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 herein.

Operating Permit Number:  OP2020-015
Expiration Date:  June 4, 2025
Installation ID:  207-0064
Project Number:  2019-06-051

Installation Name and Address
AECI Essex Power Plant
24687 State Highway E
Essex, MO 63846
Stoddard County

Parent Company's Name and Address
Associated Electric Cooperative, Inc.
2814 S. Golden PO Box 754
Springfield, MO  65801

Installation Description:
Essex Power Plant is a 100 MW (nominal) simple-cycle combustion turbine generator that is used for peak power generation. Fuel for the combustion turbine is natural gas and it has a maximum hourly design rate of 1,320 million Btu per hour. The installation is subject to the Acid Rain Source Permit and 40 CFR Part 60 Subpart GG.

June 4, 2020
Effective Date

[Signature]
Director or Designee
Department of Natural Resources
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I. Installation Equipment Listing

EMISSION UNITS WITH LIMITATIONS
The following list provides a description of the equipment at this installation that emits air pollutants and that are identified as having unit-specific emission limitations.

<table>
<thead>
<tr>
<th>Emission Unit #</th>
<th>Description of Emission Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU01</td>
<td>Combustion Turbine 1, 1320 MMBtu/hr, 100 MW, Natural Gas, (1998)</td>
</tr>
</tbody>
</table>

EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS
The following list provides a description of the equipment that does not have unit specific limitations at the time of permit issuance.

Description of Emission Source
Lube Oil System
Unit Sumps Discharge
Propane Cylinder Storage
Transformer Oil in Transformers
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. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Specific Limitations.

None
III. Emission Unit Specific Emission Limitations

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

<table>
<thead>
<tr>
<th>Permit Condition 1</th>
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<tbody>
<tr>
<td>10 CSR 10-6.060 Construction Permits Required</td>
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<tr>
<td>Construction Permit 122016-005A, Issued February 20, 2018</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
</table>

**Emission Limitations**

1) The permittee shall emit less than 250.0 tons of NOx in any consecutive 12-month period from Combustion Turbine 1 (EP-01). This limit shall include NOx emissions generated during start-up, shutdown, and malfunction periods. [Special Condition 2.A.]

2) The permittee shall emit less than 250.0 tons of CO in any consecutive 12-month period from Combustion Turbine 1 (EP-01). This limit shall include CO emissions generated during start-up, shutdown, and malfunction periods. [Special Condition 4.A.]

**Operational Limitations**

1) The permittee shall combust only pipeline natural gas as defined by §72.2 in Combustion Turbine 1 (EP-01). [Special Condition 3.A.]

2) The permittee shall not combust more than 5,610,000 MMBtu of natural gas in any consecutive 12-month period in Combustion Turbine 1 (EP-01). All natural gas combustion, including natural gas combustion during start-up, shutdown, and malfunction periods, shall be included in this limit. [Special Condition 3.B.]

**Monitoring and Record Keeping**

1) The permittee shall determine and record the hourly NOx emission rates (lb/MMBtu) during each hour of operation by one of the following methods [Special Condition 2.B.1.)]
   a) If Combustion Turbine 1 (EP-01) does not meet the definition of peaking unit under §72.2, the permittee shall meet the general operating requirements in §75.10 for the operation of a NOx CEMS and use the procedures in 40 CFR Part 75 Appendix F to determine the hourly NOx emission rate (lb/MMBtu) during each hour of operation. [Special Condition 2.B.1.a.)]
   b) If Combustion Turbine 1 (EP-01) meets the definition of peaking unit under §72.2, the permittee shall estimate hourly NOx emissions using the procedures in 40 CFR Part 75 Appendix E. [Special Condition 2.B.1.b.)]

2) The permittee shall determine and record the hourly heat input (MMBtu/hr) using the procedures in Section 2.1.3 of 40 CFR Part 75 Appendix E during each hour of operation. [Special Condition 2.B.2.)]

3) The permittee shall determine and record the hourly NOx emission rate (lb/hr) by multiplying the hourly NOx emission rate (lb/MMBtu) by the hourly heat input (MMBtu/hr) for each hour of operation. [Special Condition 2.B.3.)]
4) The permittee shall determine and record the monthly NOx emissions (tons) each month by summing all hourly NOx emission rates (lb/hr) for the calendar month and multiplying by a conversion factor of 0.0005 tons/lb. [Special Condition 2.B.4.]

5) The permittee shall determine and record the 12-month rolling total NOx emissions (tons) each month by summing all monthly NOx emissions for the most recent 12-month period. [Special Condition 2.B.5.]

6) To demonstrate compliance with the throughput limitation:
   a) The permittee shall determine and record the heat input (MMBtu) hourly. [Special Condition 3.C.1.]
   b) The permittee shall determine and record the heat input (MMBtu) monthly by summing all hourly heat inputs (MMBtu) for each hour of operation during the calendar month. [Special Condition 3.C.2.]
   c) The permittee shall determine and record 12-month rolling total heat input (MMBtu) each month by summing all monthly heat input (MMBtu) for the most recent 12 month period. [Special Condition 3.C.3.]

7) The permittee shall establish a CO curve according to the following: [Special Condition 4.B.1.]
   a) Conduct CO emissions testing according to 40 CFR Part 60 Appendix A Method 10, or other Air Pollution Control Program approved method, at the same time as conducting NOx emissions testing under 40 CFR Part 75 Appendix E, at least once every 20 calendar quarters. [Special Condition 4.B.1.a.]
   b) Convert CO concentrations (ppm) to CO emission rates (to the nearest 0.001 lb/MMBtu) according to equation 19-1 of 40 CFR Part 60 Appendix A Method 19. [Special Condition 4.B.1.b.]
   c) Calculate the CO emission rate in lb/MMBtu for each sampling point and determine the arithmetic average CO emission rate of each test run. Record the arithmetic average of the three test runs at each load level as the CO emission rate for that load. [Special Condition 4.B.1.c.]
   d) Plot the tabulated CO emission rates and 40 CFR Part 75 Appendix E heat input rates as an x-y graph. Plot the heat input rate (MMBtu/hr) as the independent (or x) variable and the CO emission rates (lb/MMBtu) as the dependent (or y) variable for each load point. Construct the graph by drawing straight-line segments between each load point. Draw a horizontal line to the y-axis from the minimum heat input (load) point. [Special Condition 4.B.1.d.]

8) The permittee shall determine and record the hourly CO emission rates (lb/MMBtu) during each hour of operation. [Special Condition 4.B.2.]
   a) Use the CO curve correlation to determine the CO emission rate (lb/MMBtu) corresponding to the heat input rate (MMBtu/hr) required to be determined by Monitoring and Record Keeping 2) [Special Condition 4.B.2.a.]

9) The permittee shall determine and record the hourly CO emission rate (lb/hr) by multiplying the hourly CO emission rate (lb/MMBtu) by the hourly heat input (MMBtu/hr) for each hour of operation. [Special Condition 4.B.3.]

10) The permittee shall determine and record the monthly CO emissions (tons) each month by summing all hourly CO emission rates (lb/hr) for the calendar month and multiplying by a conversion factor of 0.0005 tons/lb. [Special Condition 4.B.4.]

11) The permittee shall determine and record the 12-month rolling total CO emissions (tons) each month by summing all monthly CO emissions for the most recent 12-month period. [Special Condition 4.B.5.]
12) The permittee shall record all of the required information above using Attachments A, B, and C or equivalent forms approved by the Air Pollution Control Program to show compliance with the emission and operational limitations.

13) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources’ personnel upon request.

**Reporting**

1) The permittee shall report to the Air Pollution Control Program’s Compliance/Enforcement Section, by mail at P.O. Box 176, Jefferson City, MO 65102 or by email at AirComplianceReporting@dnr.mo.gov, no later than 10 days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit.

2) The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

<table>
<thead>
<tr>
<th>Permit Condition 2</th>
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</thead>
<tbody>
<tr>
<td>10 CSR 10-6.070 New Source Performance Standards</td>
</tr>
<tr>
<td>40 CFR Part 60 Subpart GG – Standards for Stationary Gas Turbines</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
</table>

**Emission Limitation**

1) The permittee shall not cause to be emitted from this unit any gases which contain NOx in excess of 0.00827 percent by volume (or 80.04 ppmv) at 15 percent oxygen and on a dry basis. [§60.332(a)(1)]

2) The permittee shall not cause to be discharged into the atmosphere from this unit any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis, [§60.333(a)] or

3) The permittee shall not burn fuel in this unit which contains sulfur in excess of 0.8 percent by weight. [§60.333(b)]

**Monitoring and Recordkeeping**

1) The permittee shall comply with the custom fuel sulfur and/or NOx content monitoring schedule and associated provisions that were approved by Environmental Protection Agency (EPA) Region VII in a letter dated January 7th, 1998, as shown in Attachment D. The custom schedule is valid for only those periods when the unit fires pipeline-quality natural gas. [§60.334(c) and (h)(4)]

2) The permittee shall maintain record of reports required under §60.7, sulfur content of fuel being fired in the turbine on a daily basis if the turbine is supplied its fuel without intermediate bulk storage.

3) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources’ personnel upon request.

**Reporting**

1) For the purposes of reports under §60.7, periods of excess emissions that shall be reported are defined as follows:
a) Sulfur dioxide: Any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 percent. (Compliance with the custom fuel schedule demonstrates compliance with this applicable standard.) [§60.334(j)(2)(i)]

2) The permittee shall report to the Air Pollution Control Program’s Compliance/Enforcement Section, by mail at P.O. Box 176, Jefferson City, MO 65102 or by email at AirComplianceReporting@dnr.mo.gov, no later than 10 days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit.

3) The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

### Permit Condition 3

10 CSR 10-6.270 Acid Rain Source Permits Required

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
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</table>

**Requirements:**

1) The permittee shall comply with the Acid Rain Source Permit for the combustion turbine pursuant to Title IV of the Clean Air Act. The installation’s Acid Rain Source Permit is incorporated into this Part 70 Operating Permit as Attachment E. The Acid Rain Source Permit will remain effective as long as this Part 70 Operating Permit remains effective. [§72.30(a)]

2) The designated representative shall submit a complete Acid Rain permit application as part of the Part 70 Operating Permit renewal application.

3) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources’ personnel upon request.

4) The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

### Permit Condition 4

10 CSR 10-6.362 Clean Air Interstate Rule Annual NOx Trading Program

10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NOx Trading Program

10 CSR 10-6.366 Clean Air Interstate Rule SO2 Trading Program

40 CFR Part 96 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs for State Implementation Plans

<table>
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<tr>
<th>Emission Unit</th>
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1 The Clean Air Interstate Rule (CAIR) has been replaced by the Cross State Air Pollution Rule (CSAPR), however a CAIR Permit is being issued to this installation because the CAIR regulations have not been removed from the Missouri State Implementation Plan (SIP) at this time. The permittee is not required to hold CAIR allowances and therefore no violation of CAIR is possible. Once the CAIR regulations are removed from the SIP and replaced with CSAPR, this permit condition will expire and the limitation thereof will no longer apply to the installation. No action on the part of the permittee is required to remove this permit condition from the operating permit.
**Requirements**

1) The permittee shall comply with the CAIR Permit for the combustion turbine. The installation’s CAIR Permit is incorporated into this Part 70 Operating Permit as Attachment F. The CAIR Permit will remain effective as long as this Part 70 Operating Permit remains effective. [§72.30(a)]

2) The designated representative shall submit a complete CAIR Permit application as part of the Part 70 Operating Permit renewal application.

3) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources’ personnel upon request.

4) The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

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**Permit Condition 5**

10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO\textsubscript{x} Trading Allowance Allocations
10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO\textsubscript{x} Trading Allowance Allocations
10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO\textsubscript{2} Trading Allowance Allocations
40 CFR Part 97, Subparts AAAAA, CCCCC, and EEEEE

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
</table>

The CSAPR subject units, and the unit-specific monitoring provisions at this source are identified in the following table. These units are subject to the requirements for the CSAPR NO\textsubscript{x} Annual Trading Program, CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program, and CSAPR SO\textsubscript{2} Group 1 Trading Program.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>CEMS requirements pursuant to 40 CFR Part 75, Subpart B (for SO\textsubscript{2} monitoring) and 40 CFR Part 75, Subpart H (for NO\textsubscript{x} monitoring)</th>
<th>Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D</th>
<th>Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR Part 75, Appendix E</th>
<th>Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to §75.19</th>
<th>EPA-approved alternative monitoring system requirements pursuant to 40 CFR Part 75, Subpart E</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO\textsubscript{2}</td>
<td>N/A</td>
<td>EP-01</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>NO\textsubscript{x}</td>
<td>N/A</td>
<td>N/A</td>
<td>EP-01</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Heat Input</td>
<td>N/A</td>
<td>EP-01</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

1) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.830 through 97.835 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO\textsubscript{2} Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.
2) The permittee shall submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3) If the permittee wants to use an alternative monitoring system, the permittee shall submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NOx Annual Trading Program), 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO2 Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative monitoring system is available on the EPA’s website at http://www.epa.gov/airmarkets/emissions/petitions.html.

4) If the permittee wants to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NOx Annual Trading Program), 97.830 through 97.834 (CSAPR NOx Ozone Season Group 2 Trading Program), and/or 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program), the permittee shall submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NOx Annual Trading Program), 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO2 Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA’s website at http://www.epa.gov/airmarkets/emissions/petitions.html.

5) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NOx Annual Trading Program), 97.830 through 97.834 (CSAPR NOx Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with §70.7(e)(2)(i)(B), may be used to add or change this unit’s monitoring system description.

CSAPR NOx Annual Trading Program Requirements:

1) Designated representative requirements. The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418. [§97.406(a)]

2) Emissions monitoring, reporting, and recordkeeping requirements. [§97.406(b)]

   a) The permittee, and the designated representative, of each CSAPR NOx Annual source and each CSAPR NOx Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.431 (initial monitoring system certification and recertification procedures), §97.432 (monitoring system out-of-control periods), §97.433 (notifications concerning monitoring), §97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.406(b)(1)]

   b) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of CSAPR NOx Annual allowances under §97.411(a)(2) and (b) and §97.412 and to determine compliance with the CSAPR NOx Annual emissions limitation and assurance provisions under §97.406(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.406(b)(2)]
3) **NO\textsubscript{x} emissions requirements.** [§97.406(c)]

a) **CSAPR NO\textsubscript{x} Annual emissions limitation.** [§97.406(c)(1)]
   i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO\textsubscript{x} Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NO\textsubscript{x} emissions for such control period from all CSAPR NO\textsubscript{x} Annual units at the source. [§97.406(c)(1)(i)]
   
   ii) If total NO\textsubscript{x} emissions during a control period in a given year from the CSAPR NO\textsubscript{x} Annual units at a CSAPR NO\textsubscript{x} Annual source are in excess of the CSAPR NO\textsubscript{x} Annual emissions limitation set forth in §97.406(c)(1)(i), then: [§97.406(c)(1)(ii)]
      
      (1) The permittee shall hold the CSAPR NO\textsubscript{x} Annual allowances required for deduction under §97.424(d); and [§97.406(c)(1)(ii)(A)]
      
      (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act. [§97.406(c)(1)(ii)(B)]

b) **CSAPR NO\textsubscript{x} Annual assurance provisions.** [§97.406(c)(2)]
   i) If total NO\textsubscript{x} emissions during a control period in a given year from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such NO\textsubscript{x} emissions during such control period exceeds the common designated representative’s assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO\textsubscript{x} Annual allowances available for deduction for such control period under §97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.425(b), of multiplying— [§97.406(c)(2)(i)]
      
      (1) The quotient of the amount by which the common designated representative’s share of such NO\textsubscript{x} emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative’s share of such NO\textsubscript{x} emissions exceeds the respective common designated representative’s assurance level; and [§97.406(c)(2)(i)(A)]
      
      (2) The amount by which total NO\textsubscript{x} emissions from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri for such control period exceed the state assurance level. [§97.406(c)(2)(i)(B)]
   
   ii) The permittee shall hold the CSAPR NO\textsubscript{x} Annual allowances required under §97.406(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.406(c)(2)(ii)]
   
   iii) Total NO\textsubscript{x} emissions from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri during a control period in a given year exceed the state assurance level if such total NO\textsubscript{x} emissions exceed the sum, for such control period, of Missouri NO\textsubscript{x} Annual trading budget under §97.410(a) and the state’s variability limit under §97.410(b). [§97.406(c)(2)(iii)]
iv) It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NOx emissions from all CSAPR NOx Annual units at CSAPR NOx Annual sources in Missouri during a control period exceed the state assurance level or if a common designated representative’s share of total NOx emissions from the CSAPR NOx Annual units at CSAPR NOx Annual sources in Missouri during a control period exceeds the common designated representative’s assurance level. [§97.406(c)(2)(iv)]

v) To the extent the permittee fails to hold CSAPR NOx Annual allowances for a control period in a given year in accordance with §97.406(c)(2)(i) through (iii), [§97.406(c)(2)(v)]

(1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.406(c)(2)(v)(A)]

(2) Each CSAPR NOx Annual allowance that the permittee fails to hold for such control period in accordance with §97.406(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act. [§97.406(c)(2)(v)(B)]

c) Compliance periods. [§97.406(c)(3)]

i) A CSAPR NOx Annual unit shall be subject to the requirements under §97.406(c)(1) for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter. [§97.406(c)(3)(i)]

ii) A CSAPR NOx Annual unit shall be subject to the requirements under §97.406(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter. [§97.406(c)(3)(ii)]

d) Vintage of CSAPR NOx Annual allowances held for compliance. [§97.406(c)(4)]

i) A CSAPR NOx Annual allowance held for compliance with the requirements under §97.406(c)(1)(i) for a control period in a given year must be a CSAPR NOx Annual allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.406(c)(4)(i)]

ii) A CSAPR NOx Annual allowance held for compliance with the requirements under §97.406(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR NOx Annual allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.406(c)(4)(ii)]

e) Allowance Management System requirements. Each CSAPR NOx Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(c)(5)]

f) Limited authorization. A CSAPR NOx Annual allowance is a limited authorization to emit one ton of NOx during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.406(c)(6)]

i) Such authorization shall only be used in accordance with the CSAPR NOx Annual Trading Program; and [§97.406(c)(6)(i)]

ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart AAAAA, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.406(c)(6)(ii)]

g) Property right. A CSAPR NOx Annual allowance does not constitute a property right. [§97.406(c)(7)]
4) **Title V permit revision requirements.** [§97.406(d)]
   a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOx Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(d)(1)]
   b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.430 through 97.435, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.406(d)(2)]

5) **Additional recordkeeping and reporting requirements.** [§97.406(e)]
   a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.406(e)(1)]
      i) The certificate of representation under §97.416 for the designated representative for the source and each CSAPR NOx Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.416 changing the designated representative. [§97.406(e)(1)(i)]
      ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(e)(1)(ii)]
      iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOx Annual Trading Program. [§97.406(e)(1)(iii)]
   b) The designated representative of a CSAPR NOx Annual source and each CSAPR NOx Annual unit at the source shall make all submissions required under the CSAPR NOx Annual Trading Program, except as provided in §97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.406(e)(2)]

6) **Liability.** [§97.406(f)]
   a) Any provision of the CSAPR NOx Annual Trading Program that applies to a CSAPR NOx Annual source or the designated representative of a CSAPR NOx Annual source shall also apply to the permittee. [§97.406(f)(1)]
   b) Any provision of the CSAPR NOx Annual Trading Program that applies to a CSAPR NOx Annual unit or the designated representative of a CSAPR NOx Annual unit shall also apply to the permittee. [§97.406(f)(2)]

7) **Effect on other authorities.** No provision of the CSAPR NOx Annual Trading Program or exemption under §97.405 shall be construed as exempting or excluding the permittee, and the designated representative, from compliance with any other provision of the Missouri’s state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.406(g)]
CSAPR NOx Ozone Season Group 2 Trading Program Requirements:

1) Designated representative requirements. The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.813 through 97.818. [§97.806(a)]

2) Emissions monitoring, reporting, and recordkeeping requirements. [§97.806(b)]
   a) The permittee, and the designated representative, of each CSAPR NOx Ozone Season Group 2 source and each CSAPR NOx Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.831 (initial monitoring system certification and recertification procedures), §97.832 (monitoring system out-of-control periods), §97.833 (notifications concerning monitoring), §97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.835 (petitions for alternatives to monitoring, recordkeeping, and reporting requirements). [§97.806(b)(1)]
   b) The emissions data determined in accordance with §§97.830 through 97.835 shall be used to calculate allocations of CSAPR NOx Ozone Season Group 2 allowances under §§97.811(a)(2) and (b) and §97.812 and to determine compliance with the CSAPR NOx Ozone Season Group 2 emissions limitation and assurance provisions under §97.806(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.806(b)(2)]

3) NOx emissions requirements— [§97.806(c)]
   a) CSAPR NOx Ozone Season Group 2 emissions limitation. [§97.806(c)(1)]
      i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NOx Ozone Season Group 2 allowances available for deduction for such control period under §97.824(a) in an amount not less than the tons of total NOx emissions for such control period from all CSAPR NOx Ozone Season Group 2 units at the source. [§97.806(c)(1)(i)]
      ii) If total NOx emissions during a control period in a given year from all base CSAPR NOx Ozone Season Group 2 units at a CSAPR NOx Ozone Season Group 2 source are in excess of the CSAPR NOx Ozone Season Group 2 emissions limitation set forth in §97.806(c)(1)(i), then: [§97.806(c)(1)(ii)]
         (1) The permittee shall hold the CSAPR NOx Ozone Season Group 2 allowances required for deduction under §97.824(d); and [§97.806(c)(1)(ii)(A)]
         (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(1)(ii)(B)]
   b) CSAPR NOx Ozone Season Group 2 assurance provisions. [§97.806(c)(2)]
      i) If total NOx emissions during a control period in a given year from all base CSAPR NOx Ozone Season Group 2 units at base CSAPR NOx Ozone Season Group 2 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOx...
emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NOx Ozone Season Group 2 allowances available for deduction for such control period under §97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.825(b), of multiplying—[§97.806(c)(2)(i)]

(1) The quotient of the amount by which the common designated representative's share of such NOx emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the Missouri for such control period, by which each common designated representative's share of such NOx emissions exceeds the respective common designated representative's assurance level; and [§97.806(c)(2)(i)(A)]

(2) The amount by which total NOx emissions from all base CSAPR NOx Ozone Season Group 2 units at base CSAPR NOx Ozone Season Group 2 sources in Missouri for such control period exceed the state assurance level. [§97.806(c)(2)(iv)]

ii) The permittee shall hold the CSAPR NOx Ozone Season Group 2 allowances required under §97.806(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.806(c)(2)(ii)]

iii) Total NOx emissions from all base CSAPR NOx Ozone Season Group 2 units at base CSAPR NOx Ozone Season Group 2 sources in Missouri during a control period in a given year exceed the state assurance level if such total NOx emissions exceed the sum, for such control period, of the Missouri NOx Ozone Season Group 2 trading budget under §97.810(a) and the state's variability limit under §97.810(b). [§97.806(c)(2)(iii)]

iv) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NOx emissions from all base CSAPR NOx Ozone Season Group 2 units at base CSAPR NOx Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level or if a common designated representative's share of total NOx emissions from the base CSAPR NOx Ozone Season Group 2 units at base CSAPR NOx Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.806(c)(2)(iv)]

v) To the extent the permittee fails to hold CSAPR NOx Ozone Season Group 2 allowances for a control period in a given year in accordance with §97.806(c)(2)(i) through (iii), [§97.806(c)(2)(v)]

(1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.806(c)(2)(v)(A)]

(2) Each CSAPR NOx Ozone Season Group 2 allowance that the permittee fails to hold for such control period in accordance with §97.806(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(2)(v)(B)]

c) Compliance periods. [§97.806(c)(3)]

i) A CSAPR NOx Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(1) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(i)]

ii) A base CSAPR NOx Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(2) for the control period starting on the later of May 1, 2017 or the deadline for
meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(ii)]

d) **Vintage of CSAPR NOx Ozone Season Group 2 allowances held for compliance.** [§97.806(c)(4)]
   i) A CSAPR NOx Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(i) for a control period in a given year must be a CSAPR NOx Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.806(c)(4)(i)]
   ii) A CSAPR NOx Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(ii)(A) and (c)(2)(i) through (iii) for a control period in a given year must be a CSAPR NOx Ozone Season Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.806(c)(4)(ii)]

e) **Allowance Management System requirements.** Each CSAPR NOx Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(c)(5)]

f) **Limited authorization.** A CSAPR NOx Ozone Season Group 2 allowance is a limited authorization to emit one ton of NOx during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.806(c)(6)]
   i) Such authorization shall only be used in accordance with the CSAPR NOx Ozone Season Group 2 Trading Program; and [§97.806(c)(6)(i)]
   ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.806(c)(6)(ii)]

g) **Property right.** A CSAPR NOx Ozone Season Group 2 allowance does not constitute a property right. [§97.806(c)(7)]

4) **Title V permit requirements.** [§97.806(d)]
   a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOx Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(d)(1)]
   b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.830 through 97.835, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.806(d)(2)]

5) **Additional recordkeeping and reporting requirements.** [§97.806(e)]
   a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.806(e)(1)]
   i) The certificate of representation under §97.816 for the designated representative for the source and each CSAPR NOx Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that
the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.816 changing the designated representative. [§97.806(e)(1)(i)]

ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(e)(1)(ii)]

iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOX Ozone Season Group 2 Trading Program. [§97.806(e)(1)(iii)]

b) The designated representative of a CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NOX Ozone Season Group 2 Trading Program, except as provided in §97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.806(e)(2)]

6) **Liability.** [§97.806(f)]

a) Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 source or the designated representative of a CSAPR NOX Ozone Season Group 2 source shall also apply to the permittee. [§97.806(f)(1)]

b) Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 unit or the designated representative of a CSAPR NOX Ozone Season Group 2 unit shall also apply to the permittee. [§97.806(f)(2)]

7) **Effect on other authorities.** No provision of the CSAPR NOX Ozone Season Group 2 Trading Program or exemption under §97.805 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR NOX Ozone Season Group 2 source or CSAPR NOX Ozone Season Group 2 unit from compliance with any other provision of Missouri’s approved State implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.806(g)]

**CSAPR SO2 Group 1 Trading Program Requirements:**

1) **Designated representative requirements.** The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618. [§97.606(a)]

2) **Emissions monitoring, reporting, and recordkeeping requirements.** [§97.606(b)]

a) The permittee, and the designated representative, of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.631 (initial monitoring system certification and recertification procedures), §97.632 (monitoring system out-of-control periods), §97.633 (notifications concerning monitoring), §97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.606(b)(1)]

b) The emissions data determined in accordance with §§97.630 through 97.635 shall be used to calculate allocations of CSAPR SO2 Group 1 allowances under §97.611(a)(2) and (b) and §97.612 and to determine compliance with the CSAPR SO2 Group 1 emissions limitation and assurance provisions under §97.606(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and
determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.606(b)(2)]

3) **SO₂ emissions requirements.** [§97.606(c)]
   
a) **CSAPR SO₂ Group 1 emissions limitation.** [§97.606(c)(1)]
   
i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 1 units at the source. [§97.606(c)(1)(i)]
   
   ii) If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 1 units at a CSAPR SO₂ Group 1 source are in excess of the CSAPR SO₂ Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]
   
   1) The permittee shall hold the CSAPR SO₂ Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]
   
   2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(1)(ii)(B)]
   
b) **CSAPR SO₂ Group 1 assurance provisions.** [§97.606(c)(2)]
   
i) If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such SO₂ emissions during such control period exceeds the common designated representative’s assurance level for Missouri and such control period, shall hold (in the assurance account established for the permittee of such group) CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying— [§97.606(c)(2)(i)]
   
   1) The quotient of the amount by which the common designated representative’s share of such SO₂ emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative’s share of such SO₂ emissions exceeds the respective common designated representative’s assurance level; and [§97.606(c)(2)(i)(A)]
   
   2) The amount by which total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri for such control period exceed the state assurance level. [§97.606(c)(2)(i)(B)]
   
   ii) The permittee shall hold the CSAPR SO₂ Group 1 allowances required under §97.606(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.606(c)(2)(ii)]
   
   iii) Total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri during a control period in a given year exceed the state assurance level if such total...
SO₂ emissions exceed the sum, for such control period, of the Missouri SO₂ Group 1 trading budget under §97.610(a) and the state’s variability limit under §97.610(b). 

vi) It shall not be a violation of 40 CFR Part 97, Subpart CCCCC or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri during a control period exceed the state assurance level or if a common designated representative’s share of total SO₂ emissions from the CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the during a control period exceeds the common designated representative’s assurance level. [§97.606(c)(2)(vi)]

v) To the extent the permittee fails to hold CSAPR SO₂ Group 1 allowances for a control period in a given year in accordance with §97.606(c)(2)(i) through (iii), §97.606(c)(2)(v)]

1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.606(c)(2)(vi)(A)]

2) Each CSAPR SO₂ Group 1 allowance that the permittee fails to hold for such control period in accordance with §97.606(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(2)(vi)(B)]

c) Compliance periods. §97.606(c)(3)]

i) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under §97.606(c)(1) for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(i)]

ii) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under §97.606(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(ii)]

d) Vintage of CSAPR SO₂ Group 1 allowances held for compliance. §97.606(c)(4)]

i) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(i) for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.606(c)(4)(i)]

ii) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.606(c)(4)(ii)]

e) Allowance Management System requirements. Each CSAPR SO₂ Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(c)(5)]

f) Limited authorization. A CSAPR SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows: §97.606(c)(6)]

i) Such authorization shall only be used in accordance with the CSAPR SO₂ Group 1 Trading Program; and [§97.606(c)(6)(i)]

ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent
the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.606(c)(6)(ii)]

g) **Property right.** A CSAPR SO2 Group 1 allowance does not constitute a property right. [§97.606(c)(7)]

4) **Title V permit revision requirements.** [§97.606(d)]
   a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO2 Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(d)(1)]
   b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.630 through 97.635, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart B), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E), Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.606(d)(2)]

5) **Additional recordkeeping and reporting requirements.** [§97.606(e)]
   a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.606(e)(1)]
      i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO2 Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative. [§97.606(e)(1)(i)]
      ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(e)(1)(ii)]
      iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO2 Group 1 Trading Program. [§97.606(e)(1)(iii)]
   b) The designated representative of a CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall make all submissions required under the CSAPR SO2 Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.606(e)(2)]

6) **Liability.** [§97.606(f)]
   a) Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 source or the designated representative of a CSAPR SO2 Group 1 source shall also apply to the permittee. [§97.606(f)(1)]
   b) Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 unit or the designated representative of a CSAPR SO2 Group 1 unit shall also apply to the permittee. [§97.606(f)(2)]

7) **Effect on other authorities.** No provision of the CSAPR SO2 Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the permittee, and the designated
representative, from compliance with any other provision of Missouri’s state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.606(g)]
IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the Code of Federal Regulations (CFR), the 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. The following are only excerpts from the regulation or code, and are provided for summary purposes only.

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) 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.

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) 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 to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity 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, notice shall be given as soon as practicable prior to the activity.
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. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall make such permit available within a reasonable period of time to any Missouri Department of Natural Resources personnel upon request.

**10 CSR 10-6.110 Reporting of Emission Data, Emission Fees and Process Information**
1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.

2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.

3) 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.

**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 10-6.165 Restriction of Emission of Odors
This is a State Only permit requirement.
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 odor evaluation shall be taken at a location outside of the installation’s property boundary.

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

Emission Limitation:
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 10-6.250 Asbestos Abatement Projects
Certification, Accreditation, and Business Exemption Requirements
This is a State Only permit requirement.
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.

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 at an installation:
   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.

40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)
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 40 CFR §82.106.
   b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.

d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §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 of 40 CFR Part 82:

a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.

c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.

d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).

e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §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 40 CFR §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 contained 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.

5) 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.
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,

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. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

General Record Keeping and Reporting Requirements
10 CSR 10-6.065(5)(C)1.C

1) Record Keeping
   a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
   b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made available within a reasonable period of time to any Missouri Department of Natural Resources’ personnel upon request.

2) Reporting
   a) All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102 or AirComplianceReporting@dnr.mo.gov.
   b) The permittee shall submit a report of all required monitoring by:
      i) October 1st for monitoring which covers the January through June time period, and
      ii) April 1st for monitoring which covers the July through December time period.
   c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
   d) Submit supplemental reports as required or as needed. 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 (5)(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.

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.

Risk Management Plan Under Section 112(r)

10 CSR 10-6.065(5)(C)1.D
If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

Title IV Allowances

10 CSR 10-6.065(5)(C)1.E
This permit prohibits emissions which exceed any allowances the installation holds under Title IV of the Clean Air Act.

No permit revisions shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program if the increases do not require a permit revision under any other applicable requirement.

Limits cannot be placed on the number of allowances that may be held by an installation. The installation may not use these allowances, however, as a defense for noncompliance with any other applicable requirement.

Any allowances held by a Title IV installation shall be accounted for according to procedures established in rules promulgated under Title IV of the Clean Air Act.

Severability Clause

10 CSR 10-6.065(5)(C)1.F
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.
General Requirements
10 CSR 10-6.065(5)(C)1.G
1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(5)(C)1.

Incentive Programs Not Requiring Permit Revisions
10 CSR 10-6.065(5)(C)1.H
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.

Reasonably Anticipated Operating Scenarios
10 CSR 10-6.065(5)(C)1.I
There are no reasonably anticipated operating scenarios.

Compliance Requirements
10 CSR 10-6.065(5)(C)3
1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation’s right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
   a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
   b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.

3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
   a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
   b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.

4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or AirComplianceReporting@dnr.mo.gov. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
   a) The identification of each term or condition of the permit that is the basis of the certification;
   b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
   c) Whether compliance was continuous or intermittent;
   d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
   e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

**Permit Shield**

**10 CSR 10-6.065(5)(C)6**

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 applicable requirements are included and specifically identified in this permit, or
   b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.

2) Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
   a) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders,
   b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
   c) The applicable requirements of the acid rain program,
   d) The authority of the Environmental Protection Agency and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.

Emergency Provisions
10 CSR 10-6.065(5)(C)7
1) An emergency or upset as defined in 10 CSR 10-6.065(5)(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.

Operational Flexibility
10 CSR 10-6.065(5)(C)8
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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or AirComplianceReporting@dnr.mo.gov, as well as Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 11201 Renner Blvd., Lenexa, KS 66219, 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), record keeping, reporting or compliance requirements of the permit.
   a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or AirComplianceReporting@dnr.mo.gov, as well or AirComplianceReporting@dnr.mo.gov, as well as Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 11201 Renner Blvd., Lenexa, KS 66219, 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.

Off-Permit Changes

10 CSR 10-6.065(5)(C)9

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 permit, 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 contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or AirComplianceReporting@dnr.mo.gov, as well as Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(5)(B)3 of this rule. 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.

Responsible Official

10 CSR 10-6.020(2)(R)34

The application utilized in the preparation of this permit was signed by Brent Ross, Manager, EH&S. 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.
Reopening-Permit for Cause
10 CSR 10-6.065(5)(E)6
This permit shall be reopened for cause if:
1) The Missouri Department of Natural Resources (MoDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR §70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
2) MoDNR 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) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

Statement of Basis
10 CSR 10-6.065(5)(E)1.C
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 A
NOx Emissions Tracking

This sheet covers the month of __________________ in the year __________________.

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</table>

Monthly NOx Emissions (tons) 6

12 Month Rolling Total NOx Emissions (tons) 7

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2 The permittee shall record the day of the month along with the hour of the day for every hour of operation. All values recorded in this table shall include start-up, shutdown, and malfunction periods.

3 The permittee shall record the NOx emissions rate for every hour of operation for each day of the month using the methods described in Permit Condition 1.

4 The permittee shall record the corresponding hourly heat input for every hour of operation for each day of the month using the methods described in Permit Condition 1.

5 \[ \text{[Hourly NOx Emission Rate]} = \text{[NOx Emission Rate]} \times \text{[Hourly Heat Input]} \]

6 \[ \text{[Monthly NOx Emissions]} = \text{[Sum of all Hourly NOx Emission Rate]} \times [0.0005] \]

7 Sum of the 12 most recent Monthly NOX Emissions values. **A value less than 250.0 tons indicates compliance.**
Attachment B
Natural Gas Usage Tracking

This sheet covers the month of ________________ in the year ________________.

<table>
<thead>
<tr>
<th>Day/ Hour⁸</th>
<th>Heat Input (MMBtu)⁹</th>
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**Monthly Heat Input (MMBtu)¹⁰**

**12 Month Rolling Total Heat Input (MMBtu)¹¹**

---
⁸ The permittee shall record the day of the month along with the hour of the day for every hour of operation. All values recorded in this table shall include start-up, shutdown, and malfunction periods.
⁹ The permittee shall record the heat input for every hour of operation for each day of the month using the methods described in Permit Condition 1
¹⁰ [Monthly Heat Input] = [Sum of all Heat Input]
¹¹ Sum of the 12 most recent Monthly Heat Input values. A value less than 5,610,000 MMBtu indicates compliance.
### Attachment C

**CO Emissions Tracking**

This sheet covers the month of ________________ in the year ________________.

<table>
<thead>
<tr>
<th>Day/Hour $^{12}$</th>
<th>CO Emission Rate (lb/MMBtu)$^{13}$</th>
<th>Hourly Heat Input (MMBtu/hr)$^{14}$</th>
<th>Hourly CO Emission Rate (lb/hr)$^{15}$</th>
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</table>

### Monthly CO Emissions (tons)$^{16}$

### 12 Month Rolling Total CO Emissions (tons)$^{17}$

---

$^{12}$ The permittee shall record the day of the month along with the hour of the day for every hour of operation. All values recorded in this table shall include start-up, shutdown, and malfunction periods.

$^{13}$ The permittee shall record the CO emissions rate for every hour of operation for each day of the month using the methods described in Permit Condition 1.

$^{14}$ The permittee shall record the corresponding hourly heat input for every hour of operation for each day of the month using the CO curve described in Permit Condition 1.

$^{15}$ [Hourly CO Emission Rate] = [CO Emission Rate] * [Hourly Heat Input]

$^{16}$ [Monthly CO Emissions] = [Sum of all Hourly CO Emission Rate] * [0.0005]

$^{17}$ Sum of the 12 most recent Monthly CO Emissions values. A value less than 250.0 tons indicates compliance.
Attachment D
Custom Fuel Sampling Schedule

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101
JAN 07 1998

CERTIFIED MAIL
Return Receipt Requested

Charles S. Means
Manager, Environmental Services
Alternate Designated Representative
Associated Electric Cooperative, Inc.
P.O. Box 754
Springfield, MO 65801-0754

Re: NSPS, Subpart GG - Custom Fuel Sulfur and/or Nitrogen Content Monitoring Schedule; Pipeline-Quality Natural Gas

St. Francis Power Plant (near Glennonville, MO), Essex Power Plant (near Dexter, MO) and Nodaway Power Plant (near Maryville, MO); stationary gas turbines being constructed or proposed for construction.

Dear Mr. Means:

In consideration of the information in letters sent to us, cover letters dated 11/15/98 and 12/28/98, and of 40 CFR 60.334(b)(2) and 60.13(i), we hereby grant the custom schedule set forth below for application with respect to the measurement of the sulfur and nitrogen content of the pipeline-quality natural gas burned in the NSPS/Subpart GG-affected turbines at the company’s above-referenced stations:

[NOTE 1: The custom schedule and associated provisions are effective immediately upon the company’s receipt date of this letter (see also Item 4 of this letter) and remain in effect unless the company subsequently informs the EPA regional office by return letter that the company rejects the schedule or has decided to no longer comply with the schedule or associated provisions (in which case, the monitoring requirements as set forth in 40 CFR Part 60, Subpart GG, at the time of the company’s letter are applicable) or unless the custom schedule is replaced or revoked for any reason by EPA].
[NOTE 2: The company’s letter of 11/19/98 states that the St. Francis Unit 1 turbine has provisions incorporated into its permit to fire a low sulfur back up fuel oil, if needed, and that fuel oil usage is not expected to exceed 10% of the unit’s annual operating time. The Custom Schedule that follows is valid for only those periods of time when the units in question fire pipeline-quality natural gas. During periods of oil firing, or as needed, the company must measure on a daily [or on a transfer to bulk storage] basis the sulfur and the nitrogen content of the oil to be fired in the unit. If the company plans to use a measurement method other than one of those mentioned in NSPS, Subpart GG, we suggest that the company obtain EPA’s prior approval of the method].

CUSTOM SCHEDULE


   la. With regard to 2.a of the above-mentioned Enclosure, the "approved alternative method" shall mean the following:

   The Gas Processors Association’s (GPA’s) Standard 2377 (Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes), as currently in effect and as may be revised from time-to-time by the GPA.

1b. The owner/operator shall inform the EPA regional office, by letter, of any revision to the Standard by the issuing entity, shall immediately begin using the revised Standard, and shall continue to use the revised Standard until the EPA regional office requests otherwise.

The owner/operator shall inform the EPA regional office, by letter, of the discontinuation of the Standard by the issuing entity. The owner/operator shall continue to use the discontinued Standard until the EPA regional office requests otherwise.

The above notification(s) regarding the revision or discontinuation of the Standard shall be sent to the regional office within 30 calendar days of the owner/operator’s knowledge of such.
1c. With regard to 2.d and 3 of the Enclosure, the mention of "State" or "State Air Control Board" shall mean the EPA, Region VII, Air, RCRA and Toxics Division (ARTD); i.e., the EPA regional office.

2. For purposes of accountability and quality assurance regarding the recorded measurements, we suggest that certain information be recorded and maintained by the owner/operator [see Attachment A]. Our suggestions, however, do not relieve the owner/operator of its responsibility to record and maintain all information that may be needed by the regional office to verify that the owner/operator has met all requirements and/or recommendations of GPA Standard 2377 or of the NSPS regulation.

3. This custom schedule is subject to revision or revocation, without prior notice, at the discretion of the EPA regional office.

4. The owner/operator shall inform the EPA regional office by letter of its acceptance of this Custom Schedule [and associated provisions] and of the date the company will begin to implement the schedule. It is understood that a change of ownership will not void the schedule but that a change of location and/or gas supplier may invalidate the schedule.

5. If the owner/operator of the turbines decides to no longer comply with any requirement of this custom schedule as set forth above or as subsequently revised by the EPA regional office, the owner/operator shall immediately comply with all applicable requirements of 40 CFR Part 60, Subpart GG, shall record and maintain appropriate records and shall notify the EPA regional office of the company's decision; said notification shall be made by letter to the Chief, Air Permitting and Compliance Branch postmarked no later than 7 calendar days of said decision.

6. The above provisions presume that the owner/operator of the turbine(s) affected by the requirements of this Custom Schedule will perform the fuel sulfur/nitrogen content measurement procedures. This document allows the use of an outside party (e.g., an independent lab, the fuel supplier) to collect, record and/or maintain measurements for the owner/operator as long as: 1) all requirements of this custom schedule document and all non-superseded applicable requirements of NSPS Subparts A and GG are met on an on-going basis, 2) the owner/operator has given the EPA regional office prior written notice of such arrangement and of the date the arrangement will commence and 3) the EPA regional office will have access to pertinent records.
Conditions for Custom Fuel Sampling Schedule for Stationary Gas Turbines

1. Monitoring of fuel nitrogen content shall not be required while natural gas is the only fuel fired in the gas turbine.

2. Sulfur Monitoring
   a. Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. The reference methods are: ASTM D1072-80; ASTM D3031-81; ASTM D3245-81; and ASTM D4004-82 as referenced in 40 CFR 60.333(b)(2).

   b. Effective the date of this custom schedule, sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR 60.333, then sulfur monitoring shall be conducted once per quarter for six quarters.

   c. If after the monitoring required in item 2(b) above, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarters of each calendar year.

   d. Should any sulfur analysis as required in items 2(b) or 2(c) above indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify the State Air Control Board of such excess emissions and the custom schedule shall be re-examined by the Environmental Protection Agency. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

3. If there is a change in fuel supply, the owner or operator must notify the State of such change for re-examination of this custom schedule. A substantial change in fuel quality shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

4. Records of sample analysis and fuel supply pertinent to this custom schedule shall be retained for a period of three years, and be available for inspection by personnel of federal, state, and local air pollution control agencies.
Attachment A

Re: Measurements using GPA Standard 2377

For purposes of accountability and quality assurance regarding the recorded measurements, we suggest that the owner/operator, at a minimum, record and maintain the following information:

a. Maintenance records and malfunction records (possibly via appropriate “notes” on data record sheets) pertaining to the measurement equipment (e.g., pumps, containers).

b. Purchase records pertaining to the major components of the measurement equipment (e.g., pumps, detection tubes). At a minimum, the following additional information should be included: Quantity and date purchased/received, detection tube type (for H2S or for CO measurement) and model number, the detection range of the tubes purchased/received, pump model number, the temperature range of the tubes and data conversion sheets supplied by detection tube manufacturers. Retention of manufacturer spec sheets for the equipment in question will probably suffice if the sheets contain the needed information.

c. We suggest that each data recording sheet contain, at a minimum, the following recorded information [NOTE: Where appropriate, a “check sheet” format might be useful]:

General Information

- The date of the reading, the number of pump strokes used to draw the gas through the detection tube, the measurement reading and the reader’s name or initials (and the reader’s affiliation if other than the owner/operator).

- Any adjustment calculations, if/when made.

- Each measurement expressed in terms of the reading and the applicable standard (e.g., ppm, by wt.) and, where NSPS Subpart GG requires, in terms of SO2 equivalent.

- Each completed data sheet should contain a signed statement by a manager equivalent or greater that the person making the measurement has been adequately trained by the owner/operator regarding the procedures of the Standard and that the measurement was made in accordance with the Standard.
Alternative Method-Specific Information

- An indication if the age of the tube used is greater than 2 years old relative to its date of manufacture.

- The temperature of the sampled gas.

- The results of the pump leak detection procedure recommended by the Standard. The leak detection procedure must be conducted prior to the use of the pump and each time the pump is used. A loss of vacuum within 30 seconds should be noted as well as corrective actions taken, if any.

- The tube’s detection range or Model number.

- The duration of “purging” of the gas sample container prior to each measurement.
TITLE IV: ACID RAIN PERMIT

In accordance with Titles IV and V of the Federal Clean Air Act and Missouri State Regulation 10 CSR 10-6.270 Acid Rain Source Permits Required, the State of Missouri issues this Acid Rain Permit.

Installation Name: AECI – Essex Power Plant
ORIS Code: 7749
Unit IDs: EP-01

The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources (MDNR), Air Pollution Control Program (APCP), Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set forth in this application.

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by the United States Environmental Protection Agency. Pursuant to 40 CFR 72.84, Automatic permit amendment, this does not necessitate a revision to any unit SO2 allowance allocations identified in this permit.

This acid rain permit is being issued in conjunction with this operating permit and is effective for the same period as stated on the cover page of the operating permit. The permittee shall submit an application for renewal of this permit in conjunction with the operating permit renewal application.

Date Director or Designee,
Department of Natural Resources
Acid Rain Permit Application

For more information, see instructions and 40 CFR 72.30 and 72.31.

This submission is: ☐ new ☑ revised ☑ for ARP permit renewal

### STEP 1

Identify the facility name, State, and plant (ORIS) code.

<table>
<thead>
<tr>
<th>Facility (Source) Name</th>
<th>State</th>
<th>Plant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essex Power Plant</td>
<td>MO</td>
<td>7749</td>
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### STEP 2

Enter the unit ID# for every affected unit at the affected source in column "a."

<table>
<thead>
<tr>
<th>a</th>
<th>b</th>
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<tbody>
<tr>
<td>Unit ID#</td>
<td>Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)</td>
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<tr>
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EPA Form 7610-16 (Revised 12-2015)
STEP 3
Read the standard requirements.

**Permit Requirements**

1. The designated representative of each affected source and each affected unit at the source shall:
   - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
   - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit.

2. The owners and operators of each affected source and each affected unit at the source shall:
   - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
   - (ii) Have an Acid Rain Permit.

**Monitoring Requirements**

1. The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.

2. The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.

3. The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

**Sulfur Dioxide Requirements**

1. The owners and operators of each source and each affected unit at the source shall:
   - (i) Hold allowances, as of the allowance transfer deadline, in the source’s compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
   - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.

2. Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.

3. An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
   - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
   - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

4. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.

5. An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

6. An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

7. An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

**Nitrogen Oxides Requirements**

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.
STEP 3, Cont’d.

Excess Emissions Requirements

(1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.

(2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
   (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
   (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
   (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
   (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
   (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
   (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.

(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.
STEP 3, Cont'd.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

2) Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;

3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Brent Ross

Name

Signature

Date: 6/17/2019
In accordance with Title V of the Clean Air Act and Missouri State Rules 10 CSR 10-6.362, Clean Air Interstate Rule Annual NOx Trading Program, 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NOx Trading Program, and 10 CSR 10-6.366, Clean Air Interstate Rule SOx Trading Program, the State of Missouri issues this CAIR Permit.

Installation Name:  AECI – Essex Power Plant  
ORIS Code:  7749  
Unit IDs:  EP-01

The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources’ Air Pollution Control Program, Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set forth in this application.

This CAIR Permit applies only to EP-01 at AECI – Essex Power Plant (Facility ID 207-0064).

This CAIR permit is being issued in conjunction with this operating permit and is effective for the same period as stated on the cover page of the operating permit. The permittee shall submit an application for renewal of this permit in conjunction with the operating permit renewal application.

Date  
Director or Designee,  
Department of Natural Resources
CAIR Permit Application
(for sources covered under a CAIR SIP)

For more information, refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322

STEP 1
Identify the source by plant name, State, and ORIS/Facility Code

This submission is:  New  □ Revised  X Renewal

<table>
<thead>
<tr>
<th>Essex Power Plant</th>
<th>MO</th>
<th>007749</th>
</tr>
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<tbody>
<tr>
<td>Plant Name</td>
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<tr>
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</tr>
<tr>
<td>ORIS/Facility Code</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

STEP 2
Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

<table>
<thead>
<tr>
<th>Unit ID#</th>
<th>NOx Annual</th>
<th>SO2</th>
<th>NOx Ozone Season</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

STEP 3
Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

Standard Requirements
(a) Permit Requirements,
(1) The CAIR designated representative of each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) required to have a title V operating permit at the source shall:
   (i) Submit to the permitting authority a complete CAIR permit application under §96.122, §96.222, and §96.322 (as applicable) in accordance with the deadlines specified in §96.121, §96.221, and §96.321 (as applicable); and
   (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
(2) The owners and operators of each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) required to have a title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 90 for the source and operate the source and the unit in compliance with such CAIR permit.
(3) Except as provided in subpart II, III, and IV (as applicable) of 40 CFR part 66, the owners and operators of a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) that is not otherwise required to have a title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 90 for such CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and such CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable).
CAIR Permit Application

Page 2

STEP 3, continued

- (b) Monitoring, reporting, and recordkeeping requirements.
  
  (1) The owners and operators, and the CAIR designated representative, of each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) at the source shall maintain records of all activity constituting the source's emissions, energy use, and energy efficiency improvements, and shall submit reports of all such activity to the Administrator of the State of Connecticut in accordance with paragraph (d) of §96.106, for a control period in every calendar year for which the CAIR NOx allowance was allocated.

(c) Nitrogen oxides emission requirements.
  
  (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx source and each CAIR NOx unit at the source shall hold, in the source's compliance account, CAIR NOx allowances available for compliance deductions for the control period under §96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

  (2) A CAIR NOx unit shall be subject to the requirements under paragraph (c)(1) of §96.106 for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.170(b)(1), (2), and (5) and for each control period thereafter.

  (3) A CAIR NOx allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.106, for a control period in a calendar year before the year for which the CAIR NOx allowance was allocated.

  (4) CAIR NOx allowances shall be held in, deducted from, or transferred into or among CAIR NOx Allowance Tracking System accounts in accordance with subparts FF, GG, and HHHH of 40 CFR part 96.

  (5) A CAIR NOx allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Annual Trading Program. No provision of the CAIR NOx Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

  (6) A CAIR NOx allowance does not constitute a property right.

  (7) Upon recordation by the Administrator under subpart EE, FF, GG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NOx allowance to or from a CAIR NOx source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NOx unit.

- Sulfur dioxide emission requirements.
  
  (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO2 source and each CAIR SO2 unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO2 allowances available for compliance deductions for the control period under §96.254(a) and (b) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

  (2) A CAIR SO2 unit shall be subject to the requirements under paragraph (c)(1) of §96.206 for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under §96.270(b)(1), (2), and (5) and for each control period thereafter.

  (3) A CAIR SO2 allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.206, for a control period in a calendar year before the year for which the CAIR SO2 allowance was allocated.

  (4) CAIR SO2 allowances shall be held in, deducted from, or transferred into or among CAIR SO2 Allowance Tracking System accounts in accordance with subparts FF, GG, and HHHH of 40 CFR part 96.

  (5) A CAIR SO2 allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO2 Trading Program. No provision of the CAIR SO2 Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

  (6) A CAIR SO2 allowance does not constitute a property right.

  (7) Upon recordation by the Administrator under subpart FF, GG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO2 allowance to or from a CAIR SO2 source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO2 unit.

- Nitrogen oxides ozone season emissions requirements.
  
  (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under §96.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

  (2) A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of §96.306 for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.370(b)(1), (2), (3), or (7) and for each control period thereafter.

  (3) A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.306, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

  (4) CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with subparts FF, GG, and III of 40 CFR part 96.

  (5) A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.
STEP 3, continued

Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.305 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NOx allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or III of 40 CFR part 98, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(e) Excess emissions requirements.

If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx emissions limitation, then:

1. The owners and operators of the source and each CAIR NOx unit at the source shall surrender the CAIR NOx allowances required for deduction under §96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
2. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR SO2 source emits sulfur dioxide during any control period in excess of the CAIR SO2 emissions limitation, then:

1. The owners and operators of the source and each CAIR SO2 unit at the source shall surrender the CAIR SO2 allowances required for deduction under §6.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
2. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

1. The owners and operators of the source and each CAIR NOx Ozone Season unit at the source shall surrender the CAIR NOx Ozone Season allowances required for deduction under §98.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
2. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §§96.113, §96.213, and §96.313 (as applicable) for the CAIR designated representative for the source and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under §§96.113, §96.213, and §96.313 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 98, provided that to the extent that subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 98 provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable) including those under subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 98.
(f) Liability.
   (1) Each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and each NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) shall meet the requirements of the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable).
   (2) Any provision of the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable) that applies to a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NOx units, CAIR SO2 units, and CAIR NOx Ozone Season units (as applicable) at the source.

(3) Any provision of the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable) that applies to a CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) shall also apply to the owners and operators of such unit.

(g) Effect on Other Authorities.
   No provision of the CAIR NOx Annual Trading Program, CAIR SO2 Trading Program, and CAIR NOx Ozone Season Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under §96.105, §96.205, and §96.305 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) or CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

Certification

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name: Brent Ross
Signature: [Signature]
Date: 9-5-12
STATEMENT OF BASIS

Installation Description
Essex Power Plant is a 100 MW (nominal) simple-cycle combustion turbine generator that is used for peak power generation. Fuel for the combustion turbine is natural gas and it has a maximum hourly design rate of 1,320 million Btu per hour. The installation is subject to the Acid Rain Source Permit and 40 CFR Part 60 Subpart GG.

Updated Potential to Emit for the Installation and Reported Air Pollutant Emissions, in tons per year

<table>
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<tr>
<th>Pollutants</th>
<th>Potential Emissions</th>
<th>Reported Emissions</th>
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</thead>
<tbody>
<tr>
<td>Particulate Matter ≤ Ten Microns (PM$_{10}$)</td>
<td>37.72</td>
<td>2.64</td>
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<tr>
<td>Particulate Matter ≤ 2.5 Microns (PM$_{2.5}$)</td>
<td>37.06</td>
<td>2.64</td>
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<tr>
<td>Sulfur Oxides (SO$_x$)</td>
<td>8.15</td>
<td>0.10</td>
</tr>
<tr>
<td>Nitrogen Oxides (NO$_x$)</td>
<td>&lt;250.0</td>
<td>20.09</td>
</tr>
<tr>
<td>Volatile Organic Compounds (VOC)</td>
<td>12.14</td>
<td>0.43</td>
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<tr>
<td>Carbon Monoxide (CO)</td>
<td>&lt;250.0</td>
<td>0.74</td>
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<tr>
<td>Hazardous Air Pollutants (HAPs)</td>
<td>5.89</td>
<td>0.14</td>
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</table>

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 June 21, 2019;
2) 2018 Emissions Inventory Questionnaire, received April 18, 2019; and

$^{18}$ The PTE is based on emissions only from Combustion Turbine 1 (EP-01); all emission units listed under emission units without limitations are not included. The values were based upon 8760 hours of uncontrolled annual operation as well as emission factors obtained from AP-42, Chapter 3.1 Stationary Gas Turbines.
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 the following requirements to not be applicable to this installation at this time for the reasons stated.

10 CSR 10-6.100, *Alternate Emission Limits*  
This regulation was rescinded on September 30, 2018.

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*  
This regulation does not apply to the combustion turbine (EP-01) because it is an internal combustion engine, which are exempt per (1)(A). However, the current definition of internal combustion engines in the Missouri Code of State Regulations (CSR) includes only piston engines, if the definition are not updated in the CSR to include turbine engines enforcement discretion is recommended. This regulation does not apply to the remaining emission units at the installation because they are not expected to emit visible emissions.

10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*  
This regulation does not apply because the installation is exempt via 6.260(1)(A)1. because 6.070 (New Source Performance Regulations) applies, see Permit Condition 2, and places limits on emissions of sulfur dioxide via NSPS 40 CFR Part 60 Subpart GG.

10 CSR 10-6.261, *Control of Sulfur Dioxide Emissions*  
This regulation does not apply to EP-01 because it is subject to a more restrictive sulfur content limit under 10 CSR 10-6.070 and thus is an exception per 10 CSR 10-6.261(1)(C)(1).

This regulation was rescinded on September 30, 2018.

10 CSR 10-6.360, *Control of NOx Emissions from Electric Generating Units and Non-Electric Generating Boilers*  
This regulation was rescinded on September 30, 2018.

10 CSR 10-6.400, *Restriction of Particulate Matter from Industrial Processes*  
This regulation does not apply because the turbine (EP-01) burns natural gas which does not meet the definition of process weight. Process weight is defined as the total weight of all materials, including solid fuels, introduced into an emission unit, which may cause any emission of particulate matter, but excluding liquids and gases used solely as fuels and air introduced for purposes of combustion. [10 CSR 10-6.400(2)]
10 CSR 10-6.405, Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used For Indirect Heating
This regulation does not apply because the turbine (EP-01) is not an indirect heating unit.

Construction Permit History
Construction Permit 0998-022, Issued September 11, 1998
- This permit was for the installation of a new Westinghouse 501D5A EconoPac simple-cycle/dry low-NOx electricity generating turbine (EP-01).
- This permit contains 14 special conditions:
  - Special Conditions 1 through 4: Limited the installation to emit less than 100 tons of CO per year with appropriate record keeping and reporting.
  - Special Conditions 5 through 7: Requires the installation to demonstrate the NOx emissions are lower than the CO emissions with appropriate record keeping and reporting.
  - Special Conditions 8 through 14: Requires appropriate performance tests and record keeping plans.
  - These special conditions do not appear in the operating permit because this construction permit was amended (see below).

Construction Permit 0998-022A, Issued February 17, 2000
- This amendment was to limit NOx emissions from this installation rather than CO emissions
- This permit contains 14 special conditions:
  - Special Conditions 1 through 4: Limited the installation to emit less than 100 tons of NOx per year with appropriate record keeping and reporting. These conditions also directly limit the amount of CO emitted from the installation (the turbine was the only emission unit present).
  - Special Conditions 5 through 13: Requires appropriate performance tests and record keeping plans.
  - These special conditions do not appear in the operating permit because this construction permit was superseded by construction permit 122016-005.

Construction Permit 032009-007, Issued March 12, 2009
- This permit was for the installation of a new Westinghouse 510D5A EconoPac simple-cycle/dry 10w-NOx combustor electricity generating turbine.
- This permit contains 3 special conditions.
  - Special Condition 1: Limits the new unit to emit less than 250.0 tons of both NOx and CO per year with appropriate record keeping and reporting.
  - Special Condition 2: Limits the new unit to only burn natural gas.
  - Special Condition 3: Require appropriate compliance testing.
  - These special conditions do not appear in the operating permit because the unit was never installed.

Construction Permit 032009-007A, Issued October 5, 2010
- This amendment increased the time allowed to construct the new turbine.
- This amendment does not contain any special conditions.
Construction Permit 122016-005, Issued December 16, 2016
- This permit authorized the increase of the CO and NO₅ limits in Construction Permit 0998-022A from 100 tons per year to 250.0 tons per year for EP-01.
- This permit contains 4 special conditions.
  o Special Condition 1: Supersedes all special conditions from Construction Permit 0998-022A.
  o Special Condition 2: Limits EP-01 to 250.0 tons per year of NO₅ and 250.0 tons per year of CO with appropriate record keeping and reporting.
  o Special Condition 3: Limits EP-01 to only burn natural gas with adequate loading conditions.
  o Special Condition 4: Require appropriate performance testing.
- These special conditions do not appear in the operating permit because this construction permit was superseded by its amendment.

Construction Permit 122016-005A, Issued February 20, 2018
- This amendment authorized the use of alternate monitoring and recordkeeping.
- This permit contains 6 special conditions.
  o Special Condition 1: Supersedes all of the special conditions from Construction Permit 122016-005.
  o Special Condition 2: Limits the amount of NO₅ to less than 250.0 tons per year with appropriate record keeping and reporting.
  o Special Condition 3: Limits EP-01 to only burn natural gas with adequate loading conditions.
  o Special Condition 4: Limits the amount of CO to less than 250.0 tons per year with appropriate record keeping and reporting.
  o Special Condition 5: Requires appropriate performance testing prior to CO and NOX testing.
  o Special Condition 6: Requires appropriate record keeping and reporting.
- These special conditions appear in the operating permit under Permit Condition 122016-005A.

New Source Performance Standards (NSPS) Applicability

40 CFR Part 60 Subpart GG, Standards of Performance for Stationary Gas Turbines
This regulation applies to the gas turbine EP-01 because has a heat input capacity greater than ten MMBtu/hr and it was constructed after October 3, 1977. It appears in the operating permit under Permit Condition 2. [§60.330]

40 CFR Part 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines
This regulation only applies to turbines that commenced construction after February 18, 2005. The turbine (EP-01) at this installation was constructed in 1998 and therefore the rule does not apply. [§60.4305]
Maximum Achievable Control Technology (MACT) Applicability
40 CFR Part 63 Subpart YYYY, National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
This regulation does not apply to the combustion turbine because this installation is not a major source of Hazardous Air Pollutants.

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

Compliance Assurance Monitoring (CAM) Applicability
40 CFR Part 64, Compliance Assurance Monitoring (CAM)
The CAM rule applies to each pollutant specific emission unit that:
- Is subject to an emission limitation or standard, and
- Uses a control device to achieve compliance, and
- Has pre-control emissions that exceed or are equivalent to the major source threshold.
40 CFR Part 64 is not applicable because none of the pollutant-specific emission units uses a control device to achieve compliance with a relevant standard.

Greenhouse Gas Emissions
Note that this source may be subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO₂ emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation’s CO₂ emissions were not included within this permit. If required to report the data directly to EPA. The public may obtain CO₂ emissions data for this installation by visiting [http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html](http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html).

Other Regulatory Determinations
None

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)
June 4, 2020

Brent Ross
AECI Essex Power Plant
24687 State Highway E
Essex, MO 63846

Re: Renewal of Part 70 Operating Permit
Installation ID 207-0064, Permit Number: OP2020-015

Dear Brent Ross:

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

This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at http://dnr.mo.gov/regions/. The online CAV request can be found at http://dnr.mo.gov/cav/compliance.htm.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:ST

Enclosures

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