application for renewal shall include the current permit number, the appropriate renewal fee, description of any permit revisions and permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term.

c. After receipt the permitting authority shall determine whether the application is complete and inform the applicant that it is complete within 60 days after receipt of the application. If the permitting authority determines that the application is not complete, it shall inform the applicant promptly indicating the reasons the application is incomplete.

d. An installation which has submitted a timely and complete application may continue to operate without a permit from the date the application is determined to be complete subject to final action by the permitting authority on the application, provided that the applicant submits any requested additional information by the deadline established by the permitting authority.

3. **Permit Renewal.** Intermediate General Operating Permits being renewed are subject to the same procedural requirements, including those for public participation that apply to initial permit issuance.

4. **Permit expiration.** Permit expiration terminates the installation's right to operate unless a timely and complete renewal application has been submitted.

Section 4.0 - General Compliance/Enforcement Provisions

- 4.01 **Compliance Requirement.** The permittee must comply with the applicable requirements and all conditions of this permit. Any document (including reports) required to be submitted by this permit shall contain a certification by a responsible official. If the permittee has indicated non-compliance with any applicable requirement, progress reports consistent with an applicable schedule of compliance shall be submitted to the Air Pollution Control Program including the following information.
1. Report Contents:
 - a. Dates for achieving the activities, milestones or compliance required in the schedule.
 - b. An explanation of why dates were not or will not be met, and any preventative or corrective measure adopted.
- 4.02 **Compliance Certification.** The permittee shall submit an annual compliance certification (as defined in 10 CSR 10-6.065(4)(I)) indicating compliance status with all of the terms and conditions contained in this permit, including emission limitations, standards or work practices. These certifications shall be submitted annually on April 1st, unless the applicable requirement specifies more frequent submission.
- 4.03 **Noncompliance.** Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
- 4.04 **Severability Clause.** The various requirements of this permit shall remain valid in the event of a challenge to any portions of the permit.
- 4.05 **Property Rights.** The General Operating Permit does not convey any property rights of any sort, or any exclusive privilege.
- 4.06 **Risk Management Plan.** The permittee only needs to verify the fact that the registering of such a plan has been complied with if they are subject to 112(r).
- 4.07 **Deviations.**
1. Permittee shall identify any deviations from required standards or limits and report such deviations within ten days to the appropriate Enforcement Section of the permitting authority. All reports of deviations shall identify the cause or probably cause of the deviations and any corrective actions or preventative measures taken.
 2. Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7 of 10 CSR 10-6.065 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.

Section 5.0 - Permit Reopening Provision.

This General Permit may be reopened, revoked and reissued or terminated during its term, for cause.

Section 6.0 - Applicable Requirements.

The following rules shall apply to this installation. Consult the appropriate section in the Code of State Regulations, or other official rule reference document, for the full text of the applicable requirements.

6.01 Installation Level. The following are deemed by the Missouri Department of Natural Resources to be applicable on an installation-wide basis.

1. General

a. 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.

b. 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.

c. 10 CSR 10-6.065, *Operating Permits*

The permittee shall file for renewal of this operating permit no later than six months prior to the expiration date of this operating permit (The permit term commences on the date of receipt or acceptance, whichever is later). The permittee shall retain the most current operating permit issued to this installation on-site and shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request.

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

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.

e. 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 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 to satisfy the requirements of the Federal Clean Air Act, Title V.
- (3) The fees shall be due April 1 each year for emissions produced during the previous calendar year. 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.

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

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

g. 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.

h. 10 CSR 10-6.180, *Measurement of Emissions of Air Contaminant*

- (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

i. 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.

j. 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) Monitoring method(s) 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: 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources"; 10 CSR 10-6.040, "Reference Methods"; 10 CSR 10-6.070, "New Source Performance Standards"; and 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.

k. 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.

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*

I. 10 CSR 10-3.030, *Open Burning Restrictions*

- (1) The permittee shall not conduct, cause, permit or allow a salvage operation, the disposal of trade wastes or burning of refuse by open burning.
- (2) Exception – Open burning of trade waste or vegetation may be permitted only when it can be shown that open burning is the only feasible method of disposal or an emergency exists which requires open burning.
- (3) Any person intending to engage in open burning shall file a request to do so with the director. The request shall include the following:
- (a) The name, address and telephone number of the person submitting the application;
 - (b) The type of business or activity involved;
 - (c) A description of the proposed equipment and operating practices, the type, quantity and composition of trade wastes and expected composition and amount of air contaminants to be released to the atmosphere where known;
 - (d) The schedule of burning operations;
 - (e) The exact location where open burning will be used to dispose of the trade wastes;
 - (f) Reasons why no method other than open burning is feasible; and
 - (g) Evidence that the proposed open burning has been approved by the fire control authority which has jurisdiction.
- (4) Upon approval of the application by the director, the person may proceed with the operation under the terms of the open burning permit. Be aware that such approval shall not exempt the permittee from the provisions of any other law, ordinance or regulation.
- (5) The permittee shall maintain files with letters from the director approving the open burning operation and previous Department of Natural Resources inspection reports.

m. 10 CSR 10-3.090, *Restriction of Emission of Odors*

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.

n. 10 CSR 10-6.170, *Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin*

(1) Emission Limitation

(a) 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 or 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.

(b) 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.

(c) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary.

(2) Monitoring: The permittee shall conduct inspections of its installation sufficient to determine compliance with this regulation during the operating season. If a violation of this regulation is discovered, the source shall undertake corrective action to eliminate the violation.

The following monitoring schedule must be maintained during the operating season:

Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-

(a) Observations must be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-

(b) Observations must be made once per month. If a violation is noted, monitoring reverts to weekly.

If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

(3) Record Keeping: A log must be maintained noting the following:

(a) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.

(b) Whether the visible emissions were normal for the installation.

(c) Equipment malfunctions that could cause an exceedance of 10 CSR 10-6.170.

(d) Any violations of 10 CSR 10-6.170 and any corrective actions undertaken to correct the violation. Attachment A contains a log including these record keeping requirements. This log, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

(4) Reporting: The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could cause an exceedance of this regulation.

o. 10 CSR 10-6.220, *Restriction of Visible Air Contaminants*

(1) Emission Limitation: No permittee shall cause or permit to be discharged into the atmosphere from any source any visible emissions with an opacity greater than 20%.

(2) Monitoring Requirement: There are no additional monitoring requirements if the installation burns either natural gas or propane. If the installation is combusting fuel oil:

(a) The permittee shall conduct opacity readings on this emission unit using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.

(b) The following monitoring schedule must be maintained:

1) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-

2) Observations must be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-

3) Observations must be made once per month. If a violation is noted, monitoring reverts to weekly.

(c) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

(3) Record Keeping Requirement: The following record keeping requirements apply to any emission unit which combust fuel oil.

(a) The permittee shall maintain records of all observation results (see Attachment B and C), noting:

- i. Whether any air emissions (except for water vapor) were visible from the emission units,
- ii. All emission units from which visible emissions occurred, and
- iii. Whether the visible emissions were normal for the process.

(b) The permittee shall maintain records of any equipment malfunctions.

(c) The permittee shall maintain records of any Method 9 observations (see Attachment D) performed in accordance with this permit condition.

(4) Reporting Requirement: The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of the opacity limit established by 10 CSR 10-6.220, or any malfunction which could cause an opacity exceedance.

6.02 Boilers

1. Particulate Matter

a. 10 CSR 10-3.060, *Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment used for Indirect Heating*

Check one: Not Applicable

Applicable

(1) Emission Limitation: No person shall cause, allow or permit the emissions of particulate matter from indirect heating units in excess of the following:

(a) Indirect Heating Units – Commercial construction on or before February 24, 1971.

1) 0.60 pounds/MMBTU for a unit when the installation's total heat capacity (Q) has a capacity rating of ten MMBTU/hr or less;

2) 0.18 pounds/MMBTU for a unit when the installation's total heat capacity (Q) has a capacity rating of 10,000 MMBTU/hr or more;

3) The amount of particulate matter which may be emitted from fuel burning equipment when an installation's total heat capacity is between ten MMBTU/hr and 10,000 MMBTU/hr shall be determined by: $E=0.90Q^{-0.174}$ where E is the emission limit in lb/MMBTU and Q is the installation's total heat capacity.

(b) New Indirect Heating Units – Commercial construction began after February 24, 1971.

1) 0.60 pounds/MMBTU for a unit when the installation's total heat capacity (Q) has a capacity rating of ten MMBTU/hr or less;

2) 0.10 pounds/MMBTU for a unit when the installation's total heat capacity (Q) has a capacity rating of 2,000 MMBTU/hr or more;

3) The amount of particulate matter which may be emitted from fuel burning equipment when an installation's total heat capacity is between ten MMBTU/hr and 2,000 MMBTU/hr shall be determined by: $E=1.31Q^{-0.338}$ where E is the emission limit in lb/MMBTU and Q is the installation's total heat capacity.

(2) Monitoring/Record Keeping:

(a) The permittee shall maintain potential to emit calculations in terms of pounds of particulate matter per million BTU of heat input for each fuel type burned in this emission unit.

(b) These records shall be made available immediately for inspection to the Local Authority (if applicable) and/or Department of Natural Resources personnel upon request.

(c) All records shall be maintained for five years.

(3) Reporting: The permittee shall report to the Air Pollution control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any

exceedence of any of the terms imposed by this regulation, or any malfunction which could cause an exceedence of this regulation.

2. Sulfur Dioxide

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

(1) Emission Limitation – Indirect Heating Units

(a) The permittee shall not cause or permit the emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of eight pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three hour time period.

(b) The permittee shall not cause or permit the emissions of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards.

(c) Operating Permit Condition: Fuel oil exceeding one percent (1.0%) sulfur by weight shall not be used in the boiler.

(2) Monitoring/Record Keeping Requirement: The permittee shall maintain an accurate record of the fuel type with sulfur content and annual fuel usage. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request. All records shall be maintained for five years.

(3) Reporting Requirement: The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedence of any of the terms imposed by this regulation, or any malfunction which could cause an exceedence of this regulation.

Section 7.0 - Pollution Control Requirements

7.01 The permittee shall limit emissions by the operation of control equipment required by the following:

Present Particulate Control Device Requirements contained in "Permits to Construct" issued by the permitting authority as noted in Table A in Section IV - Existing Permit Conditions.

Check one: Not Applicable Applicable

7.02 All required particulate control devices shall be functional upon the respective emission units at all times that the units are in operation. When control devices are operated, they shall be operated in accordance with the following, if applicable:

1. Cyclone system.

a. A cyclone system shall be designed, maintained and operated to ensure optimal efficiency in the removal of PM₁₀.

b. Records of maintenance performed on the cyclone system shall be kept.

2. Screens

a. A Screen shall be of at least 80 mesh and operate on all existing unit on which it is installed to ensure optimal efficiency in the removal of PM₁₀

b. Records of maintenance performed on the screens shall be kept.

Section 8.0 - Production or Processing Limits.

The permittee shall limit emissions by limiting the quantity of cotton bales produced, and/or feed ingredients received or quantity of feed or other products produced to the following:

8.01 **Standardized production limits** as checked in the Table 2 in Sect. III Intermediate Operating Permit.

Check one: Not Applicable Applicable

8.02 **Present production limits** established by permit conditions contained in "Permits to Construct" issued by the permitting authority as noted in Table 2 in Section III Construction Permit Limits.

Check one: Not Applicable Applicable

NOTE: In a situation in which both this Section 8.02 and Section 8.01 apply, the more restrictive limit shall apply to this installation.

8.03 Production record keeping.

NOTE: This subsection shall apply only if Section 8.01 or 8.02 is applicable.

Check one: Not Applicable Applicable

Monthly records of cotton bales produced shall be kept in order to demonstrate compliance with limits affirmed in Sections 8.01 and 8.02. Records shall also be kept to demonstrate totals for each twelve-month rolling period.

8.04 Production reporting.

NOTE: This subsection shall apply only if Section 8.01 or 8.02 is applicable.

Check one: Not Applicable Applicable

This installation shall report to the Air Pollution Control Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the end of each month, if the 12-month cumulative total records show that the source exceeded the limitation affirmed in Section 8.01 or 8.02.

Section 9.0 Testing/Monitoring

The administrator may require testing or monitoring, according to 114(a)(3) or 504(b) of the Act, sufficient to yield reliable data for the relevant time period that is representative of the installation's compliance with the permit. Record keeping requirements may be sufficient to show compliance with a specific regulation.

Section 10.0 Public Threat

10.01 Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

10.02 If the commission or director determines that the permittee is engaging in any activity involving significant risk of air contamination that would constitute a clear and present danger to the public health, public welfare or the environment, the commission or director shall issue a written cease and desist order to said permittee to discontinue immediately such activity or discharge or air contaminants, provided the commission may countermand such order of the director. If the permittee continues the activity or discharge of such contaminants into the atmosphere, the commission or the director shall cause to be filed by the attorney general or other counsel in the name of the state, suit for a temporary restraining order, temporary injunction and permanent injunction.

Section 11.0 Records Retention

11.01 All recordkeeping must be retained at the installation for a minimum period of five years, and shall be made available immediately to representatives of the permit authority upon verbal request. Records equivalent to provided attachments and/or electronic records are acceptable.

11.02 The permittee shall maintain on site copies of the design specifications and copies of operating manuals for each emission control devices located at the installation.

11.03 The permittee shall maintain a copy of this permit at this installation. A copy of this permit shall be placed on-file at each approved source no later than 30 days after the date of the letter of transmittal.

Section 12.0 - Inspection and Entry

12.01 The permittee shall allow authorized representatives of the permitting authority to enter, at all reasonable times, upon the permittee's premises for the purposes of inspecting or investigating any condition, records, or equipment, practices or operation regulated or required under this permit for the purposes of determining compliance with this permit. No person shall refuse entry or access, requested for the purposes of inspection under this provision, to an authorized representative of the permitting authority who presents appropriate credential, nor obstruct or hamper the representative in carrying out the inspection. Refusal of entry or access may constitute grounds for permit revocation and/or enforcement action.

- 12.02 The permittee shall allow authorized representatives of the permitting authority to perform the following:
1. Enter upon the permittee's premises where the Basic or Intermediate State source or activity is located or conducted, or where records must be kept under the conditions of this permit;
 2. Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
 3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operation regulated or required under this permit; and
 4. Sample or monitor any substances or parameters at any location, during operating hours, for the purpose of assuring permit compliance.
- 12.03 No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out her/his official duties. Refusal of entry or access may constitute grounds for permit revocation and enforcement action.
- 12.04 The permittee shall furnish to an authorized representative of the permitting authority, immediately upon verbal request, any information that the representative may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request the permittee shall also furnish to the permitting authority copies of records required to be kept by the permit. The permittee may request confidential treatment of any information furnished to an authorized representative of the permitting authority.