



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: OP2007-051
Expiration Date: OCT 3 2012
Installation ID: 121-0027
Project Number: 2007-01-001

Installation Name and Address

Veolia ES Maple Hill Landfill, Inc.
31226 Intrepid Road
P.O. Box 389
Macon, MO 63552
Macon County

Parent Company's Name and Address

Veolia Environmental Services
125 South 84th Street, Suite 200
Milwaukee, WI 53214

Installation Description:

Veolia ES Maple Hill Landfill, Inc. operates a municipal solid waste landfill near Macon, MO. The installation first began accepting waste in 1976. The landfill is broken into four (4) areas (phases) and has a total design capacity of 38.2 million cubic meters (m³).

OCT 4 2007

Effective Date

Director or Designee
Department of Natural Resources

for JJK

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Veolia ES Maple Hill Landfill, Inc. operates a municipal solid waste landfill near Macon, MO. The installation first began accepting waste in 1976. The landfill is broken into four areas (phases) and has a total design capacity of 38.2 million cubic meters (m³).

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

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	2.63	—	1.79	4.36	33.55	—	0.86
2005	2.86	—	1.73	4.83	32.40	—	0.94
2004	2.75	0.61	1.43	1.18	27.01	—	0.45
2003	2.71	0.55	1.55	1.52	29.03	—	0.39
2002	1.95	—	—	5.15	0.25	—	0.38

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
EU0010	Landfill
EU0020	Landfill Gas Flare

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.

EQ

Reference #	Description of Emission Unit
EP2	Haul Road
EP3	110,000-Gallon Leachate Tank
EP4	12,000-Gallon Diesel Tank
EP6	1,000-Gallon Used Oil Tank
EP7	600-Gallon Diesel Tank
EP8	275-Gallon Motor Oil Tank
EP9	275-Gallon Hydraulic Oil Tank
EP10	10,000-Gallon Leachate Tank

DOCUMENTS INCORPORATED BY REFERENCE

Currently no documents have been incorporated by reference into this permit.

II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued.

Permit Condition PW001

10 CSR 10-6.080

Emission Standards for Hazardous Air Pollutants

40 CFR Part 61, Subpart M

National Emission Standard for Asbestos - Standard for active waste disposal sites §61.154.

Emission/Operational Limitations:

Each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under §61.149, 61.150, or 61.155 shall meet the requirements of this section: [§61.154]

- 1) Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of §61.154(c) or (d) must be met. [§61.154(a)]
- 2) Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of §61.154(c)(1) of this section must be met. [§61.154(b)]
 - a) Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must: [§61.154(b)(1)]
 - i) Be posted in such a manner and location that a person can easily read the legend; and [§61.154(b)(1)(i)]
 - ii) Conform to the requirements of 51 cm × 36 cm (20inch;×14inch;) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and [§61.154(b)(1)(ii)]
 - iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site.....	2.5 cm (1 inch) Sans Serif, Gothic or Block.
Do Not Create Dust.....	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines. [§61.154(b)(1)(iii)]

- b) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public. [§61.154(b)(2)]
- c) Upon request and supply of appropriate information, the Administrator will determine whether a fence or a natural barrier adequately deters access by the general public. [§61.154(b)(3)]
- 3) Rather than meet the no visible emission requirement of §61.154(a), at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-

containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall: [§61.154(c)]

- a) Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, or [§61.154(c)(1)]
- b) Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Administrator. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent. [§61.154(c)(2)]
- 4) Rather than meet the no visible emission requirement of §61.154(a), use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.154(c)(2). [§61.154(d)]
- 5) Upon closure, comply with all the provisions of §61.151. [§61.154(g)]

Recordkeeping:

- 1) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall: [§61.154(e)]
 - a) Maintain waste shipment records, using a form similar to that shown in Figure 4 of 40 CFR 61, Subpart M (see Attachment B) , and include the following information: [§61.154(e)(1)]
 - i) The name, address, and telephone number of the waste generator. [§61.154(e)(1)(i)]
 - ii) The name, address, and telephone number of the transporter(s). [§61.154(e)(1)(ii)]
 - iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards). [§61.154(e)(1)(iii)]
 - iv) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or Environmental Protection Agency's (EPA) Regional Office responsible for administering the asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional Office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report. [§61.154(e)(1)(iv)]
 - v) The date of the receipt. [§61.154(e)(1)(v)]
 - b) Retain a copy of all records and reports required by §61.154(e) for at least two years. [§61.154(e)(4)]
- 2) Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area. [§61.154(f)]

Reporting:

- 1) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall send a copy of the signed waste shipment record to the waste generator as soon as possible and no longer than 30 days after receipt of the waste. [§61.154(e)(2)]
- 2) Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities. [§61.154(h)]
- 3) Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section. [§61.154(i)]

- 4) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least ten working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice: [§61.154(j)]
- a) Scheduled starting and completion dates. [§61.154(j)(1)]
 - b) Reason for disturbing the waste. [§61.154(j)(2)]
 - c) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used. [§61.154(j)(3)]
 - d) Location of any temporary storage site and the final disposal site. [§61.154(j)(4)]

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 – Landfill			
Emission Unit	Description	Manufacturer/ Model #	2005 EIQ Reference #
EU0010	Municipal solid waste landfill	N/A	EP1

Permit Condition EU0010-001
<p>10 CSR 10-6.070 New Source Performance Regulations 40 CFR Part 60 Subpart WWW Standards of Performance for Municipal Solid Waste Landfills</p>

Emission Limitation:

40 CFR 60.752 - Standards for air emissions from municipal solid waste landfills:

The permittee, as the designated owner or operator of a Municipal Solid Waste (MSW) landfill having a design capacity equal to or greater than 2.5 million Megagrams (Mg) or 25 million cubic meters, shall either comply with §60.752(b)(2) of Subpart WWW (i.e. installation of a collection and control system) or calculate an NMOC emission rate for the landfill using the procedures specified §60.754 of Subpart WWW (Test Methods and Procedures). The Non-Methane Organic Compound (NMOC) emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii) of Subpart WWW. [§60.752(b)]

Monitoring:

The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii) of Subpart WWW. [§60.752(b)]

- 1) If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator shall: [§60.752(b)(1)]
 - a) Submit an annual emission report to the Administrator, except as provided for in §60.757(b)(1)(ii); and [§60.752(b)(1)(i)]
 - b) Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed. [§60.752(b)(1)(ii)]
 - i) If the NMOC emission rate, upon recalculation required in §60.752(b)(1)(ii) of this subpart, is equal to or greater than 50 megagrams per year, the owner or operator shall install a collection and control system in compliance with §60.752(b)(2). [§60.752(b)(1)(ii)(A)]
- 2) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall: [§60.752(b)(2)]
 - a) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within one year: [§60.752(b)(2)(i)]
 - i) The collection and control system as described in the plan shall meet the design requirements of §60.757(b)(2)(ii). [§60.752(b)(2)(i)(A)]

- ii) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of §§60.753 through 60.758 proposed by the owner or operator. [§60.752(b)(2)(i)(B)]
 - iii) The collection and control system design plan shall either conform with specifications for active collection systems in §60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to §60.759. [§60.752(b)(2)(i)(C)]
 - iv) The Administrator shall review the information submitted under §60.752(b)(2)(i) (A), (B) and (C) and either approve it, disapprove it, or request that additional information be submitted. Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems. [§60.752(b)(2)(i)(D)]
- b) Install a collection and control system that captures the gas generated within the landfill as required by §60.752(b)(2)(ii)(A) or §60.752(b)(2)(ii)(B) and §60.752(b)(2)(iii) within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in §60.757(c)(1) or (2). [§60.752(b)(2)(ii)]
- i) An active collection system shall: [§60.752(b)(2)(ii)(A)]
 - (1) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment; [§60.752(b)(2)(ii)(A)(1)]
 - (2) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of: [§60.752(b)(2)(ii)(A)(2)]
 - (a) five years or more if active; or [§60.752(b)(2)(ii)(A)(2)(i)]
 - (b) two years or more if closed or at final grade. [§60.752(b)(2)(ii)(A)(2)(ii)]
 - (3) Collect gas at a sufficient extraction rate; [§60.752(b)(2)(ii)(A)(3)]
 - (4) Be designed to minimize off-site migration of subsurface gas. [§60.752(b)(2)(ii)(A)(4)]
 - ii) A passive collection system shall: [§60.752(b)(2)(ii)(B)]
 - (1) Comply with the provisions specified in §60.752(b)(2)(ii)(A)(1), §60.752(b)(ii)(A)(2), and §60.752(b)(ii)(A)(A)(4). [§60.752(b)(2)(ii)(B)(1)]
 - (2) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under §258.40. [§60.752(b)(2)(ii)(B)(2)]
- c) Route all the collected gas to a control system that complies with the requirements in either §60.752(b)(2)(iii)(A), §60.752(b)(2)(iii)(B) or §60.752(b)(2)(iii)(C). [§60.752(b)(2)(iii)]
- i) An open flare designed and operated in accordance with §60.18; [§60.752(b)(2)(iii)(A)]
 - ii) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at three percent oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in §60.754(d). [§60.752(b)(2)(iii)(B)]
 - (1) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone. [§60.752(b)(2)(iii)(B)(1)]

- (2) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §60.756; [§60.752(b)(2)(iii)(B)(2)]
- iii) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of §60.752(b)(2)(iii)(A) or §60.752(b)(2)(iii)(B). [§60.752(b)(2)(iii)(C)]
- d) Operate the collection and control device installed to comply with this subpart in accordance with the provisions of §§60.753, 60.755 and 60.756. [§60.752(b)(2)(iv)]
- e) The collection and control system may be capped or removed provided that all the conditions of §60.752(b)(2)(v)(A), (B), and (C) are met: [§60.752(b)(2)(v)]
- i) The landfill shall be a closed landfill as defined in §60.751 of this subpart. A closure report shall be submitted to the Administrator as provided in §60.757(d); [§60.752(b)(2)(v)(A)]
- ii) The collection and control system shall have been in operation a minimum of 15 years; and [§60.752(b)(2)(v)(B)]
- iii) Following the procedures specified in §60.754(b) of this subpart, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart. [§60.752(b)(2)(v)(C)]

Recordkeeping:

Except as provided in §60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of §60.752(b) shall keep for at least five years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats are acceptable. [§60.758(a)]

Reporting:

Except as provided in §60.752(b)(2)(i)(B),

- 1) Each owner or operator subject to the requirements of this subpart shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in §60.757(b)(1)(ii) or §60.757(b)(3). The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate. [§60.757(b)]
- a) The NMOC emission rate report shall contain an annual or five-year estimate of the NMOC emission rate calculated using the formula and procedures provided in §60.754(a) or §60.754(b), as applicable. [§60.757(b)(1)]
- i) The initial NMOC emission rate report may be combined with the initial design capacity report required in §60.757(a) and shall be submitted no later than indicated in §60.757(b)(1)(i)(A) and §60.757(b)(1)(i)(B). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in §60.757(b)(1)(ii) and §60.757(b)(3). [§60.757(b)(1)(i)]
- ii) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 megagrams per year in each of the next five consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next five-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the five years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Administrator. This estimate shall be revised at least once every five years. If the actual waste acceptance rate exceeds the estimated waste

acceptance rate in any year reported in the five-year estimate, a revised five-year estimate shall be submitted to the Administrator. The revised estimate shall cover the five-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. [§60.757(b)(1)(ii)]

- b) The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or five-year emissions. [§60.757(b)(2)]
 - c) Each owner or operator subject to the requirements of this subpart is exempted from the requirements §60.757(b)(1) and §60.757(b)(2), after the installation of a collection and control system in compliance with §60.752(b)(2), during such time as the collection and control system is in operation and in compliance with §§60.753 and 60.755. [§60.757(b)(3)]
- 2) Each owner or operator subject to the provisions of §60.752(b)(2)(i) shall submit a collection and control system design plan to the Administrator within one year of the first report required under §60.757(b) in which the emission rate equals or exceeds 50 megagrams per year, except as follows: [§60.757(c)]
- a) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in §60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year. [§60.757(c)(1)]
 - b) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in §60.754(a)(4), and the resulting NMOC emission rate is less than 50 megagrams per year, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of §60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year. [§60.757(c)(2)]

EU0020 – Landfill Gas Flare

Emission Unit	Description	Manufacturer/ Model #	2005 EIQ Reference #
EU0020	Landfill Gas Flare	Not Available	Not Available

Permit Condition EU0020-001

10 CSR 10-6.220

Restriction of Emission of Visible Air Contaminants

Emission Limitation:

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

Monitoring:

The permittee shall conduct visible emission observations on this emission unit using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed, then no further observations are required. If a violation of this regulation is discovered, the source representative would indicate the cause of the abnormal emissions and any corrective action(s) taken. The source representative will also indicate the total duration of any visible emission incident as part of the log described below.

- 1) The following monitoring schedule must be maintained:
 - a) Monthly observations shall be conducted for a minimum of eight consecutive months after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two months for a period of eight months. If a violation is noted, monitoring reverts to monthly. Should no violation of this regulation be observed during this period then-
 - c) Observations must be made semi-annually (i.e., once per reporting period). Observation shall be conducted during the January-June reporting period and during the July-December reporting period. If a violation is noted, monitoring reverts to monthly.
- 2) If the source reverts to monthly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (see Attachment A-1 or A-2), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission unit, and
 - b) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions.
- 3) Attachments A-1 and A-2 contain logs including these recordkeeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Missouri Department of Natural Resources' Air Pollution Control Program (APCP) Enforcement Section, P.O. Box 176, Jefferson City, MO 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) 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 one 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 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 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 Veolia ES Maple Hill Landfill, Inc. from the provisions of any other law, ordinance or regulation.
- 5) The permittee shall maintain files with letters from the director approving the open burning operation and previous Department of Natural Resources inspection reports.

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 APCP. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the APCP. 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 MVACs. 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 promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR part 82*

10 CSR 10-6.280 Compliance Monitoring Usage

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
- a) Monitoring methods outlined in 40 CFR Part 64;
 - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, “*Operating Permits*,” and incorporated into an operating permit; and
 - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
- a) Monitoring methods outlined in 40 CFR Part 64;
 - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, “*Operating Permits*,” and incorporated into an operating permit; and
 - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
- a) Applicable monitoring or testing methods, cited in:
 - i) 10 CSR 10-6.030, “*Sampling Methods for Air Pollution Sources*”;
 - ii) 10 CSR 10-6.040, “*Reference Methods*”;
 - iii) 10 CSR 10-6.070, “*New Source Performance Standards*”;
 - iv) 10 CSR 10-6.080, “*Emission Standards for Hazardous Air Pollutants*”;
 - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

V. General Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued,

10 CSR 10-6.065(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 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) June 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 APCP, upon receipt of a written request and within a reasonable time, any information that the APCP 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 APCP 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 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 APCP):
 - 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 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 APCP 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 EPA and the ACP of the 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 ACP 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 APCP, 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 APCP 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. Henry P. Karius, Assistant Treasurer. On May 22, 2007, the APCP was informed that Mr. Henry P. Karius is no longer the responsible official and Mr. Roger Smith, General 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 APCP 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 Department of Natural Resources receives notice from the 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) Department of Natural Resources 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) 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(6)(E)1.C *Statement of Basis*

This permit is accompanied by a statement setting forth the legal and factual basis for the permit conditions (including references to applicable statutory or regulatory provisions). This Statement of Basis, while referenced by the permit, is not an actual part of the permit.

VI. Attachments

Attachments follow.

Attachment B

40 CFR Part 61, Subpart M – Waste Shipment Record

Generator	1. Work site name and mailing address		Owner's name	Owner's telephone no.
	2. Operator's name and address			Operator's telephone no.
	3. Waste disposal site (WDS) name, mailing address, and physical site location			WDS phone no.
	4. Name, and address of responsible agency			
	5. Description of materials		6. Containers No. Type	7. Total quantity m ³ (yd ³)
	8. Special handling instructions and additional information			
	9. OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.			
	Printed/typed name & title		Signature	Month Day Year
Transporter	10. Transporter 1 (Acknowledgment of receipt of materials)			
	Printed/typed name & title		Signature	Month Day Year
	Address and telephone no.			
	11. Transporter 2 (Acknowledgment of receipt of materials)			
Printed/typed name & title		Signature	Month Day Year	
Address and telephone no.				
Disposal Site	12. Discrepancy indication space			
	13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item 12.			
Printed/typed name & title		Signature	Month Day Year	

(Continued)

INSTRUCTIONS

Waste Generator Section (Items 1-9)

1. Enter the name of the facility at which asbestos waste is generated and the address where the facility is located. In the appropriate spaces, also enter the name of the owner of the facility and the owner's phone number.
2. If a demolition or renovation, enter the name and address of the company and authorized agent responsible for performing the asbestos removal. In the appropriate spaces, also enter the phone number of the operator.
3. Enter the name, address, and physical site location of the waste disposal site (WDS) that will be receiving the asbestos materials. In the appropriate spaces, also enter the phone number of the WDS. Enter "on-site" if the waste will be disposed of on the generator's property.
4. Provide the name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.
5. Indicate the types of asbestos waste materials generated. If from a demolition or renovation, indicate the amount of asbestos that is
 - Friable asbestos material
 - Nonfriable asbestos material
6. Enter the number of containers used to transport the asbestos materials listed in item 5. Also enter one of the following container codes used in transporting each type of asbestos material (specify any other type of container used if not listed below):
 - DM - Metal drums, barrels
 - DP - Plastic drums, barrels
 - BA - 6 mil plastic bags or wrapping
7. Enter the quantities of each type of asbestos material removed in units of cubic meters (cubic yards).
8. Use this space to indicate special transportation, treatment, storage or disposal or Bill of Lading information. If an alternate waste disposal site is designated, note it here. Emergency response telephone numbers or similar information may be included here.
9. The authorized agent of the waste generator must read and then sign and date this certification. The date is the date of receipt by transporter.

NOTE: The waste generator must retain a copy of this form.

(continued)

Transporter Section (Items 10 & 11)

10. & 11. Enter name, address, and telephone number of each transporter used, if applicable. Print or type the full name and title of person accepting responsibility and acknowledging receipt of materials as listed on this waste shipment record for transport. Enter date of receipt and signature.

NOTE: The transporter must retain a copy of this form.

Disposal Site Section (Items 12 & 13)

12. The authorized representative of the WDS must note in this space any discrepancy between waste described on this manifest and waste actually received as well as any improperly enclosed or contained waste. Any rejected materials should be listed and destination of those materials provided. A site that converts asbestos-containing waste material to nonasbestos material is considered a WDS.

13. The signature (by hand) of the authorized WDS agent indicates acceptance and agreement with statements on this manifest except as noted in item 12. The date is the date of signature and receipt of shipment.

NOTE: The WDS must retain a completed copy of this form. The WDS must also send a completed copy to the operator listed in item 2.

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 January 2, 2007;
- 2) Initial P70 Operating Permit OP2002-044, issued July 2, 2002;
- 3) 2005 Emissions Inventory Questionnaire, received April 05, 2006;
- 4) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 5) Construction Permit No. 072000-003.

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.

None.

Other Air Regulations Determined Not to Apply to the Operating Permit

The APCP has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

10 CSR 10-6.070, 40 CFR Part 60 Subpart Cc, *Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills*

Based on 40 CFR 60.32c, this regulation applies to each existing MSW landfill for which construction, reconstruction, or modification was commenced before May 30, 1991. Since modification has occurred after May 30, 1991, at this facility, this rule is not applicable.

10 CSR 10-6.310, *Restriction of Emissions from Municipal Solid Waste Landfills*

This rule applies to each MSW landfill for which construction, reconstruction or modification was commenced before May 30, 1991, and has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition. Landfills for which construction, reconstruction or modification was commenced on May 30, 1991, or after, are covered under the EPA's New Source Performance Standard for Municipal Solid Waste Landfills.

Since modification was commenced at the installation after May 30, 1991, this rule is not applicable to this installation.

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

This rule applies to the landfill's flare. However, as the landfill gas contains 50% methane and 50% carbon dioxide, sulfur compound emissions from the combustion of the landfill gas will always be expected to be lower than the allowable limit of this rule. Therefore, this regulation is not included in this operating permit.

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*

This regulation defines process weight to “exclude liquids and gases used solely as fuels and air introduced for purposes of combustion” under 10 CSR 10-6.400(2)(A). For the flare at this installation, the throughputs only consist of landfill gas. Therefore, there are no applicable throughputs for the flare and the other emission sources at this installation have no or insignificant particulate emissions. Therefore, no emission sources at this installation are considered to be subject to this regulation and this regulation is not included in the operating permit.

Construction Permit Revisions

There are no revisions to construction permits for this installation at the time of this permit.

New Source Performance Standards (NSPS) Applicability

40 CFR Part 60, Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction, or Modification Commenced after July 23, 1994*

The following tanks are located at the installation:

- One 110,000-Gallon Leachate Tank
- One 12,000-Gallon Diesel Tank
- One 10,000-Gallon Diesel Tank – is currently on site but is empty and scheduled to be relocated to another facility in the very near future.
- One 1,000-Gallon Used Oil Tank
- One 600-Gallon Diesel Tank
- One 275-Gallon Motor Oil Tank
- One 275-Gallon Hydraulic Oil Tank
- One 10,000-Gallon Leachate Tank

Per 40 CFR 60.110b(a), the affected facility is each storage vessel with a capacity greater than or equal to 75 m³ (i.e., 19,812 gallons) used to store volatile organic liquids for which construction, reconstruction, or modification is commenced after July 23, 1984. Hence, this rule does not apply to the facility tanks since their capacity is less than 75 m³ (except for the 110,000-gallon leachate tank).

40 CFR 60.110b(b) states that this subpart does not apply to storage vessels with a capacity greater than or equal to 151 m³ (i.e., 39,888 gallons) storing a liquid with a maximum true vapor pressure of less than 3.5 kilopascals. The landfill leachate consists essentially of water with less than 1% organics. The minor amount of Volatile Organic Compounds (VOC) constituents in the leachate are not expected to have an equilibrium partial pressure of greater than or equal to 3.5 kPa. Hence, 40 CFR 60, Subpart Kb is not applicable to the large leachate storage tank.

40 CFR Part 60, Subpart WWW, *Standards of Performance for Municipal Solid Waste Landfills*

The provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. The installation is subject to 40 CFR Part 60, Subpart WWW as it was modified and accepted waste on or after May 30, 1991.

Based on the “Uncontrolled NMOC Emission Rate Calculations” submitted by the permittee (see Appendix), the current and year 2011 NMOC emissions are below 50 megagrams (Mg) per year. Hence, the requirements for gas collection and control system of NSPS, Subpart WWW do not apply to this installation yet. The installation will continue to recalculate the NMOC emission rate annually and submit the NMOC rate calculations once every five years to the ACP until such time

the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

The installation has voluntarily installed a gas collection and control (flare) system to manage gas generation and migration. Currently the flare is subject to 10 CSR 10-6.220 opacity limit of 20%. When and if the landfill exceeds the 50 Mg NMOC limit, the flare will be subject to 40 CFR 60.18 zero visible emissions limit.

Maximum Available Control Technology (MACT) Applicability

40 CFR Part 63, Subpart AAAA, *National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills*

Per 40 CFR 63.1935, this rule applies to a MSW landfill that has accepted waste since November 8, 1987, or has additional capacity for waste deposition and meets any one of the following three criteria:

- MSW landfill is a major source of hazardous air pollutants (HAPs)
- MSW landfill is co-located with a major source of HAPs
- MSW Landfill is an area source landfill that has design capacity greater than or equal to 2.5 million Mg and 2.5 million cubic meters, and has estimated uncontrolled emissions equal to or greater than 50 Mg per year NMOC as calculated according to 40 CFR 60.754(a).

The installation is not a major source of HAPs nor is it co-located with a major source of HAPs. Actual HAP emissions reported for the 2005 EIQ was 0.94 tons. Landfill design capacity exceeds 2.5 million Mg, but the estimated uncontrolled emissions of NMOC are less than 50 Mg per year as calculated per 40 CFR 60.754(a). (See "Uncontrolled NMOC Emission Rate Calculations"). Hence, this rule does not apply to this facility.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

40 CFR Part 61 Subpart M, *National Emission Standard for Asbestos*

This installation is subject to 40 CFR 61 Subpart M, *National Emission Standards for Asbestos*.

Compliance Assurance Monitoring (CAM) Applicability

40 CFR Part 64, *Compliance Assurance Monitoring (CAM)*

The CAM rule applies to each pollutant specific emission unit that:

- 1) Is subject to an emission limitation or standard, and
- 2) Uses a control device to achieve compliance, and
- 3) Has pre-control emissions that exceed or are equivalent to the major source threshold.

Units that are subject to 111 or 112 standards promulgated after November 15, 1990, are excluded from CAM. Since the landfill is subject to 40 CFR Part 60, Subpart WWW, the installation is not subject to CAM.

Other Regulatory Determinations

Haul Road Fugitive Emissions:

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

The regulation applies to fugitive particulate emissions, with the intent of restricting and preventing fugitive emissions from traveling off property. The installation is required to meet the conditions stated in the core permit requirements. Fugitive emissions from haul roads would be regulated under this regulation.

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 APCP'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 APCP a schedule for achieving compliance for that regulation(s).

Prepared by:

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Appendix

UNCONTROLLED NMOC EMISSION RATE CALCULATIONS

Based on the site-specific sampling of the landfill gas on June 1, 2003, the average NMOC concentration was determined to be 378 ppmv as hexane.

40 CFR 63.1935 requires that the uncontrolled NMOC emissions be calculated in accordance with 40 CFR 60.754(a). The following equation from 40 CFR 60.754(a)(ii) was utilized for the calculations:

$$N_{\text{NMOC}} = 2L_0R (e^{-kc} - e^{-kt})(C_{\text{NMOC}})(3.6 \times 10^{-9})$$

Where M_{NMOC}	=	Mass emission rate of NMOC, megagrams per year
L_0	=	Methane generation potential, cubic meters per megagram solid waste = 170 cubic meters per megagram
R	=	Average annual acceptance rate, megagrams per year
k	=	Methane generation rate constant, year ⁻¹ = 0.05 per year
c	=	Time since closure, years (for active landfill, c = 0 and e ^{-kc} = 1)
t	=	Age of landfill, years
C_{NMOC}	=	Concentration of NMOC, parts per million by volume as hexane = 378 ppmv
3.6×10^{-9}	=	Conversion factor

The value of R was calculated as follows for each phase:

Amount deposited in Phase I	=	22,641 m ³ for 3 years (i.e., 1976 to 1979)
R for Phase I	=	22,641 m ³ /3 yr x 1.30791 cy/m ³ x 1,200 lb/cy x 1 ton/2,000 lbs x 0.90718 Mg/ton
	=	5,373 Mg/yr
Amount deposited in Phase II	=	88,243 m ³ for 7 years (i.e., 1980 to 1986)
R for Phase II	=	88,243 m ³ /7 yr x 1.30791 cy/m ³ x 1,200 lb/cy x 1 ton/2,000 lbs x 0.90718 Mg/ton
	=	8,974 Mg/yr
Amount deposited in Phase III	=	1,083,842 m ³ for 16 years (i.e., 1987 to 2002)
R for Phase III	=	1,083,842 m ³ /16 yr x 1.30791 cy/m ³ x 1,200 lb/cy x 1 ton/2,000 lbs x 0.90718 Mg/ton
	=	48,225 Mg/yr

UNCONTROLLED NMOC EMISSION RATE CALCULATIONS (continued)

Amount deposited in Phase IV = 1,106,300 cy (includes non-degradable waste and daily cover)
 (January 2002 to December 2006)
 R for Phase IV = 1,106,300 cy x 1,200 lb/cy x 1 ton/2,000 lbs x 0.90718 Mg/ton
 = 5 years
 = 120,434 Mg/yr

PHASE I

Year	R, Mg/yr	c, years	t, years	NMOC emissions using equation in 40 CFR 60.754(a)(ii), Mg/year
2006	5,373	27	30	0.09
2007	5,373	28	31	0.09
2008	5,373	29	32	0.08
2009	5,373	30	33	0.08
2010	5,373	31	34	0.07
2011	5,373	32	35	0.07

PHASE II

Year	R, Mg/yr	c, years	t, years	NMOC emissions using equation in 40 CFR 60.754(a)(ii), Mg/year
2006	8,974	20	27	0.45
2007	8,974	21	28	0.43
2008	8,974	22	29	0.41
2009	8,974	23	30	0.39
2010	8,974	24	31	0.37
2011	8,974	25	32	0.35

PHASE III

Year	R, Mg/yr	c, years	t, years	NMOC emissions using equation in 40 CFR 60.754(a)(ii), Mg/year
2006	48,225	4	20	10.06
2007	48,225	5	21	9.57
2008	48,225	6	22	9.10
2009	48,225	7	23	8.66
2010	48,225	8	24	8.24
2011	48,225	9	25	7.83

PHASE IV

Year	R, Mg/yr	c, years	t, years	NMOC emissions using equation in 40 CFR 60.754(a)(ii), Mg/year
2006	120,434	0	4	10.10
2007	120,434	0	5	12.32
2008	120,434	0	6	14.44
2009	120,434	0	7	16.46
2010	120,434	0	8	18.37
2011	120,434	0	9	20.19

SUMMARY OF UNCONTROLLED NMOC EMISSIONS – MAPLE HILL LANDFILL

	Year 2006	Year 2011
Phase I	0.09 Mg/yr	0.07 Mg/yr
Phase II	0.45 Mg/yr	0.35 Mg/yr
Phase III	10.06 Mg/yr	7.83 Mg/yr
Phase IV	10.10 Mg/yr	20.19 Mg/yr
Total	<u>20.70 Mg/yr</u>	<u>28.44 Mg/yr</u>