

Missouri Department of Natural Resources
Air Pollution Control Program

INTERMEDIATE STATE PERMIT TO OPERATE

Under the authority of RSMo 643 and the Federal Clean Air Act the applicant is authorized to operate the air contaminant source(s) described below, in accordance with the laws, rules, and conditions set forth here in.

Intermediate Operating Permit Number: OP2008-036
Expiration Date: AUG 10 2013
Installation ID: 219-0028
Project Number: 2007-05-009

Installation Name and Address

Warrenton Copper LLC
1710 Daniel Boone Industrial Park
Warrenton, MO 63383
Warren County

Parent Company's Name and Address

Warrenton Holding Company
9100 Henri Bourassa E.
Montreal, Quebec, Canada

Installation Description:

Warrenton Copper LLC operates a secondary copper refinery in Warrenton, Missouri.

AUG 11 2008

Effective Date

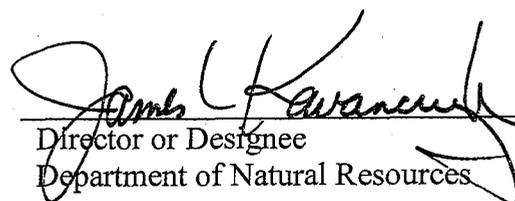

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Warrenton Copper LLC operates a secondary copper refinery in Warrenton, Missouri. Miscellaneous copper wastes are rendered to a molten state in one of the two reverbatory furnaces, poured into ingot molds and resold for reprocessing into copper wiring and other copper products. Fabric filters (baghouse) are used to control particulate emissions from the furnaces. Both furnaces are fueled by natural gas. As part of this process, the installation operates a shredding/chopping line for the purpose of processing mixed copper scrap to recover copper and aluminum units. The shredding/chopping line basically consists of three (3) operations, which are shredding, chopping and separation. The shredding/chopping line will produce a total separation of copper and aluminum. The choppers, rubber belt conveyors, screens, surge hoppers, air separation tables, electrostatic separators and some of the oscillating conveyors, screens, surge hoppers, air separation tables and some of the oscillating conveyors and bucket elevators are vented to a baghouse and all equipment except the shredder and associated conveyors is located in a building which is totally enclosed.

The installation has the potential to be a major source for particulate matter less than or equal to 10 microns in aerodynamic diameter (PM₁₀). However, the installation, in their Intermediate Operating Permit, is choosing to limit the plant wide emissions to less than 100 tons per year for PM₁₀, on a 12 month rolling average.

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

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2007	44.41	0.02	3.33	2.64	1.82	0.25	0.08
2006	34.66	0.03	5.64	2.54	4.74	0.22	0.08
2005	51.29	0.04	6.29	3.66	5.28	0.33	0.10
2004	14.10	0.01	1.83	1.02	1.54	0.09	0.04
2003	7.79	0.01	0.92	0.56	0.78	0.05	0.01

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	Reverbatory Furnace #1
EU0020	Reverbatory Furnace #2
EU0030 – EU0080	Shredding/Chopping (#3, #7, #12, #13, #14 and #15)

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
EP-07	Natural Gas-fired 1.2 MMBtu/hr Space Heaters
EP-09	Sand Storage Pile - Open Storage Activity and Wind Erosion
EP-10	Stone Storage Pile - Open Storage Activity and Wind Erosion
EP-13	500 Gallon Diesel Fuel Oil Tank 111
EP-WC3	Four (4) Oscillating Conveyors (vented to baghouse)
EP-WC4	Ten (10) Oscillating Conveyors (totally enclosed in building)
EP-WC6	Five (5) Bucket Elevators (vented to baghouse)
EP-WC7	Seven (7) Bucket Elevators (totally enclosed in building)
EP-WC8	Two (2) Screens (vented to baghouse)
EP-WC9	Four (4) Surge Hoppers vented to baghouse)
EP-WC10	Six (6) Screw Conveyors (totally enclosed in building)
EP-WC11	Three (3) Air Separation Tables (vented to baghouse)
	Holding Furnace
	Soda Ash Injection

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

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

Emission Limitation:

The Permittee shall emit into the atmosphere less than 100 tons of particulate matter less than or equal to 10 microns in aerodynamic diameter (PM₁₀) from the entire installation in any consecutive 12-month period.

Monitoring/Recordkeeping:

The permittee shall maintain an accurate record of emissions of PM₁₀ emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the PM₁₀ emissions from this installation. Example form is attached as Attachment A (Plant-Wide Emissions Tracking Record). The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the PM₁₀ emission limitation (less than 100 tons in any consecutive 12-month period of PM₁₀).

Reporting:

The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

Permit Condition PW002

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 existing¹ source any visible emissions with an opacity greater than 40%.
- 2) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new² source any visible emissions with an opacity greater than 20%.

¹ Existing source-any equipment, machine, device, article, contrivance or installation installed or in construction in the outstate Missouri area on February 24, 1971 or in the Springfield metropolitan area on September 24, 1971.

Exception: If the source is altered, repaired, or rebuilt at a cost of fifty percent (50%) or more of its replacement cost exclusive of routine maintenance, it shall no longer be existing, but shall be considered new as defined in this regulation.

3) Exception:

A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The following monitoring schedule must be maintained:
 - a) Observations must be made once per month. If a violation is noted, then
 - b) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks. Should no violation of this regulation be observed during this period then monitoring reverts to monthly monitoring.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (see Attachments B), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions.
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (see Attachment C)
- 4) Attachments B and C 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:

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

² *New source:* any equipment, machine, device, article, contrivance or installation installed in the outstate Missouri area after February 24, 1971 or in the Springfield metropolitan area after September 24, 1971.

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 through EU0020 Reverbatory Furnaces			
Emission Unit	Description	Manufacturer/ Model #	2006 EIQ Reference #
EU0010	Reverbatory Furnace #1, 17.85 MMBtu/hr, natural gas-fired with fabric filter for particulate control, Constructed 1970	Maerz	EP-01
EU0020	Reverbatory Furnace #1, 17.85 MMBtu/hr, natural gas-fired with fabric filter for particulate control, Constructed 1970	Maerz	EP-02

Permit Condition EU0010-001 through EU0020-001

10 CSR 10-6.400

Restriction of Emission of Particulate Matter from Industrial Processes

Emission Limitation:

- 1) The permittee shall not emit particulate matter in excess of 15 lbs/hr from any reverbatory furnace:
- 2) No person shall cause, allow or permit the emission of particulate matter from any source in a concentration in excess of 0.30 grain per standard cubic foot of exhaust gases.

Monitoring:

The permittee shall comply with the monitoring requirements listed below:

- 1) Fabric Filters operation and maintenance:
 - a) Check and document the fabric filters pressure drop weekly. If the pressure drop falls out of the normal operating range, specified by the manufacturer, corrective action shall be taken within eight (8) hours to return the pressure drop to normal.
 - b) Check the cleaning sequence of the fabric filters monthly.
 - c) Thoroughly inspect bags for leaks and wear quarterly.
 - d) Inspect every six (6) months all components that are not subject to wear or plugging, including structural components, housing, ducts and hoods.
 - e) If leaks or abnormal conditions are detected the appropriate measures for remediation shall be implemented within eight (8) hours. Bag replacements should be documented. Maintain a written record of the inspections and any action resulting from the inspections. All instruments and control equipment shall be calibrated, maintained, and operated according to the manufacture specifications.

Recordkeeping:

- 1) The permittee shall document all pressure drop readings (see Attachment D).
- 2) All inspections, corrective actions, and instrument calibration shall be recorded (see Attachment E).
- 3) Attachments D and E contain logs including these recordkeeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
- 4) Records may be kept in either written or electronic form.

Reporting

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

EU0030 through EU0080 Shredding/Chopping		
Process Vented to Baghouse (Device No. CD-2)		
Emission Unit	Description	2006 IEQ Reference #
EU0030	MTB shredder, Constructed 2005	EP-WC2
EU0040	Triple-S Model 48 chopper (#7), Constructed 2000	
EU0050	Triple-S Model 48 chopper (#12), Constructed 2000	
EU0060	Triple-S Model 48 chopper (#13), Constructed 2000	
EU0070	Triple-S Model 48 chopper (#14), Constructed 2000	
EU0080	Triple-S Model 48 chopper (#15), Constructed 2000	

Permit Condition EU0030-001 through EU0080-001
10 CSR 10-6.400
Restriction of Emission of Particulate Matter from Industrial Processes

Emission Limitation:

- 1) The permittee shall not emit particulate matter (PM) in excess of the emission limit shown in the table below for each given emission unit.

Emission Unit	PM Emission Limit	Emission Unit	PM Emission Limit
EU0030	13.62 lbs/hr	EU0060	5.38 lbs/hr
EU0040	13.62 lbs/hr	EU0070	5.73 lbs/hr
EU0050	5.38 lbs/hr	EU0080	5.73 lbs/hr

- 2) No person shall cause, allow or permit the emission of particulate matter from any source in a concentration in excess of 0.30 grain per standard cubic foot of exhaust gases.

Monitoring:

- 1) For EU0030 and EU0040, the permittee shall comply with the monitoring requirements listed below:
 Fabric Filters operation and maintenance:
 - a) Check and document the fabric filter's pressure drop weekly. If the pressure drop falls out of the normal operating range, specified by the manufacturer, corrective action shall be taken within eight (8) hours to return the pressure drop to normal.
 - b) Check the cleaning sequence of the fabric filters monthly.

- c) Thoroughly inspect bags for leaks and wear quarterly.
 - d) Inspect every six (6) months all components that are not subject to wear or plugging, including structural components, housing, ducts and hoods.
 - e) If leaks or abnormal conditions are detected the appropriate measures for remediation shall be implemented within eight (8) hours. Bag replacements should be documented. Maintain a written record of the inspections and any action resulting from the inspections. All instruments and control equipment shall be calibrated, maintained, and operated according to the manufacture specifications.
- 2) For EU0050, EU0060, EU0070 and EU0080, no monitoring requirements.

Recordkeeping:

- 1) For EU0030 and EU0040:
- a) The permittee shall document all pressure drop readings (see Attachment D).
 - b) All inspections, corrective actions, and instrument calibration shall be recorded (see Attachment E).
 - c) Attachments D and E contain logs including these recordkeeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
 - d) Records may be kept in either written or electronic form.
- 2) For EU0050, EU0060, EU0070 and EU0080, no recordkeeping requirements

Reporting

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

IV. Core Permit Requirements

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

10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;
 - g) Air pollutants involved;
 - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
 - i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required

The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

10 CSR 10-6.065 Operating Permits

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(5)(B)1.A(III)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)3.B]

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 3) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the director.

10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential

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

10 CSR 10-6.150 Circumvention

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

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

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.

- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

- 1) The director may require any person responsible for the source of emission of air contaminants to make or have made tests to determine the quantity or nature, or both, of emission of air contaminants from the source. The director may specify testing methods to be used in accordance with good professional practice. The director may observe the testing. All tests shall be performed by qualified personnel.
- 2) The director may conduct tests of emissions of air contaminants from any source. Upon request of the director, the person responsible for the source to be tested shall provide necessary ports in stacks or ducts and other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants.
- 3) The director shall be given a copy of the test results in writing and signed by the person responsible for the tests.

10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;

- ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department director; and
 - iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) Warrenton Copper LLC may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Warrenton Copper LLC fails to comply with the provisions or any condition of the open burning permit.
 - a) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Recordkeeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.

- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971 is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

10 CSR 10-3.090 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 Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

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, 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"; or
 - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

V. General Permit Requirements

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.B Permit Duration

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed.

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General 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) April 1st for monitoring which covers the January through December time period.
 - ii) Exception. Monitoring requirements which require reporting more frequently than annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
- c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit.
- d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7 of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
 - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
 - iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's annual report shall be reported on the schedule specified in this permit, and no

later than ten days after any exceedance of any applicable rule, regulation, or other restriction.

- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

10 CSR 10-6.065 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)

The permittee shall comply with the requirements of 40 CFR Part 68, Accidental Release Prevention Requirements. If the permittee has more than a threshold quantity of a regulated substance in process, as determined by 40 CFR Section 68.115, the permittee shall submit a Risk Management Plan in accordance with 40 CFR Part 68 no later than the latest of the following dates:

- 1) June 21, 1999;
- 2) Three years after the date on which a regulated substance is first listed under 40 CFR Section 68.130; or
- 3) The date on which a regulated substance is first present above a threshold quantity in a process.

10 CSR 10-6.065(5)(C)1.A General Requirements

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

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

None.

10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) Compliance Requirements

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
 - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by June 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances must be included in the compliance certifications. The compliance certification shall include the following:
 - a) The identification of each term or condition of the permit that is the basis of the certification;
 - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
 - c) Whether compliance was continuous or intermittent;
 - d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
 - e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
 - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
 - b) That the installation was being operated properly,
 - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
 - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the recordkeeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
 - b) The permittee must provide written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

The application utilized in the preparation of this permit was signed by Stephane Leblanc, Plant Manager. On June 23, the Air Pollution Control Program was informed that Brian Young 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 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
 - a) The permit has a remaining term of less than three years;
 - b) The effective date of the requirement is later than the date on which the permit is due to expire;
 - or
 - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

10 CSR 10-6.065 §(5)(E)1.A and §(6)(E)1.C Statement of Basis

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

VI. Attachments

Attachments follow.

Attachment C

**10 CSR 10-6.220 Compliance Demonstration
 Method 9 Visual Determination of Opacity**

This attachment or an equivalent may be used to help meet the recordkeeping requirements of Permit Condition PW002.

Method 9 Opacity Emissions Observations	
Company	Observer
Location	Observer Certification Date
Date	Emission Unit
Time	Control Device

Hour	Minute	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							

SUMMARY OF AVERAGE OPACITY				
Set Number	Time		Opacity	
	Start	End	Sum	Average

Readings ranged from _____ to _____ % opacity.

Was the emission unit in compliance at the time of evaluation? _____
 YES NO Signature of Observer _____

STATEMENT OF BASIS

Voluntary Limitations

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

Permit Reference Documents

These documents were relied upon in the preparation of the operating permit. Because they are not incorporated by reference, they are not an official part of the operating permit.

- 1) Intermediate Operating Permit Application, received April 26, 2007;
- 2) 2006 Emissions Inventory Questionnaire, received July 28, 2007; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

10 CSR 10-6.100, *Alternate Emission Limits*

This rule is not applicable because the installation is in an ozone attainment area.

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

All combustion equipment at the installation uses pipeline grade natural gas. Combustion equipment that uses exclusively pipeline grade natural gas as defined in 40 CFR 72.2 or liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM), or any combination of these fuels is exempt from the requirements of this rule.

The installation operates two (2) reveratory furnaces and space heaters that exclusively use natural gas, so are exempt from the requirements of this rule. Therefore, this rule is not cited as applicable in the operating permit.

Construction Permit Revisions

None

New Source Performance Standards (NSPS) Applicability

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

40 CFR Part 60, Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction Or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.*

40 CFR Part 60, Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction Or Modification Commenced After May 19, 1978, and Prior to July 23, 1984.*

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.*

The 500 Gallon Diesel Fuel Oil Tank 111 capacity is less than 10,567 gallons and thus too small for NSPS Subparts K, Ka, or Kb to be applicable.

Maximum Available Control Technology (MACT) Applicability

40 CFR Part 63 Subpart FFFFFFF, *National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources*

§63.11153(b) - This subpart applies to each new affected source. The affected source is each secondary copper smelter. The secondary copper smelter is a new affected source if the affected source is constructed or reconstructed on or after October 6, 2006.

The secondary copper smelter commenced construction prior to October 6, 2006 and has not been reconstructed on or after October 6, 2006, therefore is not subject to this subpart.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

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

This regulation has been included in the operating permit because it applies to any demolition or renovation (as outlined in 40 CFR 61.145) of buildings containing asbestos at the installation.

Other Regulatory Determinations

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Process*

1) 10 CSR 10-6.400 limits the amount of particulate matter that is allowed from an emission unit, and is dependent on the process weight rate material processed. The emission units to which this rule applies are listed below. The following calculations provide the allowable particulate emission rate based on 10 CSR 10-6.400 and the potential (maximum) emission rate including particulate emission control equipment. Process information and data used in these calculations are from the Intermediate Operating Permit Renewal Application, AP-42, Section 12.9, *Secondary Copper Smelting*, FIRE factors and Construction Permit #1098-007 Application. If the emissions from these emission units can not violate the limits of this rule then evidence of this is demonstrated in the following calculations.

One of the following equations from 10 CSR 10-6.400 is used to calculate the PM allowable limit:

$E = 4.10P^{0.67}$ for process weight rates up to 30 tons (60,000 lbs) per hour, and

$E = 55.0P^{0.11} - 40$ for process weight rates greater than 30 tons (60,000 lbs) per hour

Where: E = rate of emission in lb/hr; and
 P = process weight rate in tons/hr (maximum hourly design rate)

Emission Unit #	PM Control Device & Efficiency	Maximum Design Rate	PM Emission Factor	PM Uncontrolled Emissions	PM Controlled Emissions	PM Allowable Emission Rate
EU0010	Fabric Filter 99%	7 tons/hr	5 lbs/ton	35 lbs/hr	0.35 lbs/hr	15.10 lbs/hr
EU0020	Fabric Filter 99%	7 tons/hr	5 lbs/ton	35 lbs/hr	0.35 lbs/hr	15.10 lbs/hr
EU0030	Fabric Filter 99%	6 tons/hr	2.788 lbs/ton	16.73 lbs/hr	0.17 lbs/hr	13.62 lbs/hr
EU0040	Fabric Filter 99%	6 tons/hr	2.788 lbs/ton	16.73 lbs/hr	0.17 lbs/hr	13.62 lbs/hr
EU0050	Fabric Filter 99%	1.5 tons/hr	2.788 lbs/ton	4.18 lbs/hr	0.04 lbs/hr	5.38 lbs/hr
EU0060	Fabric Filter 99%	1.5 tons/hr	2.788 lbs/ton	4.18 lbs/hr	0.04 lbs/hr	5.38 lbs/hr
EU0070	Fabric Filter 99%	1.65 tons/hr	2.788 lbs/ton	4.60 lbs/hr	0.05 lbs/hr	5.73 lbs/hr
EU0080	Fabric Filter 99%	1.65 tons/hr	2.788 lbs/ton	4.60 lbs/hr	0.05 lbs/hr	5.73 lbs/hr

Note: Emission factors for shredding/chopping (EU0030 – EU0080) are based on stack test emission factor for a shredder used to chop automobiles at Mid-America Shredding, Inc. These emission factors were from Construction Permit #1098-007.

EU0010 – Reveratory Furnace #1

At the maximum hourly design rate (7 tons/hr), the uncontrolled emission rate (16.73 lbs/hr) is approximately six and five tenth (6.5) times greater than the allowable emission rate (5.38 lbs/hr). The process is equipped with a fabric filter (99% control efficiency); the controlled emission rate (0.35 lbs/hr) is approximately fifteen (15) times less than the allowable emission rate. It is highly unlikely that the allowable emission rate will be exceeded with the control device operating. Monitoring and recordkeeping will be required to ensure that the control device is operating properly.

EU0020 – Reveratory Furnace #2

At the maximum hourly design rate (7 tons/hr), the uncontrolled emission rate (35 lbs/hr) is approximately six and five tenth (6.5) times greater than the allowable emission rate (5.38 lbs/hr). The process is equipped with a fabric filter (99% control efficiency); the controlled emission rate (0.35 lbs/hr) is approximately fifteen (15) times less than the allowable emission rate. It is highly unlikely that the allowable emission rate will be exceeded with the control device operating. Monitoring and recordkeeping will be required to ensure that the control device is operating properly.

EU0030 – MTB Shredder #3

At the maximum hourly design rate (6 tons/hr), the uncontrolled emission rate (16.73 lbs/hr) is approximately one and two tenth (1.2) times greater than the allowable emission rate (13.62 lbs/hr). The process is equipped with a fabric filter (99% control efficiency); the controlled emission rate (0.17 lbs/hr) is approximately eighty (80) times less than the allowable emission rate. It is highly unlikely that the allowable emission rate will be exceeded with the control device operating. Monitoring and recordkeeping will be required to ensure that the control device is operating properly.

EU0040 – Chopper #7

At the maximum hourly design rate (6 tons/hr), the uncontrolled emission rate (16.73 lbs/hr) is approximately one and two tenth (1.2) times greater than the allowable emission rate (13.62 lbs/hr). The process is equipped with a fabric filter (99% control efficiency); the controlled emission rate (0.17 lbs/hr) is approximately eighty (80) times less than the allowable emission rate. It is highly unlikely that the allowable emission rate will be exceeded with the control device operating. Monitoring and recordkeeping will be required to ensure that the control device is operating properly.

EU0050 through EU0080 – Choppers #12, #13, #14 and #15

These Units have potential uncontrolled PM emissions significantly less than the allowable rate (limit); therefore do not have monitoring/recordkeeping or reporting requirements.

- 2) Units listed in the table below potentially emit less than 0.5 lbs of PM per hour and are exempt from the requirements of this rule per 10 CSR 10-6.400(1)(B)11.

EQ Ref. #	Unit Description	Max Design Rate (tons/hr)	PM Emission Factor (lbs/ton)	PM Potential Emission (lbs/hr)
EP-WC3 ⁱ	Oscillating Conveyor s (#4a, #4B & 4C) Model TM-36	6.00	0.0125	0.08
	Oscillating Conveyor (#8) 30"x 17' Triple-S	6.00	0.0125	0.08
	Oscillating Conveyor (#11) 48"x38'6" Triple-S	6.00	0.0125	0.08
	Oscillating Conveyor (#16) 30"x35' Triple-S	6.60	0.0125	0.08
EP-WC4 ⁱ	Oscillating Conveyor (#20) 12"x12' Shop-made	2.97	0.0125	0.04
	Oscillating Conveyor (#21) 24"x6' Hustler	2.97	0.0125	0.04
	Oscillating Conveyor (#22) 12"x24' Shop-made	0.66	0.0125	0.01
	Oscillating Conveyor (#29) 12"x23' Shop-made	0.66	0.0125	0.01
	Oscillating Conveyor (#32) 12"x38' Shop-made	0.66	0.0125	0.01
	Oscillating Conveyor (#33) 12"x40' Shop-made	6.60	0.0125	0.08
	Oscillating Conveyor (#41) 7.5"x8' Shop-made	0.80	0.0125	0.01
	Oscillating Conveyor (#43) 8"x14' Shop-made	0.80	0.0125	0.01

EIQ Ref. #	Unit Description	Max Design Rate (tons/hr)	PM Emission Factor (lbs/ton)	PM Potential Emission (lbs/hr)
	Oscillating Conveyor (#46) 8"x14' Shop-made	0.80	0.0125	0.01
	Oscillating Conveyor (#47) 7.5"x8' Shop-made	0.80	0.0125	0.01
EP-WC6 ⁱⁱ	Bucket Elevator (#10) 18" Universal U-6	6.00	0.0015	0.01
	Bucket Elevator (#18) 18" Universal U-6	6.00	0.0015	0.01
	Bucket Elevator (#23) 6" Universal U-2	0.66	0.0015	0.001
	Bucket Elevator (#24) 9" Universal U-3	2.97	0.0015	0.004
	Bucket Elevator (#25) 9" Universal U-3	2.97	0.0015	0.004
EP-WC7 ⁱⁱⁱ	Bucket Elevator (#30) 9" Universal U-3	0.30	0.0015	0.0005
	Bucket Elevator (#37) 6" Universal U-2	2.46	0.0015	0.0037
	Bucket Elevator (#39) 6" Universal U-2	0.40	0.0015	0.0006
	Bucket Elevator (#42) 6" Universal U-2	0.40	0.0015	0.0006
	Bucket Elevator (#44) 6" Universal U-2	0.40	0.0015	0.0006
	Bucket Elevator (#48) 6" Universal U-2	0.40	0.0015	0.0006
	Bucket Elevator (#49) 6" Universal U-2	0.40	0.0015	0.0006
EP-WC8 ⁱⁱⁱ	Screen (#19) 5'x12' Triple-S Model 1009	6.60	0.0125	0.08
	Screen (#38) 60" diameter Sweco Circular Screen	2.00	0.0125	0.03
EP-WC9 ^{iv}	Hopper for oil dry (#2)	0.136	0.02	0.003
	Surge Hopper (#26) 5'x5'6" Shop-made	2.97	0.02	0.059
	Surge Hopper (#27) 5'x5'6" Shop-made	2.97	0.02	0.059
	Surge Hopper (#28) 5'x5'6" Shop-made	0.566	0.02	0.011
EP-WC10 ^v	4"x8' Screw Conveyor for phosphate Unloading (#1)	0.136	0.0015	0.0002
	4"x8' Screw Conveyor for phosphate Unloading (#2)	0.136	0.0015	0.0002
	Triple-S Model TSF-8008 Twin Screw Feeder (#26)	2.97	0.0015	0.004
	Triple-S Model TSF-8008 Twin Screw Feeder (#27)	2.97	0.0015	0.004
	Triple-S Model TSF-8008 Twin Screw Feeder (#28)	0.66	0.0015	0.001
	10"x10' Shop-made Screw Feeder (#31)	0.30	0.0015	0.0005
EP-WC11 ^{vi}	Air Separation Table (#34) Triple-S Model T-15	0.66	0.0125	0.008
	Air Separation Table (#35) Triple-S Model T-20	2.97	0.0125	0.037
	Air Separation Table (#36) Triple-S Model T-15	2.97	0.0125	0.037

Note: The rubber belt conveyors, screens, surge hoppers, air separation tables, oscillating conveyors and bucket elevators are vented to a bag house (99 % control efficiency) and all equipment except shredder #3 and associated conveyors is located in a building which is totally enclosed. As no emission factors were found for the scrap metal processing industry, it is assumed that many of the chopper line system operations will have similar emissions to operations with nonmetallic mineral processing industry. This is considered a conservative assumption since nonmetallics are more porous and less malleable than copper, aluminum, or plastics and therefore will typically result in a greater amount of and smaller fines when milled, crushed, screened, conveyed, etc. and thereby greater emissions. In this instance, it is assumed that:

- i. The oscillating conveyors would act similar to a vibrating screen (SCC 3-05-020-02, 03) in the non metallic industry and therefore an emission factor of 0.0125 lbs/ton for PM is used; .
- ii. The bucket elevators would have similar emissions as conveyors used in the nonmetallic mineral industry (AP42, Section 11.19.2).
- iii. The screens would have similar emissions as screens used in the nonmetallic mineral industry (AP42, Section 11.19.2).
- iv. The surge hoppers would have similar emissions as bulk loading used in the nonmetallic mineral industry (SCC 3-05-025-06).
- v. The screw conveyors elevators would have similar emissions as conveyors used in the nonmetallic mineral industry (AP42, Section 11.19.2).
- vi. The air separation tables would have similar emissions as screens used in the nonmetallic mineral industry (AP42, Section 11.19.2).

3) According to 10 CSR 10-6.400(1)(B)7., the following fugitive sources are not subject to this rule.

- EP-09 Sand Storage Pile;
- EP-10 Stone; and
- EP-13 Diesel Fuel Storage Tank

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

This rule limits the amount of opacity of a source, and the allowed opacity is different for existing sources (defined as those sources installed or under construction in the outstate Missouri area on February 24, 1971) versus new sources. Accordingly, the emission units that are subject to this rule and their corresponding visible emission limitations are listed below. Visible emissions observations will be performed in frequencies as stated in the Permit Condition PW002 and logged according to the monitoring and recordkeeping requirements.

Emission Unit#	EIQ Ref. #	Description	Installation Year	Visible Emission Limitation
EU0010	EP-01	Reverbatory Furnace #1	1970	40%
EU0020	EP-02	Reverbatory Furnace #2	1970	40%
EU0030 - EU0080	EP-WC2	Shredding/Chopping	2005/2000	20%
	EP-WC3	Four (4) Oscillating Conveyors	2000	20%
	EP-WC4	Ten (10) Oscillating Conveyors	2000	20%
	EP-WC6	Five (5) Bucket Elevators	2000	20%
	EP-WC7	Seven (7) Bucket Elevators	2000	20%

Emission Unit#	EIQ Ref. #	Description	Installation Year	Visible Emission Limitation
	EP-WC8	Two (2) Screens	2000	20%
	EP-WC9	Four (4) Surge Hoppers	2000	20%
	EP-WC10	Six (6) Screw Conveyors	2000	20%
	EP-WC11	Three (3) Air Separation Tables	2000	20%
	EP-07	Space Heaters	Unknown	20%

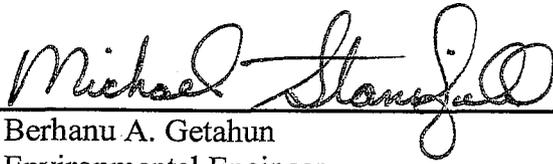
Other Regulations Not Cited in the Operating Permit or the Above Statement of Basis

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

Prepared by:

for/ 
Berhanu A. Getahun
Environmental Engineer