

**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES  
Air Pollution Control Program

## 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:** OP2018-016  
**Expiration Date:** FEB 02 2023  
**Installation ID:** 147-0032  
**Project Number:** 2014-07-005

**Installation Name and Address**

Nodaway Power Plant  
31491 300th Street  
Maryville, MO 64434  
Nodaway County

**Parent Company's Name and Address**

Associated Electric Cooperative, Inc.  
2814 S. Golden, PO Box 754  
Springfield MO, 65801

**Installation Description:**

Associated Electric Cooperative, Inc., Nodaway Power Plant operates two (2) simple-cycle, nominal 100-Megawatt combustion turbine generators. The maximum expected design output from the turbines is rated at 135 MW. These units are used for peaking electricity generation during high energy demand periods and when system needs require. The turbines burn only natural gas that is supplied by a gas transmission line.

Prepared by  
Jill Wade, P.E.  
Operating Permit Unit

Director or Designee  
Department of Natural Resources

**FEB 02 2018**

Effective Date

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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.

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>
EP-1	Combustion Turbine 1
EP-2	Combustion Turbine 2

### **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.

<u>Description of Emission Source</u>
None.

## 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 Limitations.

### **Monitoring:**

The permittee shall calibrate, maintain and operate all pollution control devices and pollution monitoring related instruments according to the manufacturer's recommendations, or maintenance and operational history of similar units. All calibrations, maintenance, and operations shall occur according to good engineering practices. All manufacturing specifications and operational/maintenance histories shall be kept on site.

### **Recordkeeping:**

1. The permittee shall record all required record keeping in an appropriate format.
2. Records may be kept electronically using database or workbook systems, as long as all required information is readily available for compliance determinations.
3. The permittee shall keep a copy of this operating permit and review, copies of all issued construction permits and reviews, and copies of the CAIR and Acid Rain Permits.
4. All records must be kept for a minimum of 5 years and be made available to department personnel upon request.

### **Performance Testing:**

When performance testing is required by a condition of this permit, one electronic copy of a written report of the performance test results shall be submitted to [stacktesting@dnr.mo.gov](mailto:stacktesting@dnr.mo.gov) within the timeframe required by the regulation that requires the testing. If no time frame is specified, the report shall be submitted within sixty days. The report shall include legible copies of the raw data sheets, analytical instrument laboratory data, and complete sample calculations from the required U.S. EPA Method for at least one sample run.

### **Reporting:**

1. The permittee shall report any exceedance of any of the terms imposed by this permit, or any malfunction which could cause an exceedance of any of the terms imposed by this permit, no later than ten days after the exceedance or event causing the exceedance (unless otherwise specified in the specific condition).
2. The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report and annual compliance certification.
3. All reports and certifications shall be submitted to the Air Pollution Control Program's Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).

### 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.

<b>PERMIT CONDITION 001</b>	
10 CSR 10-6.060 Construction Permits Required	
Construction Permit 1198-007B (Corrected)	

Emission Unit	Description
EP-1	Natural Gas Fired Simple Cycle Combustion Turbine Unit 1; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
EP-2	Natural Gas Fired Simple Cycle Combustion Turbine Unit 2; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5

**Emission Limitations:**

1. The permittee shall achieve the following Best Available Control Technology (BACT) limitations for the Westinghouse Model 501D5 turbine generators (EP-1 and EP-2). These limits shall be achieved on the basis of a three (3)-hour averaging time.
  - a) Nitrogen Oxides (NO<sub>x</sub>): Twenty five (25) parts per million by volume (ppmv), corrected to fifteen (15) percent oxygen on a dry basis. [Special Condition 1.A.]
  - b) Carbon Monoxide (CO): Ninety (90) parts per million by volume (ppmv), corrected to fifteen (15) percent oxygen on a dry basis. [Special Condition 1.B.]
  - c) Particulate Matter less than ten microns in aerodynamic diameter (PM<sub>10</sub>): 0.014 pounds per million BTU (lb/MMBtu) of heat input. [Special Condition 1.C.]
2. The permittee shall operate each of these turbines less than two thousand (2000) hours in any consecutive twelve (12) month period. Any future increase in the hours of operation will require a reevaluation of BACT. This future review will be conducted as if the turbines had not yet been built. [Special Condition 2.]
3. Natural gas shall be the only fuel fired in these turbines. [Special Condition 12.]
4. Should the permittee wish to convert these simple cycle turbines to combined cycle turbines in the future, BACT must be re-evaluated. This future review will be conducted as if the turbines had not yet been built. [Special Condition 13.]
5. The permittee shall operate the turbines at a minimum load of 94 MW during the winter season month. The winter season is defined as November 1<sup>st</sup> through the last day of February.
6. Should a unit operate below 94 MW during the winter season outside of startup and shutdown, a NO<sub>x</sub> compliance stack test shall be conducted on the unit during the winter season.

**Monitoring/Performance Testing:**

1. The permittee shall perform NO<sub>x</sub> stack testing to verify compliance with the NO<sub>x</sub> emission limitation coinciding with the facility's Part 75 Appendix E NO<sub>x</sub> emission rate testing as required by the Acid Rain Program. This testing shall occur once every four QA operating quarters, or every twenty calendar quarters, whichever comes first.

2. The date on which the performance tests are conducted must be pre-arranged with APCP a minimum of thirty (30) days prior to the proposed test date so that the APCP may arrange a pretest meeting, if necessary, to assure that the test date is acceptable for an observer to be present. A completed Proposed Test Plan form may serve the purpose of notification and must be approved by the APCP prior to conducting the required emission testing. [Special Condition 8.]

**Recordkeeping:**

1. The permittee shall use Attachment A, or equivalent, to monitor and record the monthly and consecutive 12 month operating hours for each turbine. [Special Condition 3.]
2. The permittee shall maintain records verifying the operating load of the turbines during the winter season months exceeds 94 MW.

**Reporting:**

1. One electronic copy of a written report of the performance test results shall be submitted to [stacktesting@dnr.mo.gov](mailto:stacktesting@dnr.mo.gov) within thirty (30) days of completion of any required testing. The report must include legible copies of the raw data sheets, analytical instrument laboratory data and complete sample calculations from the required EPA Method for at least one sample run. [Special Condition 9.]
  - a) The test report is to fully account for all operational and emission parameters addressed both in the conditions of construction permit #1198-007B (Corrected) as well as in any other applicable state or federal rules or regulations. [Special Condition 10.]
2. Any deviation from the performance test methods and procedures required by this permit condition shall be included in the proposed test plan and performance test report, which shall be submitted to the Director of the APCP thirty (30) days prior to the performance tests and within thirty (30) days of completion of any required testing, respectively.

**PERMIT CONDITION 002**

10 CSR 10-6.070 New Source Performance Regulations  
40 CFR part 60 Subpart GG Standards of Performance for Stationary Gas Turbines

Emission Unit	Description
EP-1	Natural Gas Fired Simple Cycle Combustion Turbine Unit 1; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
EP-2	Natural Gas Fired Simple Cycle Combustion Turbine Unit 2; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5

**Emission Limitation:**

1. Standard for Sulfur Dioxide:
  - a) The permittee shall: comply with one of the following conditions:
    - i) The permittee shall not cause to be discharged into the atmosphere from this gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis. [40 CFR 60.333(a)]
    - ii) No fuels shall be burned at this source which contain sulfur in excess of 0.8 percent by weight. [40 CFR 60.333(b)]

**Monitoring:**

1. The permittee shall comply with the EPA Region VII's approved custom fuel sulfur and/or nitrogen content monitoring schedule and associated provisions. [40 CFR 60.334(b)(2)]
  - a) Nitrogen Monitoring: Monitoring of fuel nitrogen content shall not be required while natural gas is the only fuel fired in the gas turbine. [Custom Schedule Condition 1.]
  - b) Sulfur Monitoring:
    - i) Analysis of 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 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. The ASTM reference methods are: ASTM D1072-80; ASTM D3031-81; and ASTM D4084-82 as referenced in §60.335(b)(10)(ii).[Custom Schedule Condition 2.a.]
    - ii) 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 §60.333, then sulfur monitoring shall be conducted once per quarter for six quarters. [Custom Schedule Condition 2.b.]
    - iii) 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 §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. [Custom Schedule Condition 2.c.]
    - iv) Should any sulfur analysis, as required in items 2(b) or 2(c) above, indicate noncompliance with §60.333, the permittee shall notify the EPA, Region VII, Air, RCRA and Toxics Division (ARTD) of such excess emissions and the custom schedule shall be reexamined by the EPA. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined. [Custom Schedule Condition 2.d.]
  - c) If there is a change in fuel supply, the permittee must notify the EPA, Region VII, Air, RCRA and Toxics Division (ARTD) of such change for reexamination 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. [Custom Schedule Condition 3.]
2. If the permittee decides to no longer comply with any requirement of the custom schedule, the permittee shall immediately comply with all applicable monitoring requirements of 40 CFR Part 60, Subpart GG.

**Record Keeping:**

1. Records of sample analysis and fuel supply pertinent to the custom schedule shall be retained using Attachment B or an equivalent form generated by the permittee for a period of five years and be available for inspection by personnel of federal, state and local air pollution control agencies.
2. If the permittee decides to no longer comply with any requirement of the custom schedule, the permittee shall immediately comply with all applicable record keeping requirements of 40 CFR Part 60, Subpart GG.

**Reporting:**

1. The permittee shall submit excess emission reports and/or a summary report form to the director semiannually, except when the director, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the installation. All reports shall be postmarked by the 30<sup>th</sup> day following the end of each six-month period. Written reports of excess emissions shall include the following information: [40 CFR 60.7(c) ]
  - a) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period. [40 CFR 60.7(c)(1)]
  - b) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted. [40 CFR 60.7(c)(2)]
  - c) When no excess emissions have occurred, such information shall be stated in the report. [40 CFR 60.7(c)(4)]
2. The summary report form shall contain the information shown in Attachment C or an equivalent form generated by the permittee. One summary report form shall be submitted for each pollutant monitored at each affected facility. [40 CFR 60.7(d)]
  - a) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator. [40 CFR 60.7(d)(1)]
  - b) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in §60.7(c) shall both be submitted. [40 CFR 60.7(d)(2)]
3. For the purposes of reports under §60.7(c), periods of excess emissions that shall be reported are as follows:
  - a) Any daily period during which the sulfur content of the fuel being fired in the turbine exceeds 0.8 percent. [40 CFR 60.334(c)(2)]
4. If the permittee decides to no longer comply with any requirement of the custom schedule, the permittee shall notify the EPA regional office of the company's decision. The notification shall be made by letter to the Chief, Air Permitting and Compliance Branch postmarked no later than seven (7) calendar days of said decision. [Custom Schedule EPA Modification 5.]
5. The permittee shall inform the EPA regional office, by letter, of any revision to the Standard referenced method for measurement by the APCP, shall immediately begin using the revised Standard and shall continue to use the revised Standard until the EPA regional office requests otherwise. The permittee shall inform the EPA regional office, by letter, of the discontinuation of the Standard referenced method for measurement by the APCP. The permittee shall continue to use the discontinued Standard until the Regional office requests otherwise. The notification(s) regarding the revision or discontinuation of the Standard shall be sent to the regional office within thirty (30) calendar days of the permittee's knowledge. [Custom Schedule EPA Modification 1b.]



**PERMIT CONDITION 003**

10 CSR 10-6.362 Clean Air Interstate Rule Annual NO<sub>x</sub> Trading Program  
 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program  
 10 CSR 10-6.366 Clean Air Interstate Rule SO<sub>x</sub> Trading Program

Emission Unit	Description
EP-1	Natural Gas Fired Simple Cycle Combustion Turbine Unit 1; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
EP-2	Natural Gas Fired Simple Cycle Combustion Turbine Unit 2; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
<p><i>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 Nodaway Power Plant because the CAIR regulations have not been removed from the Missouri State Implementation Plan (SIP) at this time. Once the CAIR regulations are removed from the SIP, the CAIR permit can be removed from the operating permit. Nodaway Power Plant is not required to hold CAIR allowances and therefore no violation of CAIR is possible.</i></p>	

**Emission Limitation:**

1. The permittee shall obtain a CAIR Permit for the combustion units (EP-1 and EP-2) pursuant to Title IV of the Clean Air Act.
2. A CAIR permit is being issued to the permittee in conjunction with this Title V permit and will remain effective for the life of the operating permit (See Attachment E).

**PERMIT CONDITION 004**

40 CFR Parts 70 and 97 Cross State Air Pollution Rule

10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO<sub>x</sub> Trading Allowance Allocations  
 10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO<sub>x</sub> Trading Allowance Allocations  
 10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO<sub>2</sub> Trading Allowance Allocations

Emission Unit	Description
EP-1	Natural Gas Fired Simple Cycle Combustion Turbine Unit 1; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
EP-2	Natural Gas Fired Simple Cycle Combustion Turbine Unit 2; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5

The TR subject unit(s), and the unit-specific monitoring provisions, at this source are identified in the following table(s). These unit(s) are subject to the requirements for the TR NO<sub>x</sub> Annual Trading Program, TR NO<sub>x</sub> Ozone Season Trading Program, and TR SO<sub>2</sub> Group 1 Trading Program.

Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO <sub>2</sub> monitoring) and 40 CFR part 75, subpart H (for NO <sub>x</sub> monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO <sub>2</sub>	N/A	EP1 and EP-2	EP1 and EP-2	N/A	N/A
NO <sub>x</sub>	N/A	EP1 and EP-2	EP1 and EP-2	N/A	N/A
Heat Input	N/A	EP1 and EP-2	EP1 and EP-2	N/A	N/A

- 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 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and 97.630 through 97.635 (TR SO<sub>2</sub> Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.
- 2) The permittee must 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) The permittee that want to use an alternative monitoring system must 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 (TR NO<sub>x</sub> Annual Trading Program), 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or 97.635 (TR SO<sub>2</sub> 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) The permittee that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or 97.630 through 97.634 (TR SO<sub>2</sub> Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (TR NO<sub>x</sub> Annual Trading Program), 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or 97.635 (TR SO<sub>2</sub> 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 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and 97.630 through 97.634 (TR SO<sub>2</sub> Group 1 Trading Program),

and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add or change this unit's monitoring system description.

**TR NO<sub>x</sub> Annual Trading Program requirements (40 CFR 97.406)**

**(a) 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 40 CFR 97.413 through 97.418.

**(b) Emissions monitoring, reporting, and recordkeeping requirements.**

- (1) The permittee, and the designated representative, of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 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).
- (2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of TR NO<sub>x</sub> Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NO<sub>x</sub> Annual emissions limitation and assurance provisions under paragraph (c) below, 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 40 CFR 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.

**(c) NO<sub>x</sub> emissions requirements.**

- (1) TR NO<sub>x</sub> Annual emissions limitation.
  - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall hold, in the source's compliance account, TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Annual units at the source.
  - (ii). If total NO<sub>x</sub> emissions during a control period in a given year from the TR NO<sub>x</sub> Annual units at a TR NO<sub>x</sub> Annual source are in excess of the TR NO<sub>x</sub> Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:
    - (A). The permittee of the source and each TR NO<sub>x</sub> Annual unit at the source shall hold the TR NO<sub>x</sub> Annual allowances required for deduction under 40 CFR 97.424(d); and
    - (B). The permittee of the source and each TR NO<sub>x</sub> Annual unit at the source 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.
- (2) TR NO<sub>x</sub> Annual assurance provisions.
  - (i). If total NO<sub>x</sub> emissions during a control period in a given year from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state 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<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR 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 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> 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 state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state for such control period exceed the state assurance level.
- (ii). The permittee shall hold the TR NO<sub>x</sub> Annual allowances required under paragraph (c)(2)(i) above, 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 such control period.
  - (iii). Total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the state NO<sub>x</sub> Annual trading budget under 40 CFR 97.410(a) and the state's variability limit under 40 CFR 97.410(b).
  - (iv). It shall not be a violation of 40 CFR part 97, subpart AAAAA or of the Clean Air Act if total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state during a control period exceeds the common designated representative's assurance level.
  - (v). To the extent the permittee fails to hold TR NO<sub>x</sub> Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
    - (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
    - (B). Each TR NO<sub>x</sub> Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.
- (3) Compliance periods.
- (i). A TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
  - (ii). A TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.

- (i). A TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO<sub>x</sub> Annual allowance that was allocated for such control period or a control period in a prior year.
  - (ii). A TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO<sub>x</sub> Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (5) Allowance Management System requirements. Each TR NO<sub>x</sub> 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.
- (6) Limited authorization. A TR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:
- (i). Such authorization shall only be used in accordance with the TR NO<sub>x</sub> Annual Trading Program; and
  - (ii). Notwithstanding any other provision of 40 CFR part 97, 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.
- (7) Property right. A TR NO<sub>x</sub> Annual allowance does not constitute a property right.

**(d) Title V permit revision requirements.**

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO<sub>x</sub> Annual allowances in accordance with 40 CFR part 97, subpart AAAAA.
- (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (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 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR 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 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

**(e) Additional recordkeeping and reporting requirements.**

- (1) Unless otherwise provided, the owners and operators of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) 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 Administrator.
  - (i). The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each TR NO<sub>x</sub> 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 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.
  - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart AAAAA.

(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 TR NO<sub>x</sub> Annual Trading Program.

(2) The designated representative of a TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall make all submissions required under the TR NO<sub>x</sub> Annual Trading Program, except as provided in 40 CFR 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 parts 70 and 71.

**(f) Liability.**

(1) Any provision of the TR NO<sub>x</sub> Annual Trading Program that applies to a TR NO<sub>x</sub> Annual source or the designated representative of a TR NO<sub>x</sub> Annual source shall also apply to the owners and operators of such source and of the TR NO<sub>x</sub> Annual units at the source.

(2) Any provision of the TR NO<sub>x</sub> Annual Trading Program that applies to a TR NO<sub>x</sub> Annual unit or the designated representative of a TR NO<sub>x</sub> Annual unit shall also apply to the owners and operators of such unit.

**(g) Effect on other authorities.**

No provision of the TR NO<sub>x</sub> Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO<sub>x</sub> Annual source or TR NO<sub>x</sub> Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**TR NO<sub>x</sub> Ozone Season Trading Program Requirements (40 CFR 97.506)**

**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 40 CFR 97.513 through 97.518.

**(a) Emissions monitoring, reporting, and recordkeeping requirements.**

(1) The permittee, and the designated representative, of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.530 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.531 (initial monitoring system certification and recertification procedures), 97.532 (monitoring system out-of-control periods), 97.533 (notifications concerning monitoring), 97.534 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.530 through 97.535 shall be used to calculate allocations of TR NO<sub>x</sub> Ozone Season allowances under 40 CFR 97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NO<sub>x</sub> Ozone Season emissions limitation and assurance provisions under paragraph (c) below, 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 40 CFR 97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**(b) NO<sub>x</sub> emissions requirements.**

(1) TR NO<sub>x</sub> Ozone Season emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at

- the source shall hold, in the source's compliance account, TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR 97.524(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Ozone Season units at the source.
- (ii). If total NO<sub>x</sub> emissions during a control period in a given year from the TR NO<sub>x</sub> Ozone Season units at a TR NO<sub>x</sub> Ozone Season source are in excess of the TR NO<sub>x</sub> Ozone Season emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The permittee of the source and each TR NO<sub>x</sub> Ozone Season unit at the source shall hold the TR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR 97.524(d); and
- (B). The permittee of the source and each TR NO<sub>x</sub> Ozone Season unit at the source 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 BBBBBB and the Clean Air Act.
- (2) TR NO<sub>x</sub> Ozone Season assurance provisions.
- (i). If total NO<sub>x</sub> emissions during a control period in a given year from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state exceed the state assurance level, then The permittee 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<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.525(b), of multiplying—
- (A). The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> 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 state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and
- (B). The amount by which total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state for such control period exceed the state assurance level.
- (ii). The permittee shall hold the TR NO<sub>x</sub> Ozone Season allowances required under paragraph (c)(2)(i) above, 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 such control period.
- (iii). Total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the State NO<sub>x</sub> Ozone Season trading budget under 40 CFR 97.510(a) and the state's variability limit under 40 CFR 97.510(b).
- (iv). It shall not be a violation of 40 CFR part 97, subpart BBBBBB or of the Clean Air Act if total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season

sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state during a control period exceeds the common designated representative's assurance level.

- (v). To the extent the permittee fails to hold TR NO<sub>x</sub> Ozone Season allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
  - (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
  - (B). Each TR NO<sub>x</sub> Ozone Season allowance that the permittee fails to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBB and the Clean Air Act.

(3) Compliance periods.

- (i). A TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.
- (ii). A TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

- (i). A TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO<sub>x</sub> Ozone Season allowance that was allocated for such control period or a control period in a prior year.
- (ii). A TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO<sub>x</sub> Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NO<sub>x</sub> Ozone Season 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 BBBBB.

(6) Limited authorization. A TR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the TR NO<sub>x</sub> Ozone Season Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR part 97, subpart BBBBB, 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.

(7) Property right. A TR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

**(c) Title V permit revision requirements.**

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO<sub>x</sub> Ozone Season allowances in accordance with 40 CFR part 97, subpart BBBBB.



- (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.530 through 97.535, and the requirements for a continuous emission monitoring system (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 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR 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 40 CFR 97.506(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

**(d) Additional recordkeeping and reporting requirements.**

- (1) Unless otherwise provided, the permittee of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) 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 Administrator.
- (i). The certificate of representation under 40 CFR 97.516 for the designated representative for the source and each TR NO<sub>x</sub> Ozone Season 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 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.516 changing the designated representative.
  - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart BBBB.
  - (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 TR NO<sub>x</sub> Ozone Season Trading Program.
- (2) The designated representative of a TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall make all submissions required under the TR NO<sub>x</sub> Ozone Season Trading Program, except as provided in 40 CFR 97.518. 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 parts 70 and 71.

**(e) Liability.**

- (1) Any provision of the TR NO<sub>x</sub> Ozone Season Trading Program that applies to a TR NO<sub>x</sub> Ozone Season source or the designated representative of a TR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the TR NO<sub>x</sub> Ozone Season units at the source.
- (2) Any provision of the TR NO<sub>x</sub> Ozone Season Trading Program that applies to a TR NO<sub>x</sub> Ozone Season unit or the designated representative of a TR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

**(f) Effect on other authorities.**

No provision of the TR NO<sub>x</sub> Ozone Season Trading Program or exemption under 40 CFR 97.505 shall be construed as exempting or excluding the permittee, and the designated representative, of a TR NO<sub>x</sub> Ozone Season source or TR NO<sub>x</sub> Ozone Season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**PERMIT CONDITION 004**

10 CSR 10-6.270 Acid Rain Permit Required

Emission Unit	Description
EP-1	Natural Gas Fired Simple Cycle Combustion Turbine Unit 1; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5
EP-2	Natural Gas Fired Simple Cycle Combustion Turbine Unit 2; 1999; 1300 MMBtu/hr nominal 100 MW; Manufacturer: Westinghouse, Model 501D5

**Emission Limitation:**

1. The permittee shall obtain an Acid Rain Source Permit for EP-1 and EP-2 pursuant to Title IV of the Clean Air Act.
2. A Phase II permit is being issued to the permittee in conjunction with this Title V permit and will remain effective for the life of the operating permit (See Attachment D).

## 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 immediately make such permit available 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 requirement 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 10-6.280 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";
  - 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.

<b>40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)</b>
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- 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,

### **10 CSR 10-6.065(6)(C)1.B Permit Duration**

### **10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits**

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.

### **10 CSR 10-6.065(6)(C)1.C General Record Keeping and Reporting Requirements**

- 1) Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) October 1st for monitoring which covers the January through June time period, and
    - ii) April 1st for monitoring which covers the July through December time period.
  - 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 (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
    - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.



- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

#### **10 CSR 10-6.065(6)(C)1.D Risk Management Plan Under Section 112(r)**

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.

#### **10 CSR 10-6.065(6)(C)1.E Title IV Allowances**

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.

An Acid Rain Permit is being issued with this operating permit. See Attachment D.

#### **10 CSR 10-6.065(6)(C)1.F Severability Clause**

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

#### **10 CSR 10-6.065(6)(C)1.G General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit

- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

#### **10 CSR 10-6.065(6)(C)1.J Emissions Trading**

None.

#### **10 CSR 10-6.065(6)(C)3 Compliance Requirements**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards,

or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 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. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:

- a) The identification of each term or condition of the permit that is the basis of the certification;
- b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
- c) Whether compliance was continuous or intermittent;
- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

#### **10 CSR 10-6.065(6)(C)6 Permit Shield**

- 1) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
  - a) The 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.

#### **10 CSR 10-6.065(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the

emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 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, as well as EPA Region VII, 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.

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

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the 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, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(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.

#### **10 CSR 10-6.020(2)(R)34 Responsible Official**

The application utilized in the preparation of this permit was signed by Brent Ross, Manager, Environmental, Health and Safety. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

#### **10 CSR 10-6.065(6)(E)6 Reopening-Permit for Cause**

This permit 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.

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

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

## **VI. Attachments**

Attachments follow.







**ATTACHMENT B (Continued)**  
**Fuel Sampling Compliance Form**

Checklist for Data recording should contain the following information, at a minimum:

- (1) Date of reading/Plant name:
- (2) Number of pump strokes used to draw gas through detection tube:
- (3) Measurement reading:
- (4) Temperature of sample gas:
- (5) Reader's name or initials:
- (6) Reader's affiliation if other than owner/operator:
- (7) Any adjustment calculation, if/when made (dated):
- (8) Express measurement in terms of reading and applicable standard:
  - (i) ppm:
  - (ii) by weight:
  - (iii) grains/100 scf:
  - (iv) equivalent SO<sub>2</sub>:
- (9) Pump leak detection procedure conducted (yes/no) - Requirement: Conduct pump leak detection procedure prior to use each time used:
- (10) Calculations shown and conversion to proper units recorded: ((grains/100scf)/ppm) =
- (11) Certification Statement: The sample was taken in accordance with the standard and the individual taking of the sample has been adequately trained in the procedures of the Standard:

(Signed by manager, supervisor, or equivalent greater than the person taking the sample)

Pump used is a RAE Systems, Inc. Model LP-1200, Serial # 120737, Part # 010-0901

Detection Tube Used for Tests two and three:   SENSIDYNE.GASTEC  
Hydrogen Sulfide  
No. 4LL  
QC No. 81119

Detection Tube Used for Test one:                 RAE Systems  
Hydrogen Sulfide  
No. 103-10  
Batch 1909103-10



**ATTACHMENT C (Continued)**  
Excess NO<sub>x</sub> Emission Report

Nodaway Power Plant

Quarter:

Year:

Source of Emissions:

The following information is reported in total time for the entire quarter identified above.

Excess Emission Duration (hours):

Monitoring System Downtime Due to Quality Assurance (hours):

Source Operating Time:

Reported by:

Position Title:

**ATTACHMENT D**  
Acid Rain Permit

**TITLE IV: ACID RAIN  
PERMIT**

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

**Installation Name:** AECI – Nodaway Power Plant  
**ORIS Code:** 7754  
**Unit ID:** 1 and 2

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.

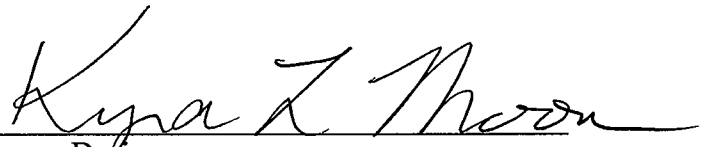
The number of allowances actually held by an affected source in a unit account may differ from the number allocated by the United States Environmental Protection Agency. Pursuant to 40 CFR 72.84, *Automatic permit amendment*, this does not necessitate a revision to any unit SO<sub>2</sub> allowance allocations identified in this permit.

These units are not coal fired and therefore are not subject to the requirements of 40 CFR part 76, Nitrogen Oxides Emission Reduction Program.

This acid rain permit is effective for the five-year period shown above, per 40 CFR 72.69, *Issuance and effective date of acid rain permits*. The designated representative must submit an application for renewal of this permit no later than June 30, 2011 per 40 CFR 72.30, *Requirement to apply*, and in conjunction with the operating permit renewal application.

**FEB 02 2018**

Date



Director or Designee,  
Department of Natural Resources



United States  
Environmental Protection Agency  
Acid Rain Program

OMB No. 2060-0258  
Approval expires 11/30/2012

## Acid Rain Permit Application

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

This submission is:  new  revised  for Acid Rain permit renewal

### STEP 1

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

Nodaway Power Plant Facility (Source) Name	MO State	7754 Plant Code
---	-------------	--------------------

### STEP 2

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

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
1	Yes
2	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes

Nodaway Power Plant  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

**Permit Requirements**

**STEP 3**

Read the standard 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).

Nodaway Power Plant  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 3

**Sulfur Dioxide Requirements, Cont'd.**

**STEP 3, Cont'd.**

- (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.

**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;

Nodaway Power Plant  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 4

**Recordkeeping and Reporting Requirements, Cont'd.**

**STEP 3, Cont'd.**

- (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.

**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



Nodaway Power Plant  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 5

STEP 3, Cont'd.


**Effect on Other Authorities, Cont'd.**

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.

STEP 4  
Read the  
certification  
statement,  
sign, and date.

**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.

Name Todd A. Tolbert ADR	
Signature 	Date 6/20/11

**ATTACHMENT E**  
**CAIR Permit**

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 – Nodaway Power Plant  
**ORIS Code:** 007754  
**Unit IDs:** 1 and 2

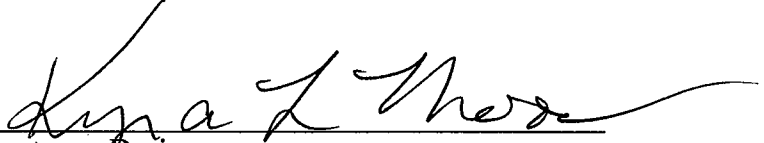
The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources' Air Pollution Control Program, Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set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

This CAIR Permit applies only to EP-1 and EP-2 at AECI – Nodaway Power Plant, plant 147-0032.

This CAIR permit is effective for a five-year period. The designated representative must submit an application for renewal of this permit in conjunction with the operating permit renewal application.

**FEB 02 2018**

Date

  
\_\_\_\_\_  
Director or Designee,  
Department of Natural Resources

# CAIR Permit Application

Page 1  
 (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

This submission is:  New  Revised  Renewal

**STEP 1**  
 Identify the source by plant name, State, and ORIS or facility code

Nodaway Power Plant Plant Name	MO State	007754 ORIS/Facility Code
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**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)

Unit ID#	NO <sub>x</sub> Annual	SO <sub>2</sub>	NO <sub>x</sub> Ozone Season
1	X	X	X
2	X	X	X

**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 NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 96 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 IIII (as applicable) of 40 CFR part 96, the owners and operators of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 96 for such CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and such CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable).

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Plant Name (from Step 1)

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continued

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96.

(2) The emissions measurements recorded and reported in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 shall be used to determine compliance by each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) with the CAIR NO<sub>x</sub> emissions limitation, CAIR SO<sub>2</sub> emissions limitation, and CAIR NO<sub>x</sub> Ozone Season emissions limitation (as applicable) under paragraph (c) of §96.106, §96.206, and §96.306 (as applicable).

(c) Nitrogen oxides emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> 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 NO<sub>x</sub> units at the source, as determined in accordance with subpart HH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> 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), or (5) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> 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 NO<sub>x</sub> allowance was allocated.

(4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with subparts FF, GG, and II of 40 CFR part 96.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> 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 NO<sub>x</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO<sub>x</sub> unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> 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 SO<sub>2</sub> units at the source, as determined in accordance with subpart HHH of 40 CFR part 96.

(2) A CAIR SO<sub>2</sub> 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), or (5) and for each control period thereafter.

(3) A CAIR SO<sub>2</sub> 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 SO<sub>2</sub> allowance was allocated.

(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 96.

(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.205 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 SO<sub>2</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO<sub>2</sub> 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 NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> 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 NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> 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 NO<sub>x</sub> 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 NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 96.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season

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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 NO<sub>x</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Excess emissions requirements.

If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> 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 SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

(1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under §96.254(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 NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under §96.354(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 NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 96, provided that to the extent that subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 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 NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> 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 NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) including those under subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96.

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continued

(f) Liability.

(1) Each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> Ozone Season units (as applicable) at the source.


(3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> 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 NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> 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 <b>Brent Ross</b>	
Signature 	Date <b>6-23-2014</b>

## STATEMENT OF BASIS

### INSTALLATION DESCRIPTION

Associated Electric Cooperative, Inc., Nodaway Power Plant operates two (2) simple-cycle, nominal 100-Megawatt combustion turbine generators. The maximum expected design output from the turbines is rated at 135 MW. These units are used for peaking electricity generation during high energy demand periods and when system needs require. The turbines burn only natural gas that is supplied by a gas transmission line. This installation is on the list of named sources.

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) <sup>1</sup>
PM <sub>10</sub>	19.41
PM <sub>2.5</sub>	19.41
Sulfur Oxides (SO <sub>x</sub> )	2.39
Nitrogen Oxides (NO <sub>x</sub> )	231.97
Volatile Organic Compounds	5.45
Carbon Monoxide (CO)	55.84
Hazardous Air Pollutants (HAP's)	1.84

<sup>1</sup>Each combustion turbine was evaluated at 2,000 hours of annual operation due to the limitations of CP1198-007.

### Reported Air Pollutant Emissions, tons per year

Pollutants	2016	2015	2014	2013	2012
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.08	0.05	0.09	0.05	0.56
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.08	0.05	0.09	0.05	0.56
Sulfur Oxides (SO <sub>x</sub> )	0.01	0.01	0.01	0.02	0.10
Nitrogen Oxides (NO <sub>x</sub> )	1.00	1.00	0.98	0.53	5.90
Volatile Organic Compounds (VOC)	0.02	0.02	0.04	0.02	0.24
Carbon Monoxide (CO)	0.23	0.15	0.21	0.12	1.65
Hazardous Air Pollutants (HAPs)	---	---	0.01	---	0.08

### 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 July 1, 2014;
- 2) 2016 Emissions Inventory Questionnaire, received April 28, 2017; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;

- 4) Construction Permit 1198-007
- 5) Construction Permit 1198-007B
- 6) Corrected Construction Permit 1198-007B;
- 7) EPA letter regarding custom monitoring schedule;
- 8) CAIR Permit Application; and
- 9) Acid Rain Permit Application.

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

### **Construction Permit History**

The following construction permits have been issued to this facility:

Construction Permit 1198-007, Issued November 16, 1998

This construction permit authorized the construction of the two simple cycle combustion turbine units 1 and 2.

Amendment A to Permit 1198-007, Issued July 30, 2003 and

Amendment B to Permit 1198-007, Issued August 15, 2005

These amendments were made to remove and define semi-annual testing requirements.

Correction to Permit 1198-007B, Issued September 8, 2005

A letter was sent to correct errors made to a wrongly referenced Special Conditions (13.A and 13 B instead of 14.A and 14.B).

Special Conditions 11.A, 11.B, 11.C and 11.D included requirements applicable when the facility elects to install a NO<sub>x</sub> CEMS. Because the facility has not installed a CEMS and has no plans to do so in the future, these special conditions were not included in the operating permit.

The permittee requested that the NO<sub>x</sub> testing requirements from CP1198-007C be updated in this operating permit. The permittee proposed replacing the requirements for NO<sub>x</sub> semi-annual stack testing with a frequency based upon the facility's Acid Rain Program obligations. This request was deemed to be reasonable based on historical test data and Appendix E Correlation Curve Results for both the winter and summer seasons. The facility provided 10 years of stack test data in which the facility's turbines tested below the NO<sub>x</sub> emission rate in both the summer and winter seasons. The summer season testing



was comfortably below the limit, however the winter testing results were much closer to the 25 ppm NO<sub>x</sub> limit, therefore the permittee has agreed to operate the turbines at or above a load of 94 MW in the winter season. This updated testing requirements have been included in Permit Condition 001.

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

40 CFR Part 60 Subpart GG, *Standards of Performance for Stationary Gas Turbines* is applicable to this installation with the following exceptions:

1. The U.S. EPA approved custom fuel schedule supercedes the nitrogen and sulfur fuel monitoring provisions established in Subpart GG. The custom fuel schedule is described in the EPA letter dated January 7, 1999 and is incorporated into permit condition 002. The schedule requires record retention for three (3) years. This was changed to five (5) years in the Title V permit to remain consistent with 10 CSR 10-6.065, *Operating Permits*.
2. The BACT NO<sub>x</sub> emission limit established in Construction Permit No. 1198-007C is more stringent than the NO<sub>x</sub> emission limit established in Subpart GG.

40 CFR Part 60 Subpart KKKK, *Standards of Performance for Stationary Combustion Turbines* is not applicable because it establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005 which is after the 1999 construction date of the turbines at this facility.

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

40 CFR Part 63 Subpart YYYY, *National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines* is not applicable because this facility does not own or operate a stationary combustion turbine located at a major source of HAP emissions.

#### **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 CO<sub>2</sub> emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO<sub>2</sub> emissions were not included within this permit. If required to report, the applicant is required to report the data directly to EPA. The public may obtain CO<sub>2</sub> emissions data by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.

### **Other Regulatory Determinations**

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

This regulation is not applicable to the combustion turbines because according to 10 CSR 10-6.220(1)(A), internal combustion engines are exempt.

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

This regulation is not applicable to the combustion turbines because they combust exclusively natural gas and are exempt per 10 CSR 10-6.261(1)(A)2.

10 CSR 10-6.261, *Control of Sulfur Dioxide Emissions*

This regulation is not applicable to the combustion turbines because they combust exclusively natural gas and are exempt per 10 CSR 10-6.261(1)(A).

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

Any regulation which is not specifically listed in either the Operating Permit or in the above Statement of Basis does not appear, based on this review, to be an applicable requirement for this installation for one or more of the following reasons:

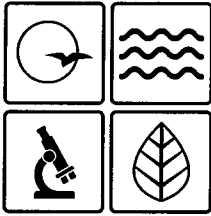
1. The specific pollutant regulated by that rule is not emitted by the installation;
2. The installation is not in the source category regulated by that rule;
3. The installation is not in the county or specific area that is regulated under the authority of that rule;
4. The installation does not contain the type of emission unit which is regulated by that rule;
5. The rule is only for administrative purposes.

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the 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).

## **Response to Public Comments**

The draft Part 70 Operating Permit for AECI Nodaway Power Plant (147-0032) was placed on public notice as of December 1, 2017 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm>.

The Air Pollution Control Program received no comments during the public notice period.



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

FEB 02 2018

Mr. Brent Ross  
Nodaway Power Plant  
PO Box 402  
Maryville, MO 64434

Re: Part 70 Operating Permit Renewal  
Installation ID: 147-0032, Permit Number: OP2018-016

Dear Mr. 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:jwj

Enclosures

c: PAMS File: 2014-07-005



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