



## INTERMEDIATE STATE 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 here in.

**Intermediate Operating Permit Number:** OP2008-005  
**Expiration Date:** JUL - 6 2013  
**Installation ID:** 187-0072  
**Project Number:** 2006-07-047

**Installation Name and Address**

Base Rock Minerals/Mineral Area Asphalt  
6801 VO-Tech Road  
Bonne Terre, MO 63628  
St. Francois County

**Parent Company's Name and Address**

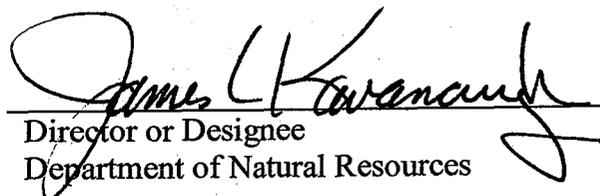
Vern Bauman Contracting Company  
21471 Highway 32  
Ste. Genevieve, MO 63670

**Installation Description:**

Base Rock Minerals operates a rock crushing plant and asphalt plant in Bonne Terre, Missouri.

JUL - 7 2008

Effective Date

  
Director or Designee  
Department of Natural Resources

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# I. Installation Description and Equipment Listing

## INSTALLATION DESCRIPTION

Base Rock Minerals operates a rock crushing plant in Bonne Terre, Missouri. Rock is loosened by drilling and blasting operations and transported to where the installation is located on the property (at least 1,200 feet from the nearest boundary). The quarried stone is then processed by crushing, screening and conveying the rock into a number of various sizes that will vary depending on the final end use for the rock. After processing the rock, the sized rock will be stored in open storage piles and eventually loaded onto haul trucks to be taken off-site. With the exception of the primary crusher engine at the crushing plant, all electrical needs are provided by line power. This rock crushing plant was purchased from the Vessell Minerals Products on July 10, 1998. Vessell retained ownership of the lime manufacturing portion and its associated land at the location (187-0072).

In addition to the rock crushing plant, Base Rock Minerals operates an asphalt plant which it recently purchased from N.B. West Contracting Company. Because these plants are located at the same site, have a common owner and have a common Standard Industrial Classification (SIC), they are considered the same installation. The asphalt plant was previously identified with the installation number 187-0078. This plant number has been marked out of business in the Air Pollution Control Program's database (MoEIS) and is now considered part of the installation identified as 187-0072.

The installation has the potential to be a major source for both particulate matter less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>) and carbon monoxide(CO). However, the installation, in their Intermediate Operating Permit, is choosing to limit the plant wide emissions to less than 100 tons per year for each pollutant, on a 12 month rolling average.

The reported actual emissions for the past five years for the installation are listed below:

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)
2006	24.00	5.00	24.00	1.00	15.00	—	—
2005	30.34	2.41	24.44	3.07	16.24	—	—
2004	17.01	3.99	21.64	3.73	12.37	—	—
2003	33.91	1.03	18.77	1.14	12.96	—	—
2002	24.81	0.69	12.56	0.76	8.84	—	—

**EMISSION UNITS WITH LIMITATIONS**

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

Emission Unit #	EIQ Reference #	Description of Emission Unit
EU0010	EP-04	Primary Crusher, 3042 Pioneer
EU0020	EP-07	Secondary Crusher, 5.5' Cone, Symons
EU0030	EP-49	Cone Crusher, 5.5' SH Symons
EU0040	EP-03	Grizzly Feeder
EU0050	EP-33	Screen, 3820 Simplicity
EU0060	EP-51	Screen, 3x8 Smico
EU0070	EP-06	Screen, f-800 Tyler
EU0080	EP-05	Conveyor, 36" Shop-built
EU0090	EP-08	Conveyor, 42" Shop-built
EU0100	EP-10	Conveyor, 42" Shop-built
EU0110	EP-18	Conveyor, 24" Shop-built
EU0120	EP-20	Conveyor, 36" Shop-built
EU0130	EP-22	Conveyor, 36" Shop-built
EU0140	EP-23	Conveyor, 36" Shop-built
EU0150	EP-24	Conveyor, 42" Shop-built
EU0160	EP-25	Conveyor, 42" Shop-built
EU0170	EP-16	Conveyor, 30" Marco
EU0180	EP-17	Conveyor, 24" Marco
EU0190	EP-30	Conveyor, 30" Barber-Green
EU0200	EP-31	Conveyor, 48" Shop-built
EU0210	EP-32	Conveyor, 48" Shop-built
EU0220	EP-34	Conveyor, 42" Shop-built
EU0230	EP-35	Conveyor, 60" Shop-built
EU0240	EP-39	Conveyor, 30" Shop-built
EU0250	EP-40	Conveyor, 30" Shop-built
EU0260	EP-47A	Conveyor, 24" Shop-built
EU0270	EP-47C	Conveyor, 30" Shop-built
EU0280	EP-70	Conveyor, 18" Barber-Green
EU0290	EP-71	Conveyor, 24" Shop-built
EU0300	EP48A/B	Storage Bins
EU0310	EP-57	Primary Crusher Engine, 350 Hp (2.74 MMBtu/hr)
EU0320	EP-105	Batch Plant – Asphalt Plant

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### **EMISSION UNITS WITHOUT LIMITATIONS**

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

EIQ

Reference #	Description of Emission Unit
EP-01	Drilling and Blasting
EP-02	Haul Road (Pit to Crushing Plant)
EP-53	Limestone Storage Pile
EP-55	Haul Road (Standard Plant)
EP-56	20,000 Gallon Diesel Fuel Storage Tank (Pre 1980)
EP-100	Raw Feed Storage Pile (Asphalt Plant)
EP-101	Haul Road No. 1 (Asphalt Plant)
EP-102	Hopper/Feeder (Asphalt Plant) - Fugitive
EP-103	Conveyor (Asphalt Plant)
EP-106	Haul Road No. 2 (Asphalt Plant)
EP-107	Asphalt Tank Heater
EP-109	Diesel Storage Tank (Asphalt Plant)
EP-110	Specialty Oil Storage Tank (Asphalt Plant)

### **DOCUMENTS INCORPORATED BY REFERENCE**

These documents have been incorporated by reference into this permit.

- 1) Construction Permit No. 032004-014A (Amendment to Construction Permit 032004-014), Issued July 5, 2007.
- 2) Construction Permit No. 032004-014, Issued February 27, 2004.
- 3) Construction Permit No. 032003-034A (Amendment to Construction Permit No. 032003-034), Issued October 16, 2003.

## 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.

### Permit Condition PW001

10 CSR 10-6.060

Construction Permits Required

Construction Permit No. 0320004-014A, Special Condition 2 - NAAQS Limitation for PM<sub>10</sub>

The conditions of Construction Permit No. 032004-014A supersede special conditions 1 and 6 found in Construction Permit 032004-014 and special conditions 1, 2 and 8 in Construction Permit 032003-034A previously issued from the Air Pollution Control Program.

#### Emission Limitation:

National Ambient Air Quality Standards (NAAQS) Limitation for Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>) [Construction Permit 032004-014A, Special Condition 2]

- 1) The operator(s) for Base Rock Minerals asphalt plant and crushing plant (187-0072) shall ensure, while operating at this site, that the ambient impact of PM<sub>10</sub> at or beyond the nearest property boundary does not exceed 150 µg/m<sup>3</sup> in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6). [Construction Permit 032004-014A, Special Condition 2A]
- 2) The total daily ambient impact of PM<sub>10</sub> at this site shall include the combined impact of all plants located at this site. [Construction Permit 032004-014A, Special Condition 2B]

#### Monitoring/Recordkeeping

To demonstrate compliance, the operator(s) shall maintain a daily record of material processed. Attachment A, *Daily Ambient PM<sub>10</sub> Impact Tracking Record*, or other equivalent form(s), will be used for this purpose. [Construction Permit 032004-014A, Special Condition 2C]

#### Reporting:

The installation 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 ambient PM<sub>10</sub> impact limitation established for this installation (no more than 150.0 µg/m<sup>3</sup> of PM<sub>10</sub> during any 24-hour period at or beyond the property boundaries).

### Permit Condition PW002

10 CSR 10-6.060

Construction Permits Required

Construction Permit No. 0320003-034A, Special Conditions 5 & 6 - Moisture Content Testing Requirement

Construction Permit No. 0320004-014, Special Condition 4 - Moisture Content Testing Requirement

#### Moisture Content Testing:

- 1) Moisture Content Testing Requirement for Inherent Moisture Content (Rock Crushing Plant):  
Particulate emissions will be controlled by the moisture content of the processed rock, which was claimed by the installation to be greater than or equal to 1.5 percent by weight at the time this request was approved. The installation shall conduct moisture content tests in accordance with Special Conditions 5B of these Site Specific Conditions of Construction Permit No. 032003-034A in order to substantiate the inherent moisture content claim while the installation is operating at this site. [Construction Permit 032003-034A, Special Condition 5A]
- 2) Moisture Content Testing of Stockpiles Requirement  
Particulate emissions will be controlled by the moisture content of the stockpiled rock, which was claimed by the installation to be greater than or equal to 1.5 percent by weight at the time this request was approved. The installation shall conduct periodic moisture content tests in accordance with Special Condition 6B of Construction Permit 032003-034A of these Site Specific Conditions in order to substantiate the continued compliance with the above moisture content of the stockpiled rock while the installation is operating at this site. [Construction Permit 032003-034A, Special Condition 6A]
- 3) Moisture Content Testing Requirement for Inherent Moisture Content (Asphalt Plant)  
Particulate emissions will be controlled by the moisture content of the processed rock, which was claimed by the applicant to be greater than or equal to 1.5 percent by weight at the time this application was processed. The asphalt plant shall conduct moisture content tests in accordance with Special Condition 4B of Construction Permit 032004-014 in order to substantiate the inherent moisture content claim. [Construction Permit 032004-014, Special Condition 4A]
- 4) The installation shall conduct moisture content test(s) as required by Special Conditions 5A and 5B of Construction Permit 032003-034A and Special Condition 4A of Construction Permit 032004-014 in accordance with the test methods and procedures prescribed in the American Society for Testing Materials (ASTM), Designation D-2216 Standard Test Methods for Laboratory Determination of Water (moisture) Content of Soil or Rock, ASTM C-566, Standard Test Method for Total Moisture Content of Aggregate by Drying or other moisture content testing method(s) approved by the Director. The first test must occur within 45 days of the startup of operations at the site. Thereafter a moisture content test shall be conducted at least once every two years, during the months of June through September, while the installation is operating at this site. Rock samples shall be obtained prior to the EU0010 - Primary Crusher (EP-04), from the stockpile(s) (EP-53) and from the primary emission unit, which is the dryer of the asphalt plant. [Construction Permit 032003-034A, Special Conditions 5B & 6B and Construction Permit 032004-014, Special Condition 4B]
- 5) Two copies of a written report of the moisture content test shall be submitted to the Director within 30 days of completion of the required tests and shall include the wet weight, dry weight, drying time and moisture content of each rock sample, the test date, and the name and title of the individual performing the moisture content analysis.

The installation shall maintain a record of the above testing information and make it immediately available upon request by Department of Natural Resources' personnel. [Construction Permit 032003-034A, Special Conditions 5C & 6C and Construction Permit 032004-014, Special Condition 4C]

- 6) If the first test should indicate the inherent moisture content of the rock is less than 1.5% by weight, a second test will be required within 30 days. If two consecutive series of test results should indicate the final moisture content of the rock is less than 1.5% by weight, then the installation will immediately amend this permit or submit a modification request to account for the revised information. [Construction Permit 032003-034A, Special Conditions 5D & 6D and Construction Permit 032004-014, Special Condition 4D]
- 7) The asphalt plant may obtain the moisture content test(s) as required by Special Condition 4(A) in accordance with the test methods and procedures prescribed in D-2216 and ASTM C-566, from their supplier. The moisture content test report must be obtained from the supplier within 45 days of the start-up of operations at the site. The supplier's moisture content test report shall meet all of the requirements of this special condition. [Construction Permit 032004-014, Special Condition 4E]

### **Permit Condition PW003**

10 CSR 10-6.060  
Construction Permits Required  
Construction Permit No. 0320003-034A, Special Condition 9  
Construction Permit No. 0320004-014, Special Condition 7

#### **Operational Limitation:**

- 1) The rock crushing plant shall be located at least 1,200 feet from the nearest property boundary whenever this plant is being operated at this site. [Construction Permit 032003-034A, Special Condition 9]
- 2) The asphalt plant shall be located at least 2030 feet from the nearest property boundary whenever this plant is being operated at this site. [Construction Permit 032004-014, Special Condition 7]

### **Permit Condition PW004**

10 CSR 10-6.060  
Construction Permits Required  
Construction Permit No. 0320003-034A, Special Condition 3 – Rock Crushing Plant Haul Roads & Vehicular Activity Areas Requirement and Special Condition 4 - Usage of Chemical Dust Suppressant

#### **Operational Limitation:**

- 1) Haul Roads & Vehicular Activity Areas Requirement – Watering (>50% Control). The rock crushing plant shall control the emission of PM<sub>10</sub> from the fugitive emission sources at this site including, but not limited to, the haul road(s) and the vehicular activity areas around the storage pile(s) by consistently and correctly using the application of a water spray to the above sources. The rock crushing plant shall apply this documented watering control, as necessary, to maintain the high level of PM<sub>10</sub> emissions control predicted for these sources whenever conditions exist that would allow the “appreciable visible emission” of particulate matter to occur from the surface of the unpaved road(s) and the vehicular traffic areas. [Construction Permit 0320003-034A, Special Condition 3]

- a) The following conditions shall apply to the unpaved haul roads and the vehicular traffic activity areas around the storage piles while the plant is operating at this location:  
[Construction Permit 0320003-034A, Special Condition 3A]
  - i) The water spray shall be applied at a minimum rate of 105 gallons to the surface of Haul Road – Pit to Crushing Plant (EP-02) at least once every 2.0 hours whenever this source is in use,
  - ii) The water spray shall be applied at a minimum rate of 875 gallons to the surface of Haul Road – Standard Plant (EP-55) and to the vehicular traffic activity areas around the storage piles (EP-53) at least once every 2.0 hours whenever this source is in use,
  - iii) Usage of Chemical Dust Suppressants may be substituted for documented watering, at the manufacturer’s recommended application rate, in accordance with Special Condition 4B of Construction Permit 032003-034A,
  - iv) A quarter inch or more rainfall during the preceding 24-hours may be substituted for one daily water application, and
  - v) Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons or when there will be no traffic on the roads/vehicular traffic areas.
- 2) The rock crushing plant indicated the lengths of the haul roads at the plant site, and potential emissions from the haul roads were modeled, using the indicated lengths and average truck speeds, per policy. Pit-to-plant haul roads have an average truck speed of 6 mph. Plant-to-stockpile haul roads have an average truck speed of 6 mph for hauling 500 feet or less, and 10 mph for hauling over 500 feet. All other standard plant haul roads have an average truck speed of 10 mph for hauling 500 feet or less, and 15 mph for hauling over 500 feet.  
[Construction Permit 0320003-034A, Special Condition 3C]
  - a) Haul Road – Pit to Crushing Plant (EP-02), which is a pit-to-plant haul road, was claimed to be, and shall not exceed, 250 feet in length.
  - b) Haul Road – Standard Plant (EP-55), which is a standard plant haul road, was claimed to be, and shall not exceed, 3,400 feet in length.
- 3) If documented watering (Special Conditions 3A and 3B of Construction Permit 032003-034A) is not used, the rock crushing plant shall control the emission of Particulate Matter from the fugitive emission sources at this site including, but not limited to, the unpaved haul roads by the application of a chemical dust suppressant agent. The rock crushing plant shall apply this chemical dust suppressant, as necessary, to maintain the high level of PM<sub>10</sub> emissions control (i.e. 90%) predicted for these sources whenever conditions exist that would allow the “appreciable visible emission” of particulate matter to occur from the surface of the unpaved road(s).  
[Construction Permit 0320003-034A, Special Condition 4A]
- 4) The rock crushing plant shall apply the chemical dust suppressant agent as specified below:  
[Construction Permit 0320003-034A, Special Condition 4B]
  - a) The chemical dust suppressant agent shall be applied to the above fugitive emission sources at the manufacturer’s recommended application rate (e.g. at least 0.5 gallons per square yard of surface area) for the specific dust control agent (e.g. Magnesium Chloride or Calcium Chloride) to be used at this site.
  - b) If the rock crushing plant desires to use an alternate chemical dust suppressant agent, then the crushing plant shall submit this request in writing to the Air Pollution Control Program Enforcement Section for approval. Upon the Air Pollution Control Program’s approval, this alternate chemical dust suppressant agent may be used and it shall also be applied to the above fugitive emission sources at the manufacturer’s recommended dosage rate for this new material.

The rock crushing plant shall also keep a record of the manufacturer's recommended dosage rate for this new chemical dust suppressant agent with the plant and shall make this information available to the Department of Natural Resources' personnel upon request.

- c) The rock crushing plant shall conduct and record the results of periodic visual inspections on the unpaved roads controlled by a chemical dust suppressant agent(s). This visual inspection(s) shall examine and note the condition of the road surface(s) especially for signs of wear (surface potholes, wash-boarding, ruts, etc.) to help determine the effectiveness of the dust control agent(s) being used and when the material needs to be re-applied to maintain the high level of control efficiency predicted for the above sources.

**Recordkeeping**

- 1) The rock crushing plant shall keep the following records, at the plant, for not less than five years and shall make these records available to Department of Natural Resources personnel upon request:  
[Construction Permit 0320003-034A, Special Conditions 3B & 4B]
  - a) The estimated surface area of the unpaved haul road(s) and the vehicular traffic activities around the storage pile(s);
  - b) Water tank size, total surface area of unpaved road/vehicular traffic areas to be watered, and the resultant number of fills necessary to accomplish the required application rate;
  - c) Records of watering equipment breakdowns and repairs; and
  - d) Records of one of the following:
    - i) A daily log initiated by the responsible facility operator of the roads watered and indicating the time, date and the approximate amount of water applied for each application of the water spray on the above sources; or
    - ii) A notation that there was a quarter inch, or greater rainfall within the past 24-hours, or
    - iii) A notation that Chemical Dust Suppressant was used instead of documented watering, in accordance with Special Condition 4B of Construction Permit 034003-034A.
    - iv) A notation if watering was suspended during periods of freezing conditions, or
    - v) A notation that the plant was not in operation.
  - e) The time, date and the approximate amount of material applied for each application of the chemical dust suppressant agent.
- 2) The rock crushing plant shall record the results of periodic visual inspections on the unpaved roads controlled by a chemical dust suppressant agent(s).

### Permit Condition PW005

10 CSR 10-6.060

Construction Permits Required

Construction Permit No. 0320004-014, Special Conditions 2 and 3– Asphalt Plant Haul Roads & Vehicular Activity Areas Requirement

#### **Operational Limitation:**

- 1) Haul Roads & Vehicular Activity Areas Requirement – Watering (>50% Control): The asphalt plant shall control the emission of PM<sub>10</sub> from the fugitive emission sources at this site including, but not limited to, the haul road(s) and the vehicular activity areas around the storage pile(s) by consistently and correctly using the application of a water spray to the above sources. The asphalt plant shall apply this documented watering control, as necessary, to maintain the high level of PM<sub>10</sub> emissions control predicted for these sources whenever conditions exist that would allow the “appreciable visible emission” of particulate matter to occur from the surface of the unpaved road(s) and the vehicular traffic areas. [Construction Permit 0320004-014, Special Condition 2]
  - a) The following conditions shall apply to the unpaved haul roads and the vehicular traffic activity areas around the storage piles while the plant is operating at this location:  
[Construction Permit 0320004-014, Special Condition 2A]
    - i) The water spray shall be applied at a minimum rate of 51 gallons to the surface of Haul Road #1– Aggregate Haul Road (EP-101) at least once every 4.0 hours whenever this source is in use,
    - ii) The water spray shall be applied at a minimum rate of 68 gallons to the surface of Haul Road #2 - Sand and Finished Product Haul Road(EP-106) and to the vehicular traffic activity areas around the storage piles at least once every 4.0 hours whenever this source is in use,
    - iii) A quarter inch or more rainfall during the preceding 24-hours may be substituted for one daily water application, and
    - iv) Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons or when there will be no traffic on the roads/vehicular traffic areas.
  - b) The asphalt plant indicated the lengths of the haul roads at the plant site, and potential emissions from the haul roads were modeled, using the indicated lengths and average truck speeds, per policy. Plant-to-stockpile haul roads have an average truck speed of 6 mph for hauling 500 feet or less, and 10 mph for hauling over 500 feet. All other standard plant haul roads have an average truck speed of 10 mph for hauling 500 feet or less, and 15 mph for hauling over 500 feet. [Construction Permit 0320003-014, Special Condition 2C]
    - i) Haul Road #1 (aggregate haul road), which is a storage pile to asphalt plant haul road, was claimed to be, and shall not exceed, 150 feet in length.
    - ii) Haul Road #2 (sand and finished product), from concrete plant to paved portion of haul road was claimed to be, and shall not exceed, 800 feet in length.
- 2) Haul Road Requirements - Paving, Washing and/or Watering  
[Construction Permit 0320003-014, Special Condition 3]
  - a) The asphalt plant shall control dust from the haul road(s) (from the scale house to off property, a distance of 2600 feet) at this site by paving the road with asphalt (or with other paving materials if requested by the company and approved by the Air Pollution Control Program).

- b) The asphalt plant shall periodically water and/or wash the paved portions of the above affected haul road(s) such that no “appreciable visible emission” of particulate matter is allowed to occur from the surface of these paved road(s) while this asphalt plant is operating at this site.

**Recordkeeping**

The asphalt plant shall keep the following records, at the plant, for not less than five years and shall make these records available to Department of Natural Resources personnel upon request:

[Construction Permit 0320004-014, Special Condition 2B]

- 1) The estimated surface area of the unpaved haul road(s) and the vehicular traffic activities around the storage pile(s);
- 2) Water tank size, total surface area of unpaved road/vehicular traffic areas to be watered, and the resultant number of fills necessary to accomplish the required application rate;
- 3) Records of watering equipment breakdowns and repairs; and
- 4) Records of one of the following:
  - a) A daily log initiated by the responsible facility operator of the roads watered and indicating the time, date and the approximate amount of water applied for each application of the water spray on the above sources; or
  - b) A notation that there was a quarter inch, or greater rainfall within the past 24-hours, or
  - c) A notation if watering was suspended during periods of freezing conditions, or
  - d) A notation that the plant was not in operation.

**Permit Condition PW006**

10 CSR 10-6.220

Restriction of Emission of Visible Air Contaminants<sup>1</sup>

**Emission Limitation:**

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any existing source any visible emissions with an opacity greater than 40%.
- 2) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
- 3) Exception:  
A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six minutes in any 60 minutes air contaminants with an opacity up to 60%.

**Monitoring:**

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) 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.
- 2) The following monitoring schedule must be maintained:

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<sup>1</sup> 10 CSR 10-6.220 – Permit Condition PW006 does not apply to emission units regulated by 40 CFR Part 60, Subpart OOO and Subpart I.

- a) Observations must be made once per month. If a violation is noted, then
- b) Weekly observations shall be conducted for a minimum of eight consecutive weeks. Should no violation of this regulation be observed during this period then monitoring reverts to monthly monitoring.

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results (see Attachment B or C), noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units,
  - b) All emission units from which visible emissions occurred, and
  - c) Whether the visible emissions were normal for the process.
  - d) The permittee shall maintain records of any equipment malfunctions.
- 2) The permittee shall maintain records of any other Method 9 test performed in accordance with this permit condition. (See Attachment D)
- 3) Attachments B or C and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

**Reporting:**

- 1) 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 the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

**Permit Condition PW007**

10 CSR 10-6.065  
Operating Permits  
10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

**Emission Limitation:**

The permittee shall discharge into the atmosphere from the entire installation less than 100 tons of particulate matter with an aerodynamic diameter of less than or equal to 10 microns (PM<sub>10</sub>) in any consecutive 12-month period.

**Monitoring/Recordkeeping:**

The permittee shall maintain an accurate record of emissions of PM<sub>10</sub> emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the PM<sub>10</sub> emissions from this installation. Example form is attached as Attachment E (Plant-wide Emissions Tracking Record). The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the PM<sub>10</sub> emission limitation (less than 100 tons per consecutive 12-month period of PM<sub>10</sub>).

**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 deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

**Permit Condition PW008**

10 CSR 10-6.065

Operating Permits

10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

**Emission Limitation:**

The permittee shall discharge into the atmosphere from the entire installation less than 100 tons of carbon monoxide (CO) in any consecutive 12-month period.

**Monitoring/Recordkeeping:**

The permittee shall maintain an accurate record of emissions of CO emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the CO emissions from this installation. Example form is attached as Attachment E (Plant-wide Emissions Tracking Record). The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the CO emission limitation (less than 100 tons per consecutive 12-month period of CO).

**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 deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

### 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 through EU0300 Crushers, Feeder, Screens, Conveyors and Storage Bins</b>				
Emission Unit	Description	Maximum Hourly Design Rate	Construction Date	2005 EIQ Reference #
EU0010	Primary Crusher, 3042 Pioneer	587 tons per hour	1953	EP-04
EU0020	Secondary Crusher, 5.5' Cone, Symons	750 tons per hour	1968	EP-07
EU0030	Cone Crusher, 5.5' SH Symons	750 tons per hour	1975	EP-49
EU0040	Grizzly Feeder	600 tons per hour	1997	EP-03
EU0050	Screen, 380 Simplicity	800 tons per hour	1998	EP-33
EU0060	Screen, 3x8 Simco	420 tons per hour	1994	EP-51
EU0070	Screen, f-800 Tyler	800 tons per hour	1951	EP-06
EU0080	Conveyor, 36" Shop-built	634 tons per hour	1974	EP-05
EU0090	Conveyor, 42" Shop-built	705 tons per hour	1974	EP-08
EU0100	Conveyor, 42" Shop-built	705 tons per hour	1974	EP-10
EU0110	Conveyor, 24" Shop-built	150 tons per hour	Pre-1983	EP-18
EU0120	Conveyor, 36" Shop-built	600 tons per hour	1999	EP-20
EU0130	Conveyor, 36" Shop-built	624 tons per hour	1977	EP-22
EU0140	Conveyor, 36" Shop-built	624 tons per hour	1974	EP-23
EU0150	Conveyor, 42" Shop-built	705 tons per hour	1980	EP-24
EU0160	Conveyor, 42" Shop-built	705 tons per hour	1999	EP-25
EU0170	Conveyor, 30" Marco	400 tons per hour	1985	EP-16
EU0180	Conveyor, 24" Marco	300 tons per hour	1985	EP-17
EU0190	Conveyor, 30" Barber-Green	400 tons per hour	Pre-1983	EP-30
EU0200	Conveyor, 48" Shop-built	800 tons per hour	Pre-1983	EP-31
EU0210	Conveyor, 48" Shop-built	800 tons per hour	Pre-1983	EP-32
EU0220	Conveyor, 42" Shop-built	750 tons per hour	Pre-1983	EP-34
EU0230	Conveyor, 60" Shop-built	750 tons per hour	Pre-1983	EP-35
EU0240	Conveyor, 30" Shop-built	500 tons per hour	1953	EP-39
EU0250	Conveyor, 30" Shop-built	508 tons per hour	1953	EP-40
EU0260	Conveyor, 24" Shop-built	276 tons per hour	1980	EP-47A
EU0270	Conveyor, 30" Shop-built	504 tons per hour	1995	EP-47C
EU0280	Conveyor, 18" Barber-Green	160 tons per hour	1980	EP-70
EU0290	Conveyor, 24" Shop-built	276 tons per hour	1980	EP-71
EU0300	Storage Bins	1410 tons per hour	Not Available	EP48A/B

**Permit Condition EU0010-001 through EU0300-001**

10 CSR 10-6.060

Construction Permits Required

Construction Permit No. 032003-034A, General Special Condition 1 - Generic Plant Designation for Stationary Installation

**Operational Limitation:**

Base Rock Minerals Quarry’s rock crushing plant - 187-0072 is considered to be a generic stationary plant operation. The combined Maximum Hourly Design Rate (MHDR) for the primary unit(s) and each of the following generic equipment types shall not exceed the maximum installation capacities listed below at any time and/or site location while the installation is being operated.

[Construction Permit 032003-034A, General Special Condition 1A]

Equipment Type	Maximum Combined Hourly Design Rate Capacity
Primary Unit: Primary Crusher	800 tons per hour
Other Crusher(s)	1,800 tons per hour
Grizzly Feeder	1,600 tons per hour
Screen(s)	3,700 tons per hour
Conveyor(s)	32,000 tons per hour
Silos	4,000 tons per hour
Surge Bin(s)	4,800 tons per hour

**Reporting/Recordkeeping:**

1) Base Rock Minerals Quarry shall submit to the Air Pollution Control Program Permitting Section and the appropriate Regional Office, within 15 days of actual startup of this stationary installation, the following information for each piece of equipment that will be permissible to be utilized as a part of this generic stationary plant operation:

[Construction Permit 032003-034A, General Special Condition 1B]

- a) A listing of the core equipment that will always be utilized with 187-0072. This listing of core equipment shall, at a minimum, include the manufacturer’s name, model number, serial number and any company assigned equipment number (if applicable). In addition, this core equipment grouping being associated with 187-0072 shall, at least include one key piece of equipment (generally either a crusher and/or a screen);
- b) A listing of all other supplemental equipment that will be approved for usage with 187-0072. This listing of supplemental equipment shall, at a minimum, include the manufacturer’s name, model number, serial number and any company assigned equipment number (if applicable);
- c) To assure that each component is properly identified as being a part of this generic installation, Base Rock Minerals Quarry shall provide and maintain suitable, easily read permanent markings on each component of the installation. These markings shall be the equipment’s serial number or a company assigned identification number that uniquely identifies the individual component;
- d) A listing of the actual MHDR, the date of manufacture and any other additional information such as sizes and/or dimensions that is necessary to uniquely identify all of the equipment mentioned above;
- e) A determination on the applicability of 40 CFR Part 60, Subpart “OOO”, Standards of Performance for Nonmetallic Mineral Processing Plants for each piece of equipment.

- The company shall indicate whether the component is or is not subject to Subpart “OOO” and provide the justification for this applicability determination; and
- f) A list of the specific piece(s) of supplemental equipment that are to be initially utilized with this generic stationary plant operation.
  - 2) The installation shall submit notification to the Air Pollution Control Program Enforcement Section if the core equipment is changed or if new equipment is added to the supplemental equipment list. [Construction Permit 032003-034A, General Special Condition 1B7]
  - 3) Base Rock Minerals Quarry shall maintain at all times a list of the specific supplemental equipment currently being utilized with the generic stationary plant operation at all times. The installation shall immediately make this list of the supplemental equipment currently being used available to any Missouri Department of Natural Resources’ personnel upon request. [Construction Permit 032003-034A, General Special Condition 1C]

**Permit Condition EU0040-002 through EU0060-002, EU0120-002,  
EU0160-002 through EU0180-002, EU0270-002 and EU0300-002**

10 CSR 10-6.070  
New Source Performance Regulations  
40 CFR Part 60 Subpart OOO  
Standards of Performance for Nonmetallic Minerals Processing Plants

**Emission Limitation:**

- 1) Storage Bins and Screening and Conveying Operations:  
On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of §672. [40 CFR 60.672(b)]
- 2) Crushers:  
On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity. [40 CFR 60.672(c)]

**Test Methods and Procedures:**

- 1) In determining compliance with the particulate matter standards in §60.672(b) and (c), the owner or operator shall use Method 9 and the procedures in §60.11, with the following additions:  
[40 CFR 60.673(c)(1)]
  - a) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet). [40 CFR 60.673(c)(1)(i)]
  - b) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed. [40 CFR 60.673(c)(1)(ii)]
  - c) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission.

- When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible. [40 CFR 60.673(c)(1)(iii)]
- 2) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from three hours (thirty 6-minute averages) to one hour (ten 6-minute averages) only if the following conditions apply: [40 CFR 60.673(c)(3)]
    - a) There are no individual readings greater than 10 percent opacity; and [40 CFR 60.673(c)(3)(i)]
    - b) There are no more than three readings of 10 percent for the 1-hour period. [40 CFR 60.673(c)(1)(ii)]
  - 3) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under §60.672(c) of this subpart, the duration of the Method 9 observations may be reduced from three hours (thirty 6-minute averages) to one hour (ten 6-minute averages) only if the following conditions apply: [40 CFR 60.673(c)(4)]
    - a) There are no individual readings greater than 15 percent opacity; and [40 CFR 60.673(c)(4)(i)]
    - b) There are no more than three readings of 15 percent for the one-hour period. [40 CFR 60.673(c)(4)(ii)]
  - 4) The owner or operator may use the following as alternatives to the reference methods and procedures specified in §673(c), if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used: [40 CFR 60.673(e)(1)]
    - a) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream. [40 CFR 60.673(e)(1)(i)]
    - b) Separate the emissions so that the opacity of emissions from each affected facility can be read. [40 CFR 60.673(e)(1)(ii)]

**Monitoring:**

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) 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.
- 2) The following monitoring schedule must be maintained:
  - a) Observations must be made once per month. If a violation is noted, then
  - b) Weekly observations shall be conducted for a minimum of eight consecutive weeks. Should no violation of this regulation be observed during this period then monitoring reverts to monthly monitoring.
- 3) The permittee shall conduct an annual opacity measurement on the emission units by USEPA Test Method 9 with a certified Method 9 observer using the test methods and procedures described above

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results (see Attachment B or C), noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units,
  - b) All emission units from which visible emissions occurred, and
  - c) Whether the visible emissions were normal for the process.
  - d) The permittee shall maintain records of any equipment malfunctions.

- 2) The permittee shall maintain records of any other Method 9 test performed in accordance with this permit condition. (See Attachment D)
- 3) Attachments B or C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

**Reporting:**

- 1) 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 the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

<b>EU00310 – Primary Crusher Engine</b>		
Emission Unit	Description	2005 EIQ Reference #
EU0310	Primary Crusher Engine, 350Hp (2.74 MMBtu/hr), Diesel Fuel No. 2	EP-57

<b>Permit Condition EU0310-001</b>
10 CSR 10-6.260 Restriction of Emissions of Sulfur Compounds <sup>2</sup>

**Emission Limitation:**

- 1) Emissions from this source operation shall not contain more than 500 parts per million by volume (ppmv) of sulfur dioxide or more that 35 milligrams per cubic meter (mg/m<sup>3</sup>) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.
- 2) No person shall cause or permit the emission 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. [10 CSR 10-6.260(3)(B) & 10 CSR 10-6.010 Ambient Air Quality Standards]

**Operational Limitation:**

The emission units shall be limited to burning fuel oil with a sulfur content of no more than 0.5% sulfur by weight. The fuel oils known to be less than 0.5% by weight sulfur per Chapter 414 RSMo, section 414.032, ASTM D396-Table 1 and ASTM D975-Table 1, are fuel oil No. 1 and No. 2 and diesel fuel oil Grade Low Sulfur No. 1-D, Grade Low Sulfur No. 2-D. However, these units are not limited to the known fuel oils listed above, but are limited to fuel oils based solely on having a percent sulfur by weight content of 0.5% or less.

**Monitoring/Recordkeeping:**

The permittee shall maintain records of the fuel type used verifying a sulfur content less than 0.5% by weight. Purchase receipts, analyzed samples or certifications that verify the fuel type as a grade level with a sulfur content less than 0.5% by weight will be acceptable.

<sup>2</sup> 10 CSR 10-6.260(3)(B) is a state-only requirement

**Reporting:**

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

<b>EU00320 – Batch Plant (Asphalt Plant)</b>		
Emission Unit	Description	2005 EIQ Reference #
EU0320	Batch Plant (Asphalt Plant)	EP-105

<b>Permit Condition EU0320-001</b>
10 CSR 10-6.060 Construction Permits Required Construction Permit No. 032004-014, Special Condition 5 – Baghouse Operation

**Operational Limitation:**

- 1) The baghouse associated with the Drum Dryer must be in use at all times when the associated equipment is in operation. The baghouse and any related instrumentation or equipment shall be operated and maintained in accordance with the manufacturer’s specifications. The baghouse shall be equipped with a gauge or meter, which indicates the pressure drop across the baghouse. This gauge or meter shall be located in such a way it may be easily observed by Department of Natural Resources’ employees. [Construction Permit 032004-014, Special Condition 5A]
- 2) Replacement bags for the baghouse shall be kept on hand at all times. The bags shall be made of fibers appropriate for operating conditions expected to occur (i.e. temperature limits, acidic and alkali resistance, and abrasion resistance). [Construction Permit 032004-014, Special Condition 5B]

**Monitoring/Recordkeeping**

- 1) The asphalt plant shall monitor and record the operating pressure drop across the baghouse at least once in every 24-hour period when the associated equipment is operated. The operating pressure drop shall be maintained within the normal operating range specified by the manufacturer’s performance warranty. If the pressure drop reading should fall outside of this normal operating range, then the associated equipment shall be shut down as quickly as is reasonably practical. Corrective actions shall be taken to address the cause of the non-normal pressure drop and the baghouse shall be returned to normal operation before re-starting the equipment. [Construction Permit 032004-014, Special Condition 5C]
- 2) The asphalt plant shall inspect the baghouse at least once every six months and at a minimum, conduct the following activities: [Construction Permit 032004-014, Special Condition 5D]
  - a) Check the cleaning sequence of the baghouse for proper operation;
  - b) Thoroughly inspect the bags for leaks and signs of wear;
  - c) Inspect all components of the control system that are not subject to wear or plugging, including structural components, housing, ducts, hoods, etc., and;
  - d) If leaks or abnormal conditions are found during these inspections, the appropriate remedial actions shall be implemented before re-starting the equipment.

- 3) The asphalt plant shall maintain an operating, maintenance and inspection log for the baghouse which shall include the following: [Construction Permit 032004-014, Special Condition 5D]
  - a) Incidents of malfunction(s) including the date(s) and duration of the event, the probable cause, any corrective actions taken and the impact on emissions due to the malfunction;
  - b) Any maintenance activities conducted on the unit, such as bag replacement, replacement of equipment, etc.; and
  - c) A written record of regular inspection schedule, the date and results of all inspections including any actions or maintenance activities that result from that inspection.

**Reporting**

- 1) 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 the permittee determined that pressure drop readings fall outside of the normal operating range.
- 2) Reports of any deviations from monitoring other than the pressure drop range, record keeping and reporting requirements of this permit condition shall be submitted using the annual monitoring report and annual compliance certification as required by Section V of this permit.

**Permit Condition EU0320-002**

10 CSR 10-6.070  
New Source Performance Regulations  
40 CFR Part 60 Subpart I  
Standards of Performance for Hot Mix Asphalt Facilities

**Emission Limitation:**

- 1) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which: [40 CFR 60.92(a)]
  - a) Contain particulate matter in excess of 90 milligrams per dry cubic meter at standard conditions (mg/dscm) (0.04 grain per dry cubic feet at standard conditions (gr/dscf)). [40 CFR 60.92(a)(1)]
  - b) Exhibit 20 percent opacity, or greater. [40 CFR 60.92(a)(2)]

**Test methods and procedures.**

- 1) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). [40 CFR 60.93(a)]
- 2) The owner or operator shall determine compliance with the particulate matter standards in §60.92 as follows: [40 CFR 60.93(b)]
  - a) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf). [40 CFR 60.93(b)(1)]
  - b) Method 9 and the procedures in §60.11 shall be used to determine opacity. [40 CFR 60.93(b)(2)]

**Monitoring:**

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) 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.

- 2) The following monitoring schedule must be maintained:
  - a) Observations must be made once per month. If a violation is noted, then
  - b) Weekly observations shall be conducted for a minimum of eight consecutive weeks. Should no violation of this regulation be observed during this period then monitoring reverts to monthly monitoring.
- 3) The permittee shall conduct an annual opacity measurement on the emission units by USEPA Test Method 9 with a certified Method 9 observer using the test methods and procedures described above

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results (see Attachment B or C), noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units,
  - b) All emission units from which visible emissions occurred, and
  - c) Whether the visible emissions were normal for the process.
  - d) The permittee shall maintain records of any equipment malfunctions.
- 2) The permittee shall maintain records of any other Method 9 test performed in accordance with this permit condition. (See Attachment D)
- 3) Attachments B or C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

**Reporting:**

- 1) 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 the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

## IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), 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.

### 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(5)(B)1.A(III)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065, §(5)(C)(1) and §(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, §(5)(C)(1) and §(6)(C)3.B]

### **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.
- 3) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the EIQ form or equivalent approved by the director.

### **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**

- 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 noncompliance 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.

#### **10 CSR 10-6.180 Measurement of Emissions of Air Contaminants**

- 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 10-3.030 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; The type of business or activity involved; 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;
  - b) The schedule of burning operations;
  - c) The exact location where open burning will be used to dispose of the trade wastes;
  - d) Reasons why no method other than open burning is feasible; and
  - e) Evidence that the proposed open burning has been approved by the fire control authority which has jurisdiction.
- 4) Upon approval of the open burning permit 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 Base Rock Minerals/Mineral Area Asphalt 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 DNR inspection reports.

#### **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.

**This requirement is not federally enforceable.**

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**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 10-6.250 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 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.

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”;
  - 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, §(5)(C)1 and §(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, §(5)(C)1 and §(6)(C)1.C General Record Keeping and Reporting Requirements**

#### 1) Recordkeeping

- 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, Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
- b) The permittee shall submit a report of all required monitoring by:
  - i) April 1st for monitoring which covers the January through December time period.
  - ii) Exception. Monitoring requirements which require reporting more frequently than 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.
- 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 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 annual 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 §(5)(C)1 and §(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(5)(C)1.A General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance 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 noncompliance, 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 under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

### **10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios**

None

### **10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) 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 June 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances 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, §(5)(C)1 and §(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 noncompliance 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 noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

### **10 CSR 10-6.065(5)(C)5 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. 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 a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, no later than the next annual emissions report. 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; and
  - 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.

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

The application utilized in the preparation of this permit was signed by Kerry Bauman, 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 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) 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,
- 2) 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,
- 3) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

**10 CSR 10-6.065 §(5)(E)1.A and §(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.





Attachment C

**10 CSR 10-6.220 Compliance Demonstration**

This attachment or an equivalent may be used to help meet the recordkeeping requirements of the Visible Emissions Permit Conditions.

<b>Method 22 (Outdoor) Observation Log</b>		
Emission Unit		
Observer	Date	
Sky Conditions		
Precipitation		
Wind Direction	Wind Speed	
Sketch process unit: Indicate the position relative to the source and sun; mark the potential emission points and/or the observing emission points.          		
Observation Clock Time	Observation Period Duration (minute:second)	Accumulative Emission Time (minute:second)
Begin Observation		
End Observation		





# STATEMENT OF BASIS

## **Voluntary Limitations**

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(5)(C)1.A.(VI), if these limitations are exceeded, the installation immediately becomes subject to 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance; since it can take that long or longer to obtain a part 70 operating permit.

## **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) Intermediate Operating Permit Application, received July 17, 2006;
- 2) 2005 Emissions Inventory Questionnaire, received April 10, 2006;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
- 4) Construction Permit, Permit No. 012002-008, Issued December 14, 2001;
- 5) Construction Permit, Permit No. 012002-008A, Amendment to Construction Permit 012002-008;
- 6) Construction Permit, Permit No. 032003-034, Issued March 19, 2003; and
- 7) Construction Permits 0695-011, 0695-011A, 0695-011B, 0695-011C, 0695-011D, 0695-011E, 0695-011F, 0695-011G and 0695-011H.

## **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.

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

40 CFR Part 60, Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities*

The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility that commences construction or modification after June 11, 1973. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

The installation operates a hot mix asphalt plant comprising of a drum dryer with a baghouse that was constructed after the applicability date of Subpart I. Therefore, the asphalt plant is subject to Subpart I and the installation will be required to comply with the requirements of Subpart I.

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

The Air Pollution Control Program has determined that the following requirements are not 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 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*

This regulation restricts the emission of particulate matter in the source gas of an operation or activity except where 10 CSR 10-3.060 and/or 10 CSR 10-6.070 would be applied. This regulation does not apply to this installation because 10 CSR 10-6.070 applies to the installation and due to the nature of the operation, where 10 CSR 10-6.400(1)(B)(2) exempts the grinding, crushing and classifying operations at a rock quarry.

#### 40 CFR Part 60, Subpart Ka-*Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984*

Based on the definition of petroleum liquid in 40 CFR 60.111a (b) of the above citation, the tanks are exempt sources.

### **Construction Permit Revisions**

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

#### 1) Construction Permit No. 032004-014A

The special conditions of this permit shall supersede special conditions 1 and 6 found in construction permit 032004-014 and special conditions 1, 2 and 8 in construction permit 032003-034A were established in any previously issued New Source Review Permit (NSR) for this installation.

Specifically, this permit shall supersede the following NSR permits:

#### 2) Construction Permit No. 032004-014

The conditions established in this permit shall supersede the permit conditions established in the APCP construction permit issued for the installation (permit number 0695-011, 0695-011A, 0695-011B, 0695-011C, 0695-011D, 0695-011E, 0695-011F, 0695-011G and 0695-011H).

#### 3) Construction Permit 032004-014, Special Condition 4B

In order to clarify the primary emission unit, the phrase "which is the dryer" is inserted in the Moisture Content Testing requirement 4 of Permit Condition PW002.

### **New Source Performance Standards (NSPS) Applicability**

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

#### 40 CFR Part 60, Subpart OOO *Standards of Performance for Nonmetallic Mineral Processing Plants*

40 CFR 60 Subpart OOO is applicable to the installation. The rule applies to each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, storage bin, enclosed truck or rail loading station constructed, reconstructed, or modified after 8/31/1983. Storage piles, haul roads and drilling operations are exempted from requirements of this subpart.

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

40 CFR Part 60, Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities*

40 CFR 60, Subpart I is applicable to the asphalt plant of this installation. See “Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits” section of the statement of basis.

#### **Maximum Available Control Technology (MACT) Applicability**

None

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

40 CFR Part 61 Subpart M, *National Emission Standard for Asbestos, §61.145(a), Standard for demolition and renovation*

If the installation should undertake any projects, in the future, which deal with or involve any asbestos containing materials, the installation must follow all of the applicable requirements (as outlined in 40 CFR 61.145) of the above rules related to that specific project.

#### **Other Regulatory Determinations**

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

This regulation is applicable to all sources at the installation except those that are regulated by 40 CFR Part 60 and equipment that is specifically exempt from this rule.

#### **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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