

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

www.dnr.mo.gov

JAN 28 2008

CERTIFIED MAIL: 7005 1820 0002 3310 3780
RETURN RECEIPT REQUESTED

Mr. Doug Bagby, City Manager
Municipal Utilities Generating Plant
112 Johnson Drive
Poplar Bluff, MO 63901

RE: Municipal Utilities Generating Plant, 023-0050
Permit Number: OP2008-006

Dear Mr. Bagby:

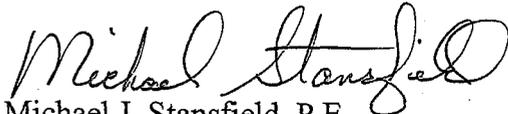
Enclosed with this letter is your Part 70 operating permit. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

If you have any questions or need additional information regarding this permit, please contact the Missouri Department of Natural Resources' Air Pollution Control Program by telephone at (573) 751-4817, or you may write to the Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM



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

MJS:jdn

Enclosure

c: Ms. Tamara Freeman, U.S. Environmental Protection Agency Region VII
Southeast Regional Office
PAMS File: 2003-03-104



PART 70 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.

Operating Permit Number: OP2008-006
Expiration Date: JAN 24 2013
Installation ID: 023-0050
Project Number: 2003-03-104

Installation Name and Address

Municipal Utilities Generating Plant
112 Johnson Drive
Poplar Bluff, MO 63901
Butler County

Parent Company's Name and Address

Municipal Utilities Generating Plant
112 Johnson Drive
Poplar Bluff, MO 63901

Installation Description:

Municipal Utilities Generating Plant in Poplar Bluff is a city owned utility company that provides electricity to the surrounding community. The installation operates five dual fuel (diesel and natural gas) reciprocating internal combustion engines. The installation's operations also include several diesel storage tanks and water towers.

JAN 25 2008

Effective Date

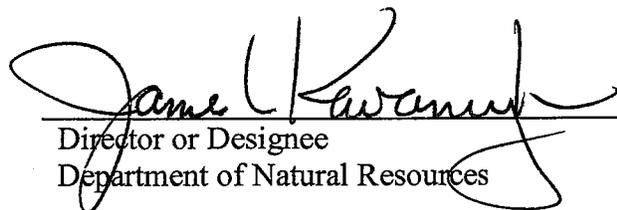

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Municipal Utilities Generating Plant in Poplar Bluff is a city owned utility company that provides electricity to the surrounding community. The installation operates five dual fuel (diesel and natural gas) reciprocating internal combustion engines. The installation's operations also include several diesel storage tanks and water towers.

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2006	0.84	1.22	93.35	3.16	14.50	--	--
2005	0.87	1.82	97.41	2.95	15.77	--	--
2004	0.06	0.23	11.68	0.43	1.89	--	--
2003	1.61	1.04	158.54	5.80	23.42	--	--
2002	2.14	1.93	53.55	1.05	9.44	--	--

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 #	Description of Emission Unit	2005 EIQ EP#
EU0010	Diesel Engine #1	EP-04
EU0020	Diesel Engine #2	EP-42
EU0030	Diesel Engine #3	EP-43
EU0040	Diesel Engine #4	EP-44
EU0050	Diesel Engine #5	EP-45
EU0060	Cooling Tower #3	EP-33
EU0070	Cooling Tower #4	EP-34
EU0080	Cooling Tower #5	EP-35

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.

Description of Emission Source	2005 EIQ EP#
One (1) 500,000-gallon diesel storage tank, installed 1973	EP-01
Two (2) 300-gallon diesel storage tanks, installed 1973	EP-02
Cooling tower #1	EP-03
Space heater, natural gas-fired	EP-06
Three (3) 480-gallon diesel storage tanks, installed 2002	EP-22
Space heaters, natural gas-fired	EP-62

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

- 1) Air Pollution Control Program (APCP) Construction Permit #092001-020, issued September 14, 2001, amended December 6, 2002.

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.

None.

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.

EU0010 AND EU0020– DIESEL ENGINES #1 AND #2			
Emission Unit	Description	Manufacturer/Model #	2005 EIQ Reference #
EU0010	Diesel Engine #1: reciprocating internal combustion engine; rated at 7 MW; 56.83 MMBtu/hr; dual fuel (diesel and natural gas); installed 1973	Delaval-Enterprise/ DGSRV-16-4	EP-04
EU0020	Diesel Engine #2: reciprocating internal combustion engine; rated at 7 MW; 57.30 MMBtu/hr; dual fuel (diesel and natural gas); installed 1973	Delaval-Enterprise/ DGSRV-16-4	EP-42

PERMIT CONDITION (EU0010 and EU0020)-001
 10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

Emission Limitations:

- 1) Emissions from any new source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide.
- 2) Stack gasses shall not contain more than thirty-five milligrams (35 mg) per cubic meter of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.
- 3) 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.

Pollutant	Concentration by Volume	Remarks
Sulfur Dioxide (SO ₂)	0.03 parts per million (ppm) (80 micrograms per cubic meter (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning either pipeline grade natural gas or fuel oil with a sulfur content of 0.5 percent by weight or less.

Monitoring/Recordkeeping:

- 1) The permittee shall maintain an accurate record of the sulfur content of fuel used. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.
- 2) All records shall be maintained for five years.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the permittee determined that the emission unit(s) exceeded the emission limitation(s).
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

EU0030 THROUGH EU0080 – DIESEL ENGINES #3, #4 AND #5 AND COOLING TOWERS			
Emission Unit	Description	Manufacturer/ Model #	2005 EIQ Reference #
EU0030	Diesel Engine #3: reciprocating internal combustion engine; compression ignited (CI); dual fuel (diesel and natural gas); rated at 6.7 MW; MHDR 54 MMBtu/hr; installed 2002	Fairbanks Morse/ FM/MAN 32/40 DG	EP-43
EU0040	Diesel Engine #4: reciprocating internal combustion engine; compression ignited (CI); dual fuel (diesel and natural gas); rated at 6.7 MW; MHDR 54 MMBtu/hr; installed 2002	Fairbanks Morse/ FM/MAN 32/40 DG	EP-44
EU0050	Diesel Engine #5: reciprocating internal combustion engine; compression ignited (CI); dual fuel (diesel and natural gas); rated at 6.7 MW; MHDR 54 MMBtu/hr; installed 2002	Fairbanks Morse/ FM/MAN 32/40 DG	EP-45
EU0060	Cooling Tower #3; flow rate 1375 gallons/minute; installed 2002	NA	EP-33
EU0070	Cooling Tower #4; flow rate 1375 gallons/minute; installed 2002	NA	EP-34
EU0080	Cooling Tower #5; flow rate 1375 gallons/minute; installed 2002	NA	EP-35

PERMIT CONDITION (EU0030 through EU0080)-001
 10 CSR 10-6.060 Construction Permits Required
 Construction Permit #092001-020, Issued September 14, 2001, Amended December 6, 2002

Emission Limitations:

- 1) Poplar Bluff Municipal Utilities Generating Plant shall discharge into the atmosphere no more than 100 tons of carbon monoxide (CO) in any consecutive 12 month period from the three internal combustion engine generator sets (EU0030 through EU0050) and accompanying cooling towers (EU0060 through EU0080). [CP# 092001-020, Special Condition 1]
- 2) Poplar Bluff Municipal Utilities Generating Plant shall discharge into the atmosphere no more than forty (40) tons of nitrogen oxides (NOx) in any consecutive 12 month period from the three internal combustion engine generator sets (EU0030 through EU0050) and accompanying cooling towers (EU0060 through EU0080). [CP# 092001-020, Special Condition 2]

Recordkeeping:

Poplar Bluff Municipal Utilities Generating Plant shall maintain the monthly and the sum of the most recent consecutive 12 month records of CO and NOx emissions from the three internal combustion engine generator sets (EU0030 through EU0050). Poplar Bluff Municipal Utilities Generating Plant shall use Attachment "A" *Monthly CO Emissions Tracking Record* and Attachment "B" *Monthly NOx Emissions Tracking Record*, or equivalent forms to demonstrate compliance with Special Conditions No. 1 and 2. These records shall be maintained onsite with the units for five years and shall be made available for inspection to the Department of Natural Resources' personnel upon request. [CP# 092001-020, Special Condition 9]

Reporting:

Poplar Bluff Municipal Utilities Generating Plant shall report to the ACP Enforcement Section P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the end of each month if the 12 month cumulative total (Special Condition No. 9) record shows that the source exceeded the limitations of Special Condition No. 1 (100 tons of CO per year) or Special Condition No. 2 (40 tons of NOx per year). [CP# 092001-020, Special Condition 10]

PERMIT CONDITION (EU0030 through EU0050)-002
 10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

Emission Limitations:

- 1) Emissions from any new source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide.
- 2) Stack gasses shall not contain more than thirty-five milligrams (35 mg) per cubic meter of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.
- 3) 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.

Pollutant	Concentration by Volume	Remarks
Sulfur Dioxide (SO ₂)	0.03 parts per million (ppm) (80 micrograms per cubic meter (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning either pipeline grade natural gas or fuel oil. [Note: Fuel oil sulfur content specifications are described under Permit Condition (EU0030 through EU0050)-003.]

Monitoring/Recordkeeping:

- 1) The permittee shall maintain an accurate record of the sulfur content of fuel used. [Note: Further monitoring and recordkeeping requirements are described under Permit Condition (EU0030 through EU0050)-003.]
- 2) All records shall be maintained for five years.

- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the permittee determined that the emission unit(s) exceeded the emission limitation(s).
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semiannually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

PERMIT CONDITION (EU0030 through EU0050)-003
10 CSR 10-6.270 Acid Rain Source Permits Required

NOTE: This permit condition includes the requirements needed to maintain compliance with the "New Units Exemption" under 40 CFR Part 72.7.

Operational Limitations:

- 1) Diesel Engines #3, #4 and #5 (EU0030 through EU0050) shall be limited to burning pipeline grade natural gas and fuel oil with an annual average sulfur content of 0.05 percent or less by weight. [§72.7(a)(3)]
- 2) Diesel Engines #3, #4 and #5 (EU0030 through EU0050) shall be exempt from the Acid Rain Program, except for the provisions of §§72.2 through 72.7, and §§72.10 through 72.13. [§72.7(b)(1)]

Monitoring:

- 1) Compliance with the requirement that fuel burned during the year have an annual average sulfur content of 0.05 percent by weight or less shall be determined as follows using a method of determining sulfur content that provides information with reasonable precision, reliability, accessibility, and timeliness: [§72.7(d)]
 - a) For gaseous fuel burned during the year, if natural gas is the only gaseous fuel burned, the sulfur requirement is assumed to be met. [§72.7(d)(1)]
 - b) For fuel oil burned during the year, the requirement is met if the annual average sulfur content is equal to or less than 0.05 percent by weight. The annual average sulfur content, as a percentage by weight, shall be calculated using the equation: [§72.7(d)(3)]

$$\%S_{\text{annual}} = \frac{\sum_{n=1}^{\text{last}} \%SM_n}{\sum_{n=1}^{\text{last}} M_n}$$

where:

$\%S_{\text{annual}}$ = annual average sulfur content of the fuel burned during the year by the unit, as a percentage by weight;

$\%S_n$ = sulfur content of the nth sample of the fuel delivered during the year to the installation, as a percentage by weight;

M_n = mass of the nongaseous fuel in a delivery during the year to the installation of which the nth sample is taken, in lb;

n = each sample taken of the fuel delivered during the year to the unit, taken at least once for each delivery to the installation.

- 2) *Special Provisions.* The permittee, and to the extent applicable, the designated representative of the units shall: [§72.7(f)(1)]
 - a) Comply with the requirements of burning natural gas and/or fuel oil with an annual average sulfur content of 0.05 percent or less by weight for all periods for which the units are exempt; and [§72.7(f)(1)(i)]
 - b) Comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect. [§72.7(f)(1)(ii)]
- 3) *Loss of exemption.* On the earliest of the following dates, a unit shall lose its exemption and shall be treated as an affected unit under the Acid Rain Program: [§72.7(f)(4)(i)]
 - a) The date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MW; [§72.7(f)(4)(i)(A)]
 - b) The date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or [§72.7(f)(4)(i)(B)]
 - c) January 1 of the year following the year in which the unit burns a gaseous fuel other than natural gas or the annual average sulfur content for fuel oil burned at the unit exceeds 0.05 percent by weight. [§72.7(f)(4)(i)(C)]

Recordkeeping:

- 1) For a period of five years from the date the records are created, the permittee shall retain records demonstrating that the requirements of this permit condition are met. The five-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. [§72.7(f)(3)]
 - a) Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable. Such records shall include, for each delivery of fuel to the installation, the type of fuel, the sulfur content, and the sulfur content of each sample taken. [§72.7(f)(3)(i)]
 - b) The permittee shall bear the burden of proof that the requirements of this permit condition are met. [§72.7(f)(3)(ii)]

Reporting:

- 1) The designated representative for a unit that loses its exemption shall submit a complete Acid Rain permit application 60 days after the first date on which the unit is no longer exempt, notwithstanding §72.30(b) and (c). [§72.7(f)(4)(ii)]
- 2) The permittee shall report to the APCP 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 regulation, or any malfunction which causes a deviation from or exceedance of this regulation.

PERMIT CONDITION (EU0030 through EU0050)-004

10 CSR 10-6.390 Control of NOx Emissions from Large Stationary Internal Combustion Engines

Recordkeeping:

- 1) The permittee shall maintain records of the following information for each day of the control period that Diesel Engines #3, #4 and #5 (EU0030 through EU0050) are operated:

- a) The identification number of each unit and the name and address of the plant where the unit is located for each unit subject to the requirements of this rule;
 - b) The calendar date of record;
 - c) The number of hours the unit is operated during each day including start-ups, shutdowns, malfunctions, and the type and duration of maintenance and repair;
 - d) The date and results of each emissions inspection;
 - e) A summary of any emissions corrective maintenance taken;
 - f) The results of all compliance tests.
- 2) The permittee shall maintain all records necessary to demonstrate compliance with this rule for a period of five years at the plant at which the subject unit is located. The records shall be made available to the director upon request.

Reporting:

- 1) The permittee shall comply with the following requirements:
 - a) The permittee shall submit an annual report documenting for each controlled unit the total NO_x emissions from May 1 through September 30 of each year to the director by November 1 of that year, beginning in 2007.
- 2) Reports of any deviations from recordkeeping and reporting requirements of this permit condition shall be submitted semiannually, in the semi-annual monitoring report and annual compliance certification, 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) 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 10-6.050 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(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(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(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 to satisfy the requirements of the Federal Clean Air Act, Title V.
- 3) The fees shall be due June 1 each year for emissions produced during the previous calendar year. The fees shall be payable to the Department of Natural Resources and shall be accompanied by the 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 Municipal Utilities Generating Plant 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.

**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 recordkeeping 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, SNAP. *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"; 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(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(6)(C)1.C General Recordkeeping 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) October 1st for monitoring which covers the January through June time period, and
 - ii) April 1st for monitoring which covers the July through December time period.
 - iii) Exception. Monitoring requirements which require reporting more frequently than semi 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, recordkeeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
- 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.A 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 semiannual 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(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(6)(C)1.F Severability Clause

In the event of a successful challenge to any part of this permit, all uncontested permit conditions shall continue to be in force. All terms and conditions of this permit remain in effect pending any administrative or judicial challenge to any portion of the permit. If any provision of this permit is invalidated, the permittee shall comply with all other provisions of the permit.

10 CSR 10-6.065(6)(C)1.G 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 pursuant to 10 CSR 10-6.065(6)(C)1.

10 CSR 10-6.065(6)(C)1.H Incentive Programs Not Requiring Permit Revisions

No permit revision will be required for any installation changes made under any approved economic incentive, marketable permit, emissions trading, or other similar programs or processes provided for in this permit.

10 CSR 10-6.065(6)(C)1.I Reasonably Anticipated Operating Scenarios

None.

10 CSR 10-6.065(6)(C)3 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 April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions 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(6)(C)6 Permit Shield

- 1) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
 - a) The application requirements are included and specifically identified in this permit, or
 - b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.
- 2) Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
 - a) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders,
 - b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
 - c) The applicable requirements of the acid rain program,
 - d) The authority of the Environmental Protection Agency (EPA) and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
 - e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.

10 CSR 10-6.065(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(6)(C)8 Operational Flexibility

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify 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, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
 - a) Before making a change under this provision, The permittee shall provide advance written notice 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, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
 - b) The permit shield shall not apply to these changes.

10 CSR 10-6.065(6)(C)9 Off-Permit Changes

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. 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 subject to any requirements under Title IV of the Act or is a Title I modification;
 - 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 notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. 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.

- 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; and
- d) The permit shield shall not apply to these changes.

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

The application utilized in the preparation of this permit was signed by Mr. Thomas J Lawson, City Manager. On November 21, 2003, the Air Pollution Control Program was informed that Mr. Doug Bagby, City Manager, is now the responsible official. 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(6)(E)6 Reopening-Permit for Cause

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
- 2) 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,
- 3) 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,
- 4) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements), become applicable to that source, provided that, upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit; or;
- 5) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

10 CSR 10-6.065(6)(E)1.C Statement of Basis

This permit is accompanied by a statement setting forth the legal and factual basis for the draft 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 A
 Monthly CO Emission Tracking Record

Poplar Bluff Municipal Utilities Generating Plant
 Butler County, S24, T2, R6
 Project Number: 2001-07-052
 Installation ID No. 023-0050
 Permit Number:

This sheet covers the period from _____ to _____.
 (month, year) (month, year)

	Mode of Operation	Amount of Fuel Combusted	Emission Factor (Note 1)	Emission Factors Units	Emissions (tons/yr) (Note 2)
Internal Combustion Engines (EU0030, EU0040, EU0050)	Dual Fuel (99% natural gas and 1% diesel)			lb/mmft ³	
Internal Combustion Engines (EU0030, EU0040, EU0050)	Diesel			lb/kgal	
Total CO Emissions for this Month (Note 3)					
12-Month CO Emissions Total from Previous Month's Worksheet (Note 4)					
Monthly CO Emissions Total from Previous Years Worksheet (Note 5)					
Current 12-Month Total CO Emission (Note 6)					

Note 1: Emission factor from the manufacturer should be used until emission factors are developed from stack testing.

Note 2: Emission = {(Amount of Fuel Combusted) X (Emission Factor)}/2000

Note 3: Sum of CO emissions reported for both fuel modes of operation.

Note 4: Running 12-month total of CO emissions from previous month's worksheet.

Note 5: CO reported for this month in the last calendar year.

Note 6: Amount reported for Note 4 minus amount reported for Note 5 plus amount reported for Note 3, not to exceed 100.0 tons for any consecutive 12-month period.

ATTACHMENT B
 Monthly NOx Emission Tracking Record

Poplar Bluff Municipal Utilities Generating Plant
 Butler County, S24, T2, R6
 Project Number: 2001-07-052
 Installation ID No. 023-0050
 Permit Number:

This sheet covers the period from _____ to _____.
 (month, year) (month, year)

	Mode of Operation	Amount of Fuel Combusted	Emission Factor (Note 1)	Emission Factors Units	Emissions (tons/yr) (Note 2)
Internal Combustion Engines (EU0030, EU0040, EU0050)	Dual Fuel (99% natural gas and 1% diesel)			lb/mmft ³	
Internal Combustion Engines (EU0030, EU0040, EU0050)	Diesel			lb/kgal	
Total NOx Emissions for this Month (Note 3)					
12-Month NOx Emissions Total from Previous Month's Worksheet (Note 4)					
Monthly NOx Emissions Total from Previous Years Worksheet (Note 5)					
Current 12-Month Total NOx Emission (Note 6)					

Note 1: Emission factor from the manufacturer should be used until emission factors are developed from stack testing.

Note 2: Emission = {(Amount of Fuel Combusted) X (Emission Factor)}/2000

Note 3: Sum of NOx emissions reported for both fuel modes of operation.

Note 4: Running 12-month total of NOx emissions from previous month's worksheet.

Note 5: NOx reported for this month in the last calendar year.

Note 6: Amount reported for Note 4 minus amount reported for Note 5 plus amount reported for Note 3, not to exceed 40.0 tons for any consecutive 12-month period.

STATEMENT OF BASIS

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) Part 70 Operating Permit Application, received March 19, 2003;
- 2) 2005 Emissions Inventory Questionnaire, received March 20, 2006;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 4) U.S. EPA Factor Information Retrieval (FIRE) Data System, Version 6.25.

Historical Notes

The following historical notes explain the differences between the emission units and limitations in this operating permit and the previous operating permit, OP 2000-024:

- 1) Construction Permit #092001-020, issued on September 14, 2001, authorized the installation of Diesel Engines #3, #4 and #5 (EU0030 through EU0050) and Cooling Towers #3, #4 and #5 (EU0060 through EU0080). These emission units and their associated permit conditions are included in the operating permit.
- 2) 10 CSR 10-6.390, *Control of NOx Emissions from Large Stationary Internal Combustion Engines* was promulgated in 2005, after the issuance of OP 2000-024. This rule is applicable to Diesel Engines #3, #4 and #5 (EU0030 through EU0050) and is included in the operating permit.

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.

- 1) 10 CSR 10-6.270, *Acid Rain Source Permit Required*, is included in Permit Condition (EU0030 through EU0050)-003 to establish the requirement needed to maintain compliance with the "New Units Exemption" under 40 CFR Part 72.7.
- 2) 10 CSR 10-6.390, *Control of NOx Emissions from Large Stationary Internal Combustion Engines*, was promulgated after the permit application was submitted. The rule is applicable to Diesel Engines #3, #4 and #5 (EU0030 through EU0050) and is included in the operating permit.

Other Air Regulations Determined Not to Apply to the Operating Permit

The Air Pollution Control Program (APCP) has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

- 1) 10 CSR 10-6.100, *Alternate Emission Limits* is not applicable because the installation is in an ozone attainment area.

- 2) 10 CSR 10-3.060, *Maximum Allowable Emissions of PM from Fuel Burning Equipment Used for Indirect Heating* was marked as applicable in the permit application. However, this rule was not applied in the operating permit because it is highly unlikely that the minimal PM emissions from the natural gas-fired space heaters would ever exceed the particulate matter emission limitation.

Construction Permit Revisions

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

- 1) APCP Construction Permit #092001-020 authorized the installation of Diesel Engines #3, #4 and #5 (EU0030 through EU0050) and Cooling Towers #3, #4 and #5 (EU0060 through EU0080).
 - a) This construction permit contains Special Conditions #3 through #8, which relate to compliance testing that was to be performed no later than 180 days after initial start-up. Since this testing has been completed by the permittee, these special conditions are not included in the operating permit.
 - b) This construction permit lists 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminant*, as an applicable rule. This rule does not apply to the Diesel Engines (EU0010 through EU0050) because according to §(1)(A), internal combustion engines operated outside the Kansas City or St. Louis metropolitan areas are exempt. In addition, this rule was not applied to Cooling Towers #3, #4 and #5 (EU0060 through EU0080) because visible emission from these units is primarily water vapor. In the Emissions/Controls Evaluation section of this construction permit, it states that, "the PM₁₀ emissions were calculated to be 107 pounds per year for all three towers."

New Source Performance Standards (NSPS) Applicability

- 1) 40 CFR Part 60 Subpart K, *Standards of Performance for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978* does not apply to the 500,000-gallon diesel storage tank (EP-01) or the two 300-gallon diesel tanks (EP-02) because storage tanks containing diesel are exempt from this rule.
- 2) 40 CFR Part 60 Subpart Ka, *Standards of Performance for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 19, 1978, and Prior to July 23, 1984* does not apply to this installation because there are no storage tanks constructed, reconstructed, or modified after May 19, 1978, and prior to July 23, 1984.
- 3) 40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984* does not apply to the three 480-gallon diesel storage tanks (EP-22) because their capacities are less than 20,000 gallons.
- 4) 40 CFR Part 60 Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* applies to stationary compression ignition internal combustion engines that were manufactured, modified or reconstructed after July 11, 2005. There are no units at this installation at this time that meet these criteria.
- 5) 40 CFR Part 60 Subpart JJJJ, *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*. On June 12, 2006, the US EPA proposed new source standards of performance for stationary spark ignition internal combustion engines.

As proposed, the rule will apply to stationary spark ignition internal combustion engines that were manufactured, modified or reconstructed after June 12, 2006. There are no units at this installation at this time that meet these criteria.

None of the other NSPS standards applies.

Maximum Available Control Technology (MACT) Applicability

None.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

40 CFR Part 63 Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* currently applies to reciprocating internal combustion engines (RICE) at a major source of HAP emissions. On June 12, 2006, the US EPA proposed a revision of this rule to include RICE at area sources. As proposed, Diesel Engines (EU0010 through EU0050) are affected sources; however, the units have no regulatory requirements because they were constructed before June 12, 2006.

None of the other NESHAP standards applies.

Compliance Assurance Monitoring (CAM) Applicability

40 CFR Part 64 is not applicable because none of the pollutant-specific emission units uses a control device to achieve compliance with a relevant standard.

Other Regulatory Determinations

- 1) 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*, applies to the Diesel Engines (EU0010 through EU0050). The calculations below demonstrate that these units will be in compliance with this rule.

General Equation

$$\text{ppmv SO}_2 = \text{SO}_2 \text{ Emission Factor (lb/MMBtu)} \div \text{F factor (wscf/MMBtu)} \div \text{Conversion Factor (lb/scf)} \times \text{Conversion Factor (ppmv/ppmw)}$$

Where:

- All of the sulfur in the fuel is converted to SO₂ emissions.
- For generators > 600 hp: SO₂ emission factor is 1.01S lb/MMBtu. [EPA AP-42, Table 3.4-1]
- Assume S = 0.5 (worse case scenario)
- The F factor is the ratio of gas volume of products of combustion to the heat content of the fuel. For fuel oil, the F factor is 10,320 wscf/MMBtu. [40 CFR Part 60 Appendix A Method 19 Table 19-2]
- Conversion factor = 1.660E-7 lb/scf per ppm. [40 CFR Part 60 Appendix A Method 19, Table 19-1]
- Conversion factor for ppmw to ppmv = 28.8/MW = 28.8/64 = 0.45 [EPA AP-42, App A]

Calculation

$$\text{ppmv SO}_2 = \frac{1.01(0.5) \text{ lb}}{\text{MMBtu}} \times \frac{\text{MMbtu}}{10,320 \text{ ft}^3} \times \frac{\text{scf}}{1.660\text{E}^{-7} \text{ lb}} \times \frac{0.45 \text{ ppmv}}{\text{ppmw}} = 133 \text{ ppmv SO}_2 < 500 \text{ ppmv}$$

- 2) 10 CSR 10-6.270, *Acid Rain Source Permit Required*
 - a) Diesel Engines #1 and #2 (EU0010 and EU0020)

This rule does not apply to Diesel Engines #1 and #2 (EU0010 and EU0020) because according to §72.6(b)(2), units that commenced commercial operation before November 15, 1990 and did not, as of November 15, 1990, and do not currently, serve as generators with a nameplate capacity of greater than 25 MW are exempt.

- 3) 10 CSR 10-6.350, *Emission Limitations and Emissions Trading of Oxides of Nitrogen* does not apply to the Diesel Engines (EU0010 through EU0050) because according to §(1)(A), this rule only applies to electrical generating units with a nameplate capacity of greater than 25 MW. The electrical generating units at this installation have nameplate capacity of less than 25 MW.
- 4) 10 CSR 10-6.360, *Control of NOx Emissions from Electric Generating Units and Non-Electric Generating Boilers* does not apply to the Diesel Engines (EU0010 through EU0050) because according to §(1)(B)1, this rule only applies to electrical generating units with a nameplate capacity of greater than 25 MW. The electrical generating units at this installation have nameplate capacity of less than 25 MW.
- 5) 10 CSR 10-6.390, *Control of NOx Emissions from Large Stationary Internal Combustion Engines*
 - a) Diesel Engines #1 and #2 (EU0010 and EU0020)

This rule does not apply to Diesel Engines #1 and #2 (EU0010 and EU0020) because according to §(1)(A), units that did not emit more than one (1) ton per day of NOx on average during the period from May 1 through September 30 of 1995, 1996, or 1997 are exempt. The following table demonstrates that Engines #1 and #2 (EU0010 and EU0020) did not emit greater than 1 ton/day on average during the period from May 1 through September 30 of 1995, 1996, and 1997:

EU #	Year	Hours Engine Ran May 1 - Sept 30	MHDR (1000 gal/hr)	NOx Emission Factor (lb/1000 gal)	Total NOx Emission (tons)	# of Days May 1 - Sept 30	Average Daily NOx Emissions (ton/day)
EU0010	1995	131	0.412	604	16.30	153	0.11
EU0010	1996	33.75	0.412	604	4.20	153	0.03
EU0010	1997	46.25	0.412	604	5.75	153	0.04
EU0020	1995	76.5	0.415	604	9.59	153	0.06
EU0020	1996	31.5	0.415	604	3.95	153	0.03
EU0020	1997	49.5	0.415	604	6.20	153	0.04

Notes:

- 1. # of hours engines ran reported by Neil Williams of Municipal Utilities Generating Plant
- 2. MHDR from 2005 EIQ
- 3. NOx emission factor from EPA FIRE database, SCC# 20100102

- b) Diesel Engines #3, #4 and #5 (EU0030 through EU0050)

This rule applies to any large stationary internal combustion engine that is rated at greater than 1,300 horsepower which began operation after September 30, 1997. Therefore, Diesel Engines #3, #4 and #5 (EU0030 through EU0050) are subject to this rule. This rule establishes a NOx emission limitations for Spark Ignition (SI) engines only. Because Diesel Engines #3, #4 and #5 are Compression Ignition (CI) engines, the units are not subject to the NOx emission limitations. However, according to §(4), the recordkeeping and reporting requirements are applicable to "the owner or operator subject to this rule." Therefore, although there are no applicable NOx emissions limitations, the recordkeeping and reporting portion of the rule are applicable.

6) 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Processes*

a) Diesel Engines (EU0010 through EU0050)

This rule does not apply to the Diesel Engines (EU0010 through EU0050) because according to §(2)(A), liquids and gases used solely as fuels are excluded in defining process weight.

b) Cooling Towers (EU0060 through EU0080)

This rule does not apply to the Cooling Towers (EU0060 through EU0080) because according to §(1)(B)7, fugitive emissions are exempt.

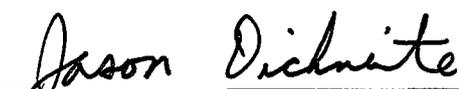
Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis

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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