



## 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:** OP2009-006  
**Expiration Date:** 02 - 16 - 2014  
**Installation ID:** 101-0023  
**Project Number:** 2004-01-091

### Installation Name and Address

EnerSys Energy Products, Inc.  
617 North Ridgeview Dr.  
Warrensburg, MO 64093-9301  
Johnson County

### Parent Company's Name and Address

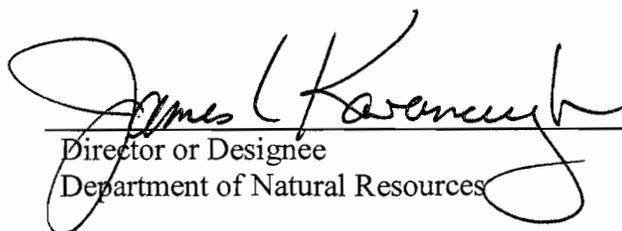
EnerSys Holdings Inc.  
2366 Bernville Road  
Reading, PA 19605

### Installation Description:

EnerSys Energy Products, Inc. manufactures specialty lead-acid batteries for various commercial and industrial applications. The facility consists of two plants located on the same site. Some of the lead oxide is manufactured at the installation, while the remainder is purchased for use as a raw material in the manufacture of the lead-acid batteries.

FEB 17 2009

Effective Date

  
Director or Designee  
Department of Natural Resources

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

EnerSys Energy Products, Inc. manufactures specialty lead-acid batteries for various commercial and industrial applications. The facility consists of two plants located on the same site. Some of the lead oxide is manufactured at the installation, while the remainder is purchased for use as a raw material in the manufacture of the lead-acid batteries.

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)
2007	3.23	0.20	3.38	53.62	2.84	0.03	---
2006	0.80	0.13	2.72	50.11	2.28	0.03	---
2005	1.15	0.11	2.13	44.07	1.79	0.03	---
2004	1.08	0.09	2.75	21.28	2.31	0.03	---
2003	1.47	0.06	2.95	12.76	2.48	0.08	---

### EMISSION UNITS WITH LIMITATIONS

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

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>	<u>Emission Point</u>
EU0010	Positive Oxide Silo	EP-01
EU0020	Negative Oxide Silo	EP-02
EU0030	Positive Oxide Silo	EP-03
EU0040	Negative Oxide Silo	EP-04
EU0050	Dry Oxide Mixing	EP-07
EU0060	Reclaim Furnace – Lead Plant #1	EP-11
EU0070	Drying Ovens	EP-19-22, 43, 44, 74b and 75b
EU0080	Central Vac	EP-13
EU0090	Continuous Chill Caster	EP-37.1
EU0100	PbSn Primary Furnace	EP-37.2
EU0110	Pb Primary Furnace	EP-37.3
EU0120	PbSn Reclaim Furnace	EP-37.4
EU0130	Pb Reclaim Furnace	EP-37.5
EU0140	Positive Oxide Transfer System	EP-38
EU0150	Negative Oxide Transfer System	EP-39
EU0160	Cast on Strap #1	EP-42.7
EU0170	Encapsulators	EP-42.7.1 through 42.7.4
EU0180	Cast on Strap #2	EP-42.8
EU0190	Encapsulators	EP-42.8.1 through 42.8.4
EU0200	Cast on Strap #3	EP-42.9
EU0210	Encapsulators	EP-42.9.1 through 42.9.4
EU0220	Cast on Strap #0	EP-42.10
EU0230	Encapsulators	EP-42.10.1 through 42.10.8
EU0240	Cast on Strap #4	EP-82
EU0250	Encapsulators	EP-82(Encap1 through 4)
EU0260	Pb Melting Pot Grid Casting	EP-82(MOxide)
EU0270	Oxide Mill #1	EP-81
EU0290	Large VRLA Element Stacking 1-3	EP-82.1 through 82.3
EU0300	Large VRLA Tinning	EP-82.4
EU0310	Large VRLA Cast on Strap	EP-82.5
EU0320	VRLA Element Stuffing	EP-82.6
EU0330	Positive Mix Filter Receiver	EP-85
EU0340	Pos. & Neg. Paster/Cutter/Stacker	EP-87.1 through 87.4
EU0350	Sovema Positive and Negative Scrubber	EP-85 and 86
EU0360	Multi-Alloy Strip Caster	EP-37.6
EU0370	Wirtz Continuous Caster	EP-37.7
EU0380	Negative Mix Filter Receiver	EP-86
EU0410	Central Vacuum System A and B	EP-46 and 47
EU0420	Central Vacuum System 2 Plant #1	EP-73
EU0430	Paste Mixing Oxide Silo 2	EP-79

**EMISSION UNITS WITHOUT LIMITATIONS**

The following list includes equipment which are not subject to unit specific limitations at the time of permit issuance.

Description of Emission Source	Emission Point
<b>Insignificant Natural Gas Combustion Sources</b>	
Drying Oven #1 (Gas Heater) Plant #1	EP-25
Water Heaters (2) – Plant #1 (.26 MMBtu/hr)	EP-26
Space Heater – Plant #1 (1.56 MMBtu/hr total)	EP-27
Space Heater - Plant #1 (0.3 MMBtu/hr total)	EP-28
Space Heter – Plant #1 (o.4 MMBtu/hr)	EP-29
Drying Oven #2 (Gas Heater) – Plant #1 (2.0 MMBtu/hr total)	EP-30
Water Heaters (5) – Plant #1 (1.39 MMBtu/hr total)	EP-31
Water Heater – Plant #1 (0.13 MMBtu/hr)	EP-32
Space Heater (East) – Plant #1 (1.25 MMBtu/hr)	EP-33
Space Heater (SE) – Plant #1 (0.68 MMBtu/hr)	EP-34
Space Heater (NE) – Plant #1 (0.705 MMBtu/hr)	EP-35
Space Heater (SW) – Plant #3 (0.875 MMBtu/hr)	EP-36
Lead Melting Pot – Fuel Combustion (0.002 MMBtu/hr)	EP-45.3
Space Heater Warehouse Expansion (1.05 MMBtu/hr)	EP-52
Space Heater – Plant #2 (1.50 MMBtu/hr)	EP-53
Drying Oven #1 – Plant #2 Fuel Combustion (6.8 MMBtu/hr)	EP-54
Drying Oven #2 – Plant #2 Fuel Combustion (6.8 MMBtu/hr)	EP-55
Pb Reclaim – Plant #2	EP-56
Pb Primary – Plant #2	EP-57
PbSn Reclaim – Plant #2	EP-58
PbSn Primary – Plant #2	EP-59
Water Heaters – Woman’s Locker Room (0.225 MMBtu/hr)	EP-60
Heater #RT1 Mtg. Room East – Plant #2 (0.05 MMBtu/hr)	EP-61
Heater #RT2 Mtg. Room West – Plant #2 (0.163 MMBtu/hr)	EP-62
Heater #RT3 Café East – Plant #2 (0.163 MMBtu/hr)	EP-63
Heater #RT4 Café West – Plant #2 (0.204 MMBtu/hr)	EP-64
Heater #RT5 Woman’s Locker East – Plant #2 (0.10 MMBtu/hr)	EP-65
Heater #RT6 Woman’s Locker West – Plant #2 (0.10 MMBtu/hr)	EP-66
Heater #RT7 MRO North – Plant #2 (0.075 MMBtu/hr)	EP-67
Heater #RT9 MRO North – Plant #2 (0.10 MMBtu/hr)	EP-68
Air Make-Up Unit #1 – Plant #2 (3.575 MMBtu/hr)	EP-71
Air Make-Up Unit #2 – Plant #2 (3.575 MMBtu/hr)	EP-72
Gen. Drying Oven #3 Fuel Comb. – Plant #2 (6.8 MMBtu/hr)	EP-74a
Gen. Drying Oven #4 Fuel Comb. – Plant #2 (6.8 MMBtu/hr)	EP-75a
Space Heater– Plant #2 (.67 MMBtu/hr each)	EP-90 and EP-91
Hot-Water Pressure Washers (1.42 MMBtu/hr)	EP-XX
Make-Up Air Unit S. of Maint. Shop – Plant #2 (0.75 MMBtu/hr)	EP-XXX
<b>Other Units Without Limitations</b>	
Grid Perforators – VOCs (Naphtha) – Plant #1	EP-15 through EP- 18
Grid Perforators #1 – VOCs ( Naphtha) – Plant #2	EP-48 through EP-50
Grid Perforators Large VRLA VOCs (Naphtha) – Plant #2	EP-94 and EP-95

**DOCUMENTS INCORPORATED BY REFERENCE**

This permit incorporates the following documents by reference:

Construction Permit 032006-008, Issued March 10, 2006

## 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 on the date of permit issuance.

### **PERMIT CONDITION PW001**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit 032006-008, Issued March 10, 2006

#### **Superseding Condition:**

The conditions of Permit 032006-008 supersede all special conditions found in the previously issued construction permits (Permit Nos. 0284-011, 0885-008, 0590-013, 1090-008, 0791-002, 1292-001, 1193-001, 1294-012, 0495-017, 0196-014, 0896-014, 0896-020, 092000-004, 052001-019, 092000-004A, 112003-012 and 122004-010) from the Air Pollution Control Program. [Special Condition 1]

#### **Emission Limitations:**

Energys Energy Products, Inc. shall emit less than 100 tons of Volatile Organic Compounds (VOCs) from the entire installation in any consecutive twelve-month period. [Special Condition 3A]

Energys Energy Products, Inc. shall emit less than 0.6 tons of lead from the entire installation in any consecutive twelve-month period. [Special Condition 3B]

#### **Monitoring/Record Keeping:**

Attachment A and Attachment B or equivalent forms approved by the Air Pollution Control Program shall be used to demonstrate compliance with the VOC and lead emission limitations.  
[Special Condition 3C]

#### **Reporting:**

Energys Energy Products, Inc. shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, no later than ten (10) days after the end of the month during which the records indicate that the VOC and/or lead emissions limitations have been exceeded.  
[Special Condition 3D]

### 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 on the date of permit issuance.

<b>EU0010 – EU0430</b>		
Emission Unit	Description (note that MHDR is “Maximum Hourly Design Rate,” included for informational purposes only and does not indicate any emission limitation for these units)	2003 EIQ Reference #
EU0010	Positive Oxide Silo; MHDR = 3,830 batteries produced/hr; Controlled by Baghouse (CD1)	EP-1
EU0020	Negative Oxide Silo; MHDR = 3,830 batteries produced/hr; Controlled by Baghouse (CD2)	EP-2
EU0030	Positive Oxide Silo; MHDR = 3,830 batteries produced/hr; Controlled by Baghouse (CD3)	EP-3
EU0040	Negative Oxide Silo; MHDR = 3,830 batteries produced/hr; Controlled by Baghouse (CD4)	EP-4
EU0050	Dry Oxide Mixing; MHDR = 190 batteries produced/hr; Controlled by Baghouse (CD7)	EP-7
EU0060	Reclaim Furnace/Chill Cast; MHDR = 190 batteries produced/hr; Controlled by Baghouse (CD6)	EP-11
EU0070	Drying Ovens – Drying Oven #1 (East and West) Plant #1; MHDR = 0.23 tons/hr – Drying Oven #2 (East and West) Plant #1; MHDR = 0.23 tons/hr – General Drying Oven #1, #2, #3 and #4; MHDR = 0.5 tons/hr; No control device	EP-19 through 22 and EP 43, 44, 74b and 75b
EU0080	Central Vac; MHDR = 50 batteries produced/hr; Controlled by Baghouse (CD5)	EP-13
EU0090	Continuous Chill Caster; MHDR = 420 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.1
EU0100	PbSn Primary Furnace; MHDR = 370 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.2
EU0110	Pb Primary Furnace; MHDR = 260 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.3
EU0120	PbSn Reclaim Furnace; MHDR = 370 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.4
EU0130	Pb Relcaim Furnace; MHDR = 260 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.5
EU0140	Positive Oxide Transfer System; MHDR = 1,690 batteries produced/hr; Controlled by Baghouse (CD17)	EP-38
EU0150	Negative Oxide Transfer System; MHDR = 1,690 batteries produced/hr; Controlled by Baghouse (CD18)	EP-39
EU0160	Cast-On-Strap #1; MHDR = 110 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.7
EU0170	Encapsulators #1-1 through 4; MHDR = 30 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.7.1 through EP-42.7.4
EU0180	Cast-On-Strap #2; MHDR = 110 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.8

EU0190	Encapsulators #2-1 through 4; MHDR = 30 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.8.2 through EP-42.8.4
EU0200	Cast-On-Strap #3; MHDR = 110 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.9
EU0210	Encapsulators #3-1 through 4; MHDR = 30 batteries produced/hr; Controlled by Baghouse (CD21)	EP-42.9.1 through EP-42.9.4
EU0220	Cast-On-Strap #0; MHDR = 1880 batteries produced/hr; Controlled by Baghouse (CD69)	EP-42.10
EU0230	Encapsulators #0-1 through 8; MHDR = 30 batteries produced/hr, or 235 batteries produced/hr for 3 and 6-8; Controlled by Baghouse (CD21)	EP-42.10.1 through EP-42.10.8
EU0240	Cast-On-Strap #4; MHDR = 5 batteries produced/hr; Controlled by Baghouse (CD82)	EP-82
EU0250	Encapsulators #4-1 through 4; MHDR = 7 batteries produced/hr; Controlled by Baghouse (CD82)	EP82(Encap1 through 4)
EU0260	Pb Melting Pot Grid Casting; MHDR = 450 batteries produced/hr; Controlled by Baghouse (CD82)	EP-82(MOxide)
EU0270	Pb Oxide Mill; MHDR = 125 batteries produced/hr; Controlled by Baghouse (CD81)	EP-81
EU0290	Large VRLA Element Stacking 1, 2, and 3; MHDR = 0.25 tons/hr; Controlled by Baghouse (CD82)	EP-82.1 through EP-82.3
EU0300	Large VRLA Tinning; MHDR = 0.1 tons/hr; Controlled by Baghouse (CD82)	EP-82.4
EU0310	Large VRLA Cast-On-Strap; MHDR = 0.25 tons/hr; Controlled by Baghouse (CD82)	EP-82.5
EU0320	VRLA Element Stuffing; MHDR = 0.25 ton/hr; Controlled by Baghouse (CD82)	EP-82.6
EU0330	Positive Mix Filter Receiver; MHDR = 200 batteries produced/hr; Controlled by Baghouse (CD83)	EP-83
EU0340	Positive and Negative Paster/Cutter/Stacker; MHDR = 200 batteries produced/hr; Controlled by Baghouse (CD87)	EP-87.1 through EP-87.4
EU0350	Sovema Positive and Negative Scrubber – Mixing System; MHDR = 200 batteries produced/hr; Controlled by scrubber (CD85 and 86)	EP-85 and 86
EU0360	Multi-Alloy Strip Caster; MHDR = 700 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.6
EU0370	Wirtz Continuous Caster; MHDR = 100 batteries produced/hr; Controlled by Baghouse (CD16)	EP-37.7
EU0380	Negative Mix Filter Receiver; MHDR = 200 batteries produced/hr; Controlled by Baghouse (CD84)	EP-84
EU0410	Central Vacuum System A and B; MHDR = 50 tons/hr; Controlled by Baghouse (CD22)	EP-46 and EP-47
EU0420	Central Vacuum System 2 Plant #1; MHDR = 50 tons/hr; Controlled by Baghouse (CD73)	EP-73
EU0430	Paste Mixing Oxide Silo 2; MHDR = 200 batteries produced/hr; Controlled by Baghouse (CD79)	EP-79

**PERMIT CONDITION (EU0010 through EU0430)-001  
(excluding EU0350)**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit 032006-008, Issued March 10, 2006

**Emission Limitations:**

1. EnerSys Energy Products, Inc. shall duct emissions from emission units EU0010 through EU0430 (excluding EU0350, which is controlled by a scrubber) to the corresponding baghouses to control the lead and PM<sub>10</sub> emissions. [Special Condition 4A]
2. Each baghouse must be in operation at all times when the associated equipment is in operation. EnerSys Energy Products, Inc. shall shut down any process controlled by a baghouse during a malfunction until such time that the installation or its vendor(s) make the required repairs to the control device. [Special Condition 4B]

**Monitoring/Record Keeping:**

1. Each baghouse 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 control device. These gauges or meters shall be located such that the Department of Natural Resources employees may easily observe them. [Special Condition 4C]
2. EnerSys Energy Products, Inc. shall monitor and record the operating pressure drop across each baghouse at least once every twenty-four hours. The operating pressure drop shall be maintained within the design conditions specified by the manufacturer's performance warranty. [Special Condition 4D]
3. Attachment C or an equivalent created by the permittee shall be used to record the pressure drop across each baghouse.
4. EnerSys Energy Products, Inc. shall maintain an operating and maintenance log for each baghouse which shall include the following: [Special Condition 4E]
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
  - c) The permittee may use Attachment D or an equivalent form.

**Reporting:**

Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually, in the annual compliance certification, as required by Section IV of this permit.

**PERMIT CONDITION (EU0010 through EU0430)-002**

10 CSR 10-6.070 New Source Performance Regulations

40 CFR Part 60 Subpart KK Standards of Performance for Lead-Acid Battery Manufacturing Plants

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations

40 CFR Part 63 Subpart P National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources

**Emission Limitation:**

1. The permittee shall not cause to be discharged into the atmosphere from any **grid casting facility** (Emission Units EU0090, EU0260, EU0360 and EU0370), any gases that contain lead in excess of 0.40 milligrams of lead per dry standard cubic meter of exhaust (0.000175 gr/dscf). [40 CFR 60.372(a)(1) and 40 CFR 63.11423(a)]
2. The permittee shall not cause to be discharged into the atmosphere from any **paste mixing facility** (Emission Units EU0010 through EU0050, EU0140, EU0150, EU0330, EU0340, EU0350, EU0380 and EU0430), any gases that contain lead in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(2) and 40 CFR 63.11423(a)]
3. The permittee shall not cause to be discharged into the atmosphere from any **three-process operation facility** (Emission Units EU0160 through EU0250, and EU0290 through EU0320), any gases that contain lead in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(3) and 40 CFR 63.11423(a)]
4. The permittee shall not cause to be discharged into the atmosphere from any **lead reclamation facility** (Emission Units EU0100, EU0110, EU0120 and EU0130) any gases that contain lead in excess of 4.50 milligrams of lead per dry standard cubic meter of exhaust (0.00197 gr/dscf). [40 CFR 60.372(a)(3) and 40 CFR 63.11423(a)]
5. The permittee shall not cause to be discharged into the atmosphere from any **other lead-emitting operation** (EU0070, EU0080, EU0270, EU0410 and EU0420), any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(6) and 40 CFR 63.11423(a)]
6. When two or more units (except lead oxide manufacturing) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities shall be determined as follows: [40 CFR 60.372(b) and 40 CFR 63.11423(a)]

$$S_e = \sum_{a=1}^N S_a (Q_{sda} / Q_{sdT})$$

Where:

$S_e$  = the equivalent standard for the total exhaust stream;

$S_a$  = the actual standard for each exhaust stream ducted to the control device;

$N$  = the total number of exhaust streams ducted to the control device;

$Q_{sda}$  = the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device; and

$Q_{sdT}$  = the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device.

7. The permittee shall not cause to be discharged into the atmosphere from these units any gases with greater than zero percent opacity (measured according to Method 9 and rounded to the nearest whole percentage) from all units except lead reclamation facility units (EU0100, EU0110, EU0120 and EU0130) which shall not emit gases with greater than five percent opacity (measured according to Method 9 and rounded to the nearest whole percentage). [40 CFR 60.372(a)(7) and (8)]

8. The compliance standards and maintenance requirements contained in the NESHAP General Provisions - 40 CFR 63.6(a)-(d), (e)(1), (f)-(j) apply to these units. [40 CFR 63.11425(a)]

**Monitoring and Recordkeeping:**

1. The permittee must perform semi-annual inspections and maintenance to ensure proper performance of each fabric filter which shall include inspection of structural and filter integrity. The permittee must record the results of these inspections. [40 CFR 63.11423(b)(2)(i)]
2. The permittee must install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop shall be recorded at least once per day. [40 CFR 63.11423(b)(2)(ii)]
3. If a pressure drop is observed outside the normal operational ranges the permittee must record the incident and take immediate corrective action and record the actions taken.
4. The permittee must submit a monitoring system performance report in accordance with §63.10(e). [40 CFR 63.11423(b)(2)(iv)(A)]
5. The permittee shall install, calibrate, maintain, and operate a monitoring device that measures and records the pressure drop across the scrubbing systems(s) (EU0350), at least once every fifteen minutes. The monitoring device shall have an accuracy of  $\pm 5$  percent over its operating range. [40 CFR 60.373 and 40 CFR 63.11423(b)(1)]
6. All records shall be made available immediately for inspection to Department of Natural Resources' personnel upon request.
7. All records shall be maintained for five years.
8. The monitoring and recordkeeping requirements contained in the NESHAP General Provisions - 40 CFR 63.8 and 63.10(a)-(c), (d)(1)-(4), (e) and (f) apply to these units. [40 CFR 63.11425(a)]

**Performance Testing Requirements:**

1. The permittee must conduct performance testing as required by 40 CFR Part 60.374. [40 CFR 63.11423(c)]
2. Existing sources are not required to conduct a performance test if a prior performance test was conducted using the same methods specified in 40 CFR 60.374 and either no process changes have been made since the test, or it can be demonstrated that the results of the performance test, with or without adjustments, reliably demonstrate compliance with the emission limitations despite process changes. [40 CFR 60.11423(c)(1)]
3. Existing sources that have not conducted a prior performance test must conduct the performance test using the methods specified in 40 CFR 60.374 within 180 days of the compliance date (July 16, 2008). [40 CRR 64.11423(c)(2)]
4. The permittee shall determine compliance with the lead standards for these emission units as follows:
  - a) Method 12 shall be used to determine the lead concentration and, if applicable, the volumetric flow rate ( $Q_{sda}$ ) of the effluent gas. The sampling time and sample volume for each run shall be at least sixty minutes and 0.85 dscm (30 dscf). [40 CFR 60.374(b)(1)]

- b) When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility shall be determined as follows:  
[40 CFR 60.374(b)(2)]

$$C = \left[ \sum_{a=1}^N (C_a Q_{sda}) \right] / \sum_{a=1}^N Q_{sda}$$

Where:

C=concentration of lead emissions for the entire facility, mg/dscm (gr/dscf);

C<sub>a</sub>=concentration of lead emissions from facility "a", mg/dscm (gr/dscf);

Q<sub>sda</sub>=volumetric flow rate of effluent gas from facility "a", dscm/hr (dscf/hr); and

N=total number of control devices to which separate operations in the facility are ducted.

- c) Method 9 and the procedures in §60.11 shall be used to determine opacity. The opacity numbers shall be rounded off to the nearest whole percentage. [40 CFR 60.374(b)(3)]
5. The performance testing requirements contained in the NESHAP General Provisions - 40 CFR 63.7 apply to these units. [40 CFR 63.11425(a)]

**Reporting:**

1. Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually, in the annual compliance certification, as required by Section IV of this permit.
2. The reporting requirements contained in the NESHAP General Provisions - 40 CFR 63.10(a)-(c), (d)(1)-(4), (e) and (f) apply to these units. [40 CFR 63.11425(a)]

**PERMIT CONDITION (EU0010 through EU0430)-003**  
 10 CSR 10-6.400 Restriction of Emission of Particulate Matter from Industrial Processes

**Emission Limitation:**

1. Particulate matter shall not be emitted from Emission Units EU0010 through EU0430 in excess of the amounts listed in the table below:

Emission Unit	Description	Emission Limit (lb/hr)
EU0010	Positive Oxide Silo	44.5
EU0020	Negative Oxide Silo	44.5
EU0030	Positive Oxide Silo	44.5
EU0040	Negative Oxide Silo	44.5
EU0050	Dry Oxide Mixing	7.5
EU0060	Reclaim Furnace	7.5
EU0080	Central Vac	3.1
EU0090	Continuous Chill Caster	12.8
EU0100	PbSn Primary Furnace	11.7
EU0110	Pb Primary Furnace	9.3
EU0120	PbSn Reclaim Furnace	11.7
EU0130	Pb Relcaim Furnace	9.3
EU0140	Positive oxide Transfer Systeem	32.5
EU0150	Negative Oxide Transfer System	32.5
EU0160	Cast-On-Strap #1	5.2
EU0170	Encapsulators #1-1 through 4	2.2
EU0180	Cast-On-Strap #2	5.2
EU0190	Encapsulators #2-1 through 4	2.2
EU0200	Cast-On-Strap #3	5.2
EU0210	Encapsulators #3-1 through 4	2.2
EU0220	Cast-On-Strap #0	34.9
EU0230	Encapsulators #10-1 through 8	2.2
EU0240	Cast-On-Strap #4	0.7
EU0250	Encapsulators #4-1 through 4	0.8
EU0260	Pb Melting Pot Grid Casting	13.4
EU0270	Pb Oxide Mill	5.7
EU0290	Large VRLA Element Stacking 1-3 a	1.6
EU0300	Large VRLA Tinning	0.9
EU0310	Large VRLA Cast-On-Strap	1.6
EU0320	VRLA Element Stuffing	1.6
EU0330	Positive Mis Filter Receiver	7.8
EU0340	Pos. and Neg. Paster/Cutter/Stacker	7.8
EU0360	Multi-Alloy Strip Caster	18.0
EU0370	Wirtz Continuous Caster	4.9
EU0380	Negative Mix Filter Receiver	7.8
EU0410	Central Vacuum System A and B	44.6
EU0420	Central Vacuum System 2 Plant #1	44.6
EU0430	Paste Mixing Oxide Silo 2	7.8

These emission rates were calculated using one of the following equations and using the assumption that each battery produced uses twenty-six pounds of lead:

- a) For process weight rates of 60,000 pounds per hour or less:

$$E = 4.10(P)^{0.67}$$

Where:

E = rate of emission in pounds per hour

P = process weight rate in tons/hr

- b) For process weight rates greater than 60,000 pounds per hour:

$$E = 55.0(P)^{0.11} - 40$$

Where:

E = rate of emission in pounds per hour

P = process weight rate in tons per hour

2. The concentration of particulate matter in the exhaust gases shall not exceed 0.30 grains per standard cubic foot.

**Monitoring/Record Keeping:**

The permittee shall monitor the pressure drop across each baghouse according to the requirements of the Construction Permit 032006-008, issued March 10, 2006. These requirements are listed under Permit Condition (EU0010 through EU0430)-001 of this permit.

**Reporting:**

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

## 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 on the date of permit issuance.

### 10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
  - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
    - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
    - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
    - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
  - b) Yard waste, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
    - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
    - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
      - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
      - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
      - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
      - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department director; and

- iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) EnerSys Energy Products, Inc. may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if EnerSys Energy Products, Inc. fails to comply with the provisions or any condition of the open burning permit.
  - a) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

#### **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 fifteen 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 Section 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 Emissions Inventory Questionnaire (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 10-3.090 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

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 fifteen minutes apart within the period of one hour.

**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 fifty 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*

<b>10 CSR 10-6.280 Compliance Monitoring Usage</b>
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- 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"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

## 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) Record Keeping
  - 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's Enforcement Section, P. O. Box 176, Jefferson City, Missouri 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 thirty 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's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 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's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 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 Malcolm Gavant. 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 thirty 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) The Missouri Department of Natural Resources 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.









# 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 January 21, 2004; revised May 9, 2006;
- 2) 2007 Emissions Inventory Questionnaire, received May 5, 2008; and
- 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 032006-008, Issued March 10, 2006.

## **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.

40 CFR Part 63 Subpart P, *National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources*

This Subpart was promulgated on July 16, 2007, before the renewal application was submitted; therefore, it was not included in the application. It does apply to this facility and; therefore, was included in the operating permit.

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

The Air Pollution Control Program (APCP) 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 10-6.220, *Restriction of Emission of Visible Air Contaminants*

The application lists this as an applicable regulation, however all emission units with limitations at this facility are subject to 40 CFR Part 60 Subpart KK, *Standards of Performance for Lead-Acid Battery Manufacturing Plants*. This Subpart restricts opacity to zero percent from all emission units except EU0060, EU0120 and EU0130 (Lead Reclamation Units) which are restricted to opacity of not more than five percent. Further, 10 CSR 10-6.220 (1)(H) exempts emission sources regulated by 40 CFR Part 60 therefore this rule was not included in the operating permit.

#### **Construction Permit Revisions**

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

Construction Permit 032006-008, Issued March 10, 2006:

This construction permit contains Special Condition 1, which states that the conditions of this permit supercede all special conditions found in previously issued construction permits (Permit Numbers 0284-011, 0885-008, 0590-013, 1090-008, 0791-002, 1292-001, 1193-001, 1294-012, 0495-017, 0196-014, 0896-020, 092000-004, 052001-019, 092000-004A, 112003-012 and 122004-010), therefore the special conditions contained in these permits were not included in the operating permit.

Special Condition 2A requires Enersys Energy Products, Inc. to render inoperable the following equipment before the date the new paste mixers (EP-85 and EP-86) become fully operational:

EP-40 Paste Mixer;

EP-41 Paste Mixer;

EP-69 Old Cast on Strap #4;

EP-5 Positive Oxide Silo;

EP-6 Negative Oxide Silo;

EP-8 Wet Positive Oxide Mixing; and

EP-9 Wet Negative Oxide Mixing.

Special Condition 2B requires Enersys Energy Products, Inc. to notify the Air Pollution Control Program no later than fifteen days after initial start-up of the new paste mixers and the date the new paste mixers become fully operational, or 180 days after initial start-up (whichever is sooner), and the date that the equipment listed above is rendered inoperable.

The permittee has fulfilled the requirements of these special conditions therefore they were not included in the operating permit.

Special Condition 4C requires Enersys to keep replacement filters on hand at all times. Because Enersys relies on a contracted business to maintain the baghouses, replacement filters will not be required to be stored on-site. However, Enersys must shut down operation of any unit in the even of a malfunction of the control device until filters have been replaced.

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

40 CFR Part 60 Subpart KK, *Standards of Performance for Lead-Acid Battery Manufacturing Plants* applies to this facility.

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

40 CFR Part 63 Subpart P, National *Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources* applies to this facility.

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

In the permit application and according to Air Pollution Control Program records, there was no indication that any Missouri Air Conservation Law, Asbestos Abatement, 643.225 through 643.250; 10 CSR 10-6.080, Emission Standards for Hazardous Air Pollutants, Subpart M, National Standards for Asbestos; and 10 CSR 10-6.250, Asbestos Abatement Projects - Certification, Accreditation, and Business Exemption Requirements apply to this installation. The installation is subject to these regulations if they undertake any projects that deal with or involve any asbestos containing materials. None of the installation's operating projects underway at the time of this review deal with or involve asbestos containing material. Therefore, the above regulations were not cited in the operating permit. If the installation should undertake any construction or demolition projects in the future that deal with or involve any asbestos containing materials, the installation must follow all of the applicable requirements of the above rules related to that specific project.

### Other Regulatory Determinations

10 CSR 10-6.400, Restriction of Emission of Particulate Matter From Industrial Processes applies to all emission units with limitations at this facility. When the MHDR for the unit was given in units of 1,000 batteries produced per hour, it was converted to tons per hour based on the assumption that there are twenty-six pounds of lead in each battery. This assumption was taken from the background document for AP-42 Chapter 12 Section 15. Compliance Calculations are provided in the following table:

EU	Emission Unit Description	MHDR (batteries)	conversion (26lb/bat.)	MHDR (ton/hr)	Em. Limit (lb/hr)	EF lb/1000 bat.	CE %	Cont. Em. (lb/hr)
EU0010	Positive Oxide Silo	3830	0.013	49.79	44.5	4.32	99.9	0.215
EU0020	Negative Oxide Silo	3830	0.013	49.79	44.5	4.32	99.9	0.215
EU0030	Positive Oxide Silo	3830	0.013	49.79	44.5	4.32	99.9	0.215
EU0040	Negative Oxide Silo	3830	0.013	49.79	44.5	4.32	99.9	0.215
EU0050	Dry Oxide Mixing	190	0.013	2.47	7.5	4.32	99.9	0.011
EU0060	Reclaim Furnace	190	0.013	2.47	7.5	1.67	99.9	0.004
EU0080	Central Vac	50	0.013	0.65	3.1	92.6	99.9	0.060
EU0090	Continuous Chill Caster	420	0.013	5.46	12.8	2.84	99.9	0.016
EU0100	PbSn Primary Furnace	370	0.013	4.81	11.7	2.84	99.9	0.014
EU0110	Pb Primary Furnace	260	0.013	3.38	9.3	2.84	99.9	0.010
EU0120	PbSn Reclaim Furnace	370	0.013	4.81	11.7	1.67	99.9	0.008
EU0130	Pb Reclaim Furnace	260	0.013	3.38	9.3	1.67	99.9	0.006
EU0140	Positive oxide Transfer System	1690	0.013	21.97	32.5	4.32	99.9	0.095
EU0150	Negative Oxide Transfer System	1690	0.013	21.97	32.5	4.32	99.9	0.095
EU0160	Cast-On-Strap #1	110	0.013	1.43	5.2	84	99.9	0.120
EU0170	Encapsulators #1-1 through 4	30	0.013	0.39	2.2	4.32	99.9	0.002
EU0180	Cast-On-Strap #2	110	0.013	1.43	5.2	84	99.9	0.120
EU0190	Encapsulators #2-1 through 4	30	0.013	0.39	2.2	4.32	99.9	0.002
EU0200	Cast-On-Strap #3	110	0.013	1.43	5.2	84	99.9	0.120
EU0210	Encapsulators #3-1 through 4	30	0.013	0.39	2.2	4.32	99.9	0.002
EU0220	Cast-On-Strap #0	1880	0.013	24.44	34.9	84	99.9	2.053
EU0230	Encapsulators #10-1 through 8	30	0.013	0.39	2.2	4.32	99.9	0.002
EU0240	Cast-On-Strap #4	5	0.013	0.065	0.7	84	99.9	0.005
EU0250	Encapsulators #4-1 through 4	7	0.013	0.091	0.8	4.32	99.9	0.000
EU0260	Pb Melting Pot Grid Casting	450	0.013	5.85	13.4	3.13	99.9	0.018
EU0270	Pb Oxide Mill	125	0.013	1.625	5.7	0.24	99.9	0.000
EU0290	Large VRLA Element Stacking	n/a	0.013	0.25	1.6	12.12	99.9	0.003
EU0300	Large VRLA Tinning	n/a	0.013	0.1	0.9	0	99.9	0.000
EU0310	Large VRLA Cast-On-Strap	n/a	0.013	0.25	1.6	12.12	99.9	0.003
EU0320	VRLA Element Stuffing	n/a	0.013	0.25	1.6	0	99.9	0.000
EU0330	Positive Mis Filter Receiver	200	0.013	2.6	7.8	4.32	99.9	0.011
EU0340	Pos. and Neg. Paster/Cutter/Stacker	200	0.013	2.6	7.8	4.32	99.9	0.011
EU0350	Rotary Die Cleaning System	?	0.013	0.1	0.9	0	99.9	0.000
EU0360	Multi-Alloy Strip Caster	700	0.013	9.1	18.0	2.84	99.9	0.026
EU0370	Wirtz Continuous Caster	100	0.013	1.3	4.9	2.8	99.9	0.004
EU0380	Negative Mix Filter Receiver	200	0.013	2.6	7.8	4.32	99.9	0.011
EU0410	Central Vacuum System A and B	n/a	0.013	50	44.6	0	99.9	0.000
EU0420	Central Vacuum System 2 Plant #1	n/a	0.013	50	44.6	0	99.9	0.000
EU0430	Paste Mixing Oxide Silo 2	200	0.013	2.6	7.8	4.32	99.9	0.011

The table shows that all units are in compliance with the emission limit if the control devices for the units are operating, which they are required to do so according to Construction Permit 032006-008, issued March 10, 2006, and included in this operating permit as Permit Condition (EU0010 through EU0430)-001.

**Emission Units Without Limitations – Insignificant Units:**

The combustion sources listed as Emission Units Without Limitations are insignificant because they exclusively burn natural gas and have a maximum heat input rate less than ten million British thermal units per hour. According to 10 CSR 10-6.020, an insignificant emission unit is defined as an emission unit or activity listed in 10 CSR 10-6.061 as exempt or excluded from construction permit review under 10 CSR 10-6.060. Natural gas combustion units less than ten million British thermal units per hour are listed under 10 CSR 10-6.061(3)(A)1.A.

**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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Jill Wade, P.E.  
Environmental Engineer