



## 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: OP2012-004**

**Expiration Date: FEB 06 2017**

**Installation ID: 021-0118**

**Project Number: 2008-09-053**

**Installation Name and Address**

Ag Processing, Inc.  
P.O. Box 427  
900 Lower Lake Road  
St. Joseph, MO 64502  
Buchanan County, S30, T57, R35

**Parent Company's Name and Address**

Ag Processing Inc.  
P.O. Box 2047  
Omaha, NE 68103

**Installation Description:**

A 250 million pounds per year methyl ester plant started production on September 10, 2007.

The methyl ester process involves reacting semi-refined or refined vegetable oils with methanol in the presence of a catalyst to produce biodiesel (methyl ester) and crude glycerin. Excess methanol is recovered and recycled back into the process. Air emissions from the process are controlled with a condenser and scrubber system.

This plant is adjacent to the Ag Processing, Inc extraction/refining plant (021-0060), which supplies the steam to produce methyl ester and is the primary supplier of refined vegetable oil.

FEB 07 2012

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Effective Date

*Kyra L Moore*  
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Director or Designee  
Department of Natural Resources

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

A 250 million pounds/year methyl ester plant started production on September 10, 2007.

The methyl ester process involves reacting semi-refined or refined vegetable oils with methanol in the presence of a catalyst to produce biodiesel (methyl ester) and crude glycerin. Excess methanol is recovered and recycled back into the process. Air emissions from the process are controlled with a condenser and scrubber system.

This plant is adjacent to the Ag Processing, Inc extraction/refining plant (021-0060), which supplies the steam to produce methyl ester and is the primary supplier of refined vegetable oil.

<b>Reported Air Pollutant Emissions, tons per year</b>					
Pollutants	2010	2009	2008	2007	2006
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.27	0.26	0	0	n/a
Volatile Organic Compounds(VOC)	3.05	3.25	4.5	0.5458	n/a

### 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>	<u>2010 EIQ Emission Point</u>
EU0010	Biodiesel Process Vent (Group 1 Batch Vent)	EP100
EU0020	Methanol Storage Tank (76,310 gallons, Group 1 Tank)	n/a
EU0030	Catalyst Tank (35,720 gallons, Group 1 Tank)	n/a
EU0040	Light Liquid Valves	EP101
EU0050	Light Liquid Pumps	EP102
EU0060	Connectors	EP104
EU0070	Agitators	n/a
EU0080	Gas Pressure Relief Valves	EP103
EU0090	ME Wastewater (Group 2 Wastewater Stream)	n/a
EU0100	Haul Roads	EP106

**EMISSION UNITS WITHOUT LIMITATIONS**

The following list provides a description of the equipment that does not have unit specific limitations at the time of permit issuance.

Description of Emission Source

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10,000 gallon Phosphoric Acid Tank (routed to biodiesel process vent)

10,000 gallon Hydrochloric Acid Tank vent (w/separate scrubber that only runs during plant operation)

55,330 gallon each Biodiesel Storage Tank (four tanks)

55,300 gallon each Glycerin Storage Tank (two tanks)

25,430 gallon Glycerin Day Tank

36,320 gallon Fatty Acid Storage Tank

Biodiesel Truck & Rail Load Out (Group 2 Transfer Rack)

EP105

## **II. Plant Wide Emission Limitations**

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

None.

### III. Emission Unit Specific Emission Limitations

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

<b>EU0010 – EU0090 Methyl Ester Process</b>		
Emission Unit	Description	2010 EIQ Ref
EU0010	Biodiesel Process Vent (Group 1 Batch Vent)	EP100
EU0020	Methanol Storage Tank (76,310 gallons, Group 1 Tank)	n/a
EU0030	Catalyst Tank (35,720 gallons, Group 1 Tank)	n/a
EU0040	Light Liquid Valves	EP101
EU0050	Light Liquid Pumps	EP102
EU0060	Connectors	EP104
EU0070	Agitators	n/a
EU0080	Gas Pressure Relief Valves	EP103
EU0090	ME Wastewater (Group 2 Wastewater Stream)	n/a

**PERMIT CONDITION EU0010-001 to EU0090-001**  
 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations and/or  
 40 CFR Part 63, Subpart A General Provisions and 40 CFR Part 63, Subpart FFFF—National  
 Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing

**Emission Limitation:**

1. You must meet each emission limit in Table 2 to this subpart (below) that applies to you, and you must meet each applicable requirement specified in Paragraphs (b) and (c) of §63.2460. §63.2460(a)
  - a) Group status. If a process has batch process vents, as defined in §63.2550, you must determine the group status of the batch process vents by determining and summing the uncontrolled organic HAP emissions from each of the batch process vents within the process using the procedures specified in §63.1257(d)(2)(i) and (ii), except as specified in Paragraphs (b)(1) through (7) of §63.2460. §63.2460(b)
  - b) Exceptions to the requirements in Subparts SS and WW of Part 63 are specified in Paragraphs (c)(1) through (9) of section §63.2460. §63.2460(c)

Table 2 to Subpart FFFF of Part 63—Emission Limits and Work Practice Standards for Batch Process Vents

As required in §63.2460, you must meet each emission limit and work practice standard in the following table that applies to your batch process vents:

For each . . .	Then you must . . .	And you must . . .
1. Process with Group 1 batch process vents	a. Reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by $\geq 98$ percent by weight by venting emissions from a sufficient number of the vents through one or more closed-vent systems to any combination of control devices (except a flare); or	Not applicable.
	b. Reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by $\geq 95$ percent by weight by venting emissions from a sufficient number of the vents through one or more closed-vent systems to any combination of recovery devices or a biofilter, except you may elect to comply with the requirements of Subpart WW of this part for any process tank; or	Not applicable.
	c. Reduce uncontrolled organic HAP emissions from one or more batch process vents within the process by venting through a closed-vent system to a flare or by venting through one or more closed-vent systems to any combination of control devices (excluding a flare) that reduce organic HAP to an outlet concentration $\leq 20$ ppmv as TOC or total organic HAP.	For all other batch process vents within the process, reduce collective organic HAP emissions as specified in Item 1.a and/or Item 1.b of this table.
2. Halogenated Group 1 batch process vent for which you use a combustion device to control organic HAP emissions	a. Use a halogen reduction device after the combustion control device; or	i. Reduce overall emissions of hydrogen halide and halogen HAP by $\geq 99$ percent; or ii. Reduce overall emissions of hydrogen halide and halogen HAP to $\leq 0.45$ kg/hr; or iii. Reduce overall emissions of hydrogen halide and halogen HAP to a concentration $\leq 20$ ppmv.
	b. Use a halogen reduction device before the combustion control device	Reduce the halogen atom mass emission rate to $\leq 0.45$ kg/hr or to a concentration $\leq 20$ ppmv.

[68 FR 63888, Nov. 10, 2003, as amended at 71 FR 40339, July 14, 2006]

2. You must meet each emission limit in Table 4 to this subpart (below) that applies to your storage tanks, and you must meet each applicable requirement specified in Paragraphs (b) through (e) of §63.2470. §63.2470(a)
- a) Exceptions to Subparts SS and WW of Part 63
    - i) If you conduct a performance test or design evaluation for a control device used to control emissions only from storage tanks, you must establish operating limits, conduct monitoring, and keep records using the same procedures as required in Subpart SS of Part 63 for control devices used to reduce emissions from process vents instead of the procedures specified in §§63.985(c), 63.998(d)(2)(i), and 63.999(b)(2). §63.2470(c)(1)
    - ii) When the term “storage vessel” is used in Subparts SS and WW of Part 63, the term “storage tank,” as defined in §63.2550 applies for the purposes of this subpart. §63.2470(c)(2)
  - b) Planned routine maintenance. The emission limits in Table 4 to this subpart for control devices used to control emissions from storage tanks do not apply during periods of planned routine maintenance. Periods of planned routine maintenance of each control device, during which the control device does not meet the emission limit specified in Table 4 to this subpart, must not exceed 240 hours per year (hr/yr). You may submit an application to the Administrator requesting an extension of this time limit to a total of 360 hr/yr. The application must explain why the extension is needed, it must indicate that no material will be added to the storage tank between the time the 240-hr limit is exceeded and the control device is again operational, and it must be submitted at least 60 days before the 240-hr limit will be exceeded. §63.2470(d)
  - c) Vapor balancing alternative. As an alternative to the emission limits specified in Table 4 to this subpart, you may elect to implement vapor balancing in accordance with §63.1253(f), except as specified in Paragraphs (e)(1) through (3) of §63.2470. §63.2470(e)

Table 4 to Subpart FFFF of Part 63—Emission Limits for Storage Tanks

As required in §63.2470, you must meet each emission limit in the following table that applies to your storage tanks:

For each . . .	For which . . .	Then you must . . .
1. Group 1 storage tank	a. The maximum true vapor pressure of total HAP at the storage temperature is $\geq 76.6$ kilopascals	i. Reduce total HAP emissions by $\geq 95$ percent by weight or to $\leq 20$ ppmv of TOC or organic HAP and $\leq 20$ ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices (excluding a flare); or
		ii. Reduce total organic HAP emissions by venting emissions through a closed vent system to a flare; or
		iii. Reduce total HAP emissions by venting emissions to a fuel gas system or process in accordance with §63.982(d) and the requirements referenced therein.
	b. The maximum true vapor pressure of total HAP at the storage temperature is $< 76.6$ kilopascals	i. Comply with the requirements of Subpart WW of this part, except as specified in §63.2470; or

For each . . .	For which . . .	Then you must . . .
		ii. Reduce total HAP emissions by $\geq 95$ percent by weight or to $\leq 20$ ppmv of TOC or organic HAP and $\leq 20$ ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices (excluding a flare); or
		iii. Reduce total organic HAP emissions by venting emissions through a closed vent system to a flare; or
		iv. Reduce total HAP emissions by venting emissions to a fuel gas system or process in accordance with §63.982(d) and the requirements referenced therein.
2. Halogenated vent stream from a Group 1 storage tank	You use a combustion control device to control organic HAP emissions	Meet one of the emission limit options specified in Item 2.a.i or ii. in Table 1 to this subpart.

[68 FR 63888, Nov. 10, 2003, as amended at 71 FR 40340, July 14, 2006]

3. You must meet each requirement in Table 6 to this subpart (below) that applies to your equipment leaks, except as specified in Paragraphs (b) through (d) of §63.2480. §63.2480(a)
  - a) If you comply with either Subpart H or Subpart UU of Part 63, you may elect to comply with the provisions in Paragraphs (b)(1) through (5) of §63.2480 as an alternative to the referenced provisions in Subpart H or Subpart UU of this part. §63.2480(b)
  - b) If you comply with 40 CFR Part 65, Subpart F, you may elect to comply with the provisions in Paragraphs (c)(1) through (9) of §63.2480 as an alternative to the referenced provisions in 40 CFR Part 65, Subpart F. §63.2480(c)
  - c) The provisions of this section do not apply to bench-scale processes, regardless of whether the processes are located at the same plant site as a process subject to the provisions of this subpart. §63.2480(d)

Table 6 to Subpart FFFF of Part 63—Requirements for Equipment Leaks

As required in §63.2480, you must meet each requirement in the following table that applies to your equipment leaks:

For all . . .	And that is part of . . .	You must . . .
1. Equipment that is in organic HAP service	a. Comply with the requirements of Subpart UU of Part 63 and the requirements referenced therein, except as specified in §63.2480(b) and (d); or	
	b. Comply with the requirements of Subpart H of Part 63 and the requirements referenced therein, except as specified in §63.2480(b) and (d); or	

For all . . .	And that is part of . . .	You must . . .
	c. Comply with the requirements of 40 CFR Part 65, Subpart F and the requirements referenced therein, except as specified in §63.2480(c) and (d).	
2. Equipment that is in organic HAP service at a new source	a. Any MCPU	i. Comply with the requirements of Subpart UU of Part 63 and the requirements referenced therein; or ii. Comply with the requirements of 40 CFR Part 65, Subpart F.

[68 FR 63888, Nov. 10, 2003, as amended at 71 FR 40341, July 14, 2006]

4. You must meet each requirement in Table 7 to this subpart (below) that applies to your wastewater streams and liquid streams in open systems within an MCPU, except as specified in Paragraphs (b) through (o) of §63.2485. §63.2485(a)
- a) Wastewater HAP. Where §63.105 and §§63.132 through 63.148 refer to compounds in Table 9 of Subpart G of Part 63, the compounds in Tables 8 and 9 to this subpart apply for the purposes of this subpart. §63.2485(b)
  - b) Group 1 wastewater. Section 63.132(c)(1) (i) and (ii) do not apply. For the purposes of this subpart, a process wastewater stream is Group 1 for compounds in Tables 8 and 9 to this subpart if any of the conditions specified in Paragraphs (c) (1) through (3) of §63.2485 are met. §63.2485(c)
  - c) Wastewater tank requirements. (1) When §§63.133 and 63.147 reference floating roof requirements in §§63.119 and 63.120, the corresponding requirements in Subpart WW of Part 63 may be applied for the purposes of this subpart. §63.2485(d)
  - d) *Individual drain systems.* The provisions of §63.136(e)(3) apply except as specified in Paragraph (e)(1) of §63.2485.
    - i) A sewer line connected to drains that are in compliance with §63.136(e)(1) may be vented to the atmosphere, provided that the sewer line entrance to the first downstream junction box is water sealed and the sewer line vent pipe is designed as specified in §63.136(e)(2)(ii)(A). §63.2485(e)(1)
  - e) *Closed-vent system requirements.* When §63.148(k) refers to closed vent systems that are subject to the requirements of §63.172, the requirements of either §63.172 or §63.1034 apply for the purposes of this subpart. §63.2485(f)
  - f) *Halogenated vent stream requirements.* For each halogenated vent stream from a Group 1 wastewater stream or residual removed from a Group 1 wastewater stream that is vented through a closed-vent system to a combustion device to reduce organic HAP emissions, you must meet the same emission limits as specified for batch process vents in Item 2 of Table 2 to this subpart. §63.2485(g)
  - g) *Alternative test methods.* (1) As an alternative to the test methods specified in §63.144(b)(5)(i), you may use Method 8260 or 8270 as specified in §63.1257(b)(10)(iii). §63.2485(h)
  - h) *Offsite management and treatment option.* (1) If you ship wastewater to an offsite treatment facility that meets the requirements of §63.138(h), you may elect to document in your notification of compliance status report that the wastewater will be treated as hazardous waste at

- a facility that meets the requirements of §63.138(h) as an alternative to having the offsite facility submit the certification specified in §63.132(g)(2). §63.2485(i)
- i) You must determine the annual average concentration and annual average flow rate for wastewater streams for each MCPU. The procedures for flexible operation units specified in §63.144 (b) and (c) do not apply for the purposes of this subpart. §63.2485(j)
  - j) The requirement to correct outlet concentrations from combustion devices to three percent oxygen in §§63.139(c)(1)(ii) and 63.146(i)(6) applies only if supplemental gases are combined with a vent stream from a Group 1 wastewater stream. If emissions are controlled with a vapor recovery system as specified in §63.139(c)(2), you must correct for supplemental gases as specified in §63.2460(c)(6). §63.2485(k)
  - k) Requirements for liquid streams in open systems. (1) References in §63.149 to §63.100(b) mean §63.2435(b) for the purposes of this subpart. §63.2485(l)
  - l) When §63.132(f) refers to “a concentration of greater than 10,000 ppmw of Table 9 compounds,” the phrase “a concentration of greater than 30,000 ppmw of total partially soluble HAP (PSHAP) and soluble HAP (SHAP) or greater than 10,000 ppmw of PSHAP” shall apply for the purposes of this subpart. §63.2485(m)
  - m) Alternative requirements for wastewater that is Group 1 for soluble HAP only. The option specified in this Paragraph (n) applies to wastewater that is Group 1 for soluble HAP in accordance with Paragraph (c)(3) of this section and is discharged to biological treatment. Except as provided in Paragraph (n)(4) of this section, this option does not apply to wastewater that is Group 1 for partially soluble HAP in accordance with Paragraph (c)(1), (c)(2), or (c)(4) of this section. For wastewater that is Group 1 for SHAP, you need not comply with §§63.133 through 63.137 for any equalization unit, neutralization unit, and/or clarifier prior to the activated sludge unit, and you need not comply with the venting requirements in §63.136(e)(2)(ii)(A) for lift stations with a volume larger than 10,000 gal, provided you comply with the requirements specified in Paragraphs (n)(1) through (3) of §63.2485 and all otherwise applicable requirements specified in Table 7 to this subpart. For this option, the treatment requirements in §63.138 and the performance testing requirements in §63.145 do not apply to the biological treatment unit, except as specified in Paragraphs (n)(2)(i) through (iv) of §63.2485. §63.2485(n)
  - n) Compliance records. For each CPMS used to monitor a nonflare control device for wastewater emissions, you must keep records as specified in §63.998(c)(1) in addition to the records required in §63.147(d). §63.2485(o)

Table 7 to Subpart FFFF of Part 63—Requirements for Wastewater Streams and Liquid Streams in Open Systems Within an MCPU

As required in §63.2485, you must meet each requirement in the following table that applies to your wastewater streams and liquid streams in open systems within an MCPU:

For each . . .	You must . . .
1. Process wastewater stream	Comply with the requirements in §§63.132 through 63.148 and the requirements referenced therein, except as specified in §63.2485.
2. Maintenance wastewater stream	Comply with the requirements in §63.105 and the requirements referenced therein, except as specified in §63.2485.
3. Liquid streams in an open system within an MCPU	Comply with the requirements in §63.149 and the requirements referenced therein, except as specified in §63.2485.

**Monitoring:**

1. Batch Process Vents and Storage Tanks

*Continuous parameter monitoring.* The provisions in Paragraphs (k)(1) through (6) of this section apply in addition to the requirements for continuous parameter monitoring system (CPMS) in Subpart SS of Part 63. §63.2450(k)

- a) You must record the results of each calibration check and all maintenance performed on the CPMS as specified in §63.998(c)(1)(ii)(A). §63.2450(k)(1)
- b) When Subpart SS of Part 63 uses the term “a range” or “operating range” of a monitored parameter, it means an “operating limit” for a monitored parameter for the purposes of this subpart. §63.2450(k)(2)
- c) For absorbers that control organic compounds and use water as the scrubbing fluid, you must conduct monitoring and recordkeeping as specified in Paragraphs (k)(5)(i) through (iii) of §63.2450 instead of the monitoring and recordkeeping requirements specified in §§63.990(c)(1), 63.993(c)(1), and 63.998(a)(2)(ii)(C). §63.2450(k)(5)
  - i) You must use a flow meter capable of providing a continuous record of the absorber influent liquid flow. §63.2450(k)(5)(i)
  - ii) You must determine gas stream flow using one of the procedures specified in §63.994(c)(1)(ii)(A) through (D). §63.2450(k)(5)(ii)
  - iii) You must record the absorber liquid-to-gas ratio averaged over the time period of any performance test. §63.2450(k)(5)(iii)

2. Equipment Leaks

- a) Leak repair schedule. The owner or operator shall repair each leak detected as soon as practical, but not later than 15 calendar days after it is detected, except as provided in Paragraphs (d) and (e) of §63.1024. A first attempt at repair as defined in this subpart shall be made no later than five calendar days after the leak is detected. First attempt at repair for pumps includes, but is not limited to, tightening the packing gland nuts and/or ensuring that the seal flush is operating at design pressure and temperature. First attempt at repair for valves includes, but is not limited to, tightening the bonnet bolts, and/or replacing the bonnet bolts, and/or tightening the packing gland nuts, and/or injecting lubricant into the lubricated packing. §63.1024(a)
- b) Valves in gas and vapor service and in light liquid service standards
  - i) Leak detection. Unless otherwise specified in §63.1021(b) or Paragraph (e) of §63.1025, or the referencing subpart, the owner or operator shall monitor all valves at the intervals specified in Paragraphs (b)(3) and/or (b)(4) of §63.1025 and shall comply with all other provisions of this §63.1025. §63.1025(b)
    - (1) Monitoring method. The valves shall be monitored to detect leaks by the method specified in §63.1023(b) and, as applicable, §63.1023(c). §63.1025(b)(1)
    - (2) Instrument reading that defines a leak. The instrument reading that defines a leak is 500 parts per million or greater. §63.1025(b)(2)
    - (3) Monitoring frequency. The owner or operator shall monitor valves for leaks at the intervals specified in Paragraphs (b)(3)(i) through (b)(3)(v) of this section and shall keep the record specified in Paragraph (b)(3)(vi) of this section. §63.1025(b)(3)
      - (a) If at least the greater of two valves or two percent of the valves in a process unit leak, as calculated according to Paragraph (c) of this section, the owner or operator shall monitor each valve once per month. §63.1025(b)(3)(i)
      - (b) At process units with less than the greater of two leaking valves or two percent leaking valves, the owner or operator shall monitor each valve once each quarter, except as provided in Paragraphs (b)(3)(iii) through (b)(3)(v) of this section.

Monitoring data generated before the regulated source became subject to the referencing subpart and meeting the criteria of either §63.1023(b)(1) through (b)(5), or §63.1023(b)(6), may be used to qualify initially for less frequent monitoring under Paragraphs (b)(3)(iii) through (b)(3)(v) of this section. §63.1025(b)(3)(ii)

- (c) At process units with less than one percent leaking valves, the owner or operator may elect to monitor each valve once every two quarters. §63.1025(b)(3)(iii)
  - (d) At process units with less than 0.5 percent leaking valves, the owner or operator may elect to monitor each valve once every four quarters. §63.1025(b)(3)(iv)
  - (e) At process units with less than 0.25 percent leaking valves, the owner or operator may elect to monitor each valve once every two years. §63.1025(b)(3)(v)
  - (f) The owner or operator shall keep a record of the monitoring schedule for each process unit. §63.1025(b)(3)(vi)
- c) Pumps in light liquid service standards
- Leak detection. Unless otherwise specified in §63.1021(b) or Paragraph (e) of this section, or the referencing subpart, the owner or operator shall monitor all valves at the intervals specified in Paragraphs (b)(3) and/or (b)(4) of §63.1026 and shall comply with all other provisions of this §63.1026. §63.1026(b)
- i) Monitoring method and frequency. The pumps shall be monitored monthly to detect leaks by the method specified in §63.1023(b) and, as applicable, §63.1023(c). §63.1026(b)(1)
  - ii) Instrument reading that defines a leak. The instrument reading that defines a leak is specified in Paragraphs (b)(2)(i) through (b)(2)(iii) of this section. §63.1026(b)(2)
    - (1) 5,000 parts per million or greater for pumps handling polymerizing monomers; §63.1026(b)(2)(i)
    - (2) 2,000 parts per million or greater for pumps in food/medical service; and §63.1026(b)(2)(ii)
    - (3) 1,000 parts per million or greater for all other pumps. §63.1026(b)(2)(iii)
  - iii) Leak repair exception. For pumps to which a 1,000 parts per million leak definition applies, repair is not required unless an instrument reading of 2,000 parts per million or greater is detected. §63.1026(b)(3)
  - iv) Visual inspection. Each pump shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal. The owner or operator shall document that the inspection was conducted and the date of the inspection. If there are indications of liquids dripping from the pump seal at the time of the weekly inspection, the owner or operator shall follow the procedure specified in either Paragraph (b)(4)(i) or (b)(4)(ii) of this section. §63.1026(b)(4)
    - (1) The owner or operator shall monitor the pump as specified in §63.1023(b) and, as applicable, §63.1023(c). If the instrument reading indicates a leak as specified in Paragraph (b)(2) of this section, a leak is detected and it shall be repaired using the procedures in §63.1024, except as specified in Paragraph (b)(3) of this section; or §63.1026(b)(4)(i)
    - (2) The owner or operator shall eliminate the visual indications of liquids dripping. §63.1026(b)(4)(ii)
- d) Connectors in gas and vapor service and in light liquid service standards.
- Leak detection. Except as allowed in §63.1021(b), §63.1036, §63.1037, or as specified in Paragraph (e) of this section, the owner or operator shall monitor all connectors in gas and vapor and light liquid service as specified in Paragraphs (a) and (b)(3) of this section. §63.1027(b)

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- i) Monitoring method. The connectors shall be monitored to detect leaks by the method specified in §63.1023(b) and, as applicable, §63.1023(c). §63.1027(b)(1)
  - ii) Instrument reading that defines a leak. If an instrument reading greater than or equal to 500 parts per million is measured, a leak is detected. §63.1027(b)(2)
  - iii) Monitoring periods. The owner or operator shall perform monitoring, subsequent to the initial monitoring required in Paragraph (a) of this section, as specified in Paragraphs (b)(3)(i) through (b)(3)(iii) of this section, and shall comply with the requirements of Paragraphs (b)(3)(iv) and (b)(3)(v) of this section. The required period in which monitoring must be conducted shall be determined from Paragraphs (b)(3)(i) through (b)(3)(iii) of this section using the monitoring results from the preceding monitoring period. The percent leaking connectors shall be calculated as specified in Paragraph (c) of this section. §63.1027(b)(3)
    - (1) If the percent leaking connectors in the process unit was greater than or equal to 0.5 percent, then monitor within 12 months (one year). §63.1027(b)(3)(i)
    - (2) If the percent leaking connectors in the process unit was greater than or equal to 0.25 percent but less than 0.5 percent, then monitor within four years. An owner or operator may comply with the requirements of this paragraph by monitoring at least 40 percent of the connectors within two years of the start of the monitoring period, provided all connectors have been monitored by the end of the four year monitoring period. §63.1027(b)(3)(ii)
    - (3) If the percent leaking connectors in the process unit was less than 0.25 percent, then monitor as provided in Paragraph (b)(3)(iii)(A) of this section and either Paragraph (b)(3)(iii)(B) or (b)(3)(iii)(C) of this section, as appropriate. §63.1027(b)(3)(iii)
      - (a) An owner or operator shall monitor at least 50 percent of the connectors within four years of the start of the monitoring period. §63.1027(b)(3)(iii)(A)
      - (b) If the percent leaking connectors calculated from the monitoring results in Paragraph (b)(3)(iii)(A) of this section is greater than or equal to 0.35 percent of the monitored connectors, the owner or operator shall monitor as soon as practical, but within the next 6 months, all connectors that have not yet been monitored during the monitoring period. At the conclusion of monitoring, a new monitoring period shall be started pursuant to Paragraph (b)(3) of this section, based on the percent leaking connectors of the total monitored connectors. §63.1027(b)(3)(iii)(B)
      - (c) If the percent leaking connectors calculated from the monitoring results in Paragraph (b)(3)(iii)(A) of this section is less than 0.35 percent of the monitored connectors, the owner or operator shall monitor all connectors that have not yet been monitored within 8 years of the start of the monitoring period. §63.1027(b)(3)(iii)(C)
    - (4) If, during the monitoring conducted pursuant to Paragraph (b)(3)(i) through (b)(3)(iii) of this section, a connector is found to be leaking, it shall be re-monitored once within 90 days after repair to confirm that it is not leaking. §63.1027(b)(3)(iv)
    - (5) The owner or operator shall keep a record of the start date and end date of each monitoring period under this section for each process unit. §63.1027(b)(3)(v)
  - e) Agitators in gas and vapor service and in light liquid service standards.
    - i) Leak detection §63.1028(c)
      - (1) Monitoring method. Each agitator seal shall be monitored monthly to detect leaks by the methods specified in §63.1023(b) and, as applicable, §63.1023(c), except as provided in §63.1021(b), §63.1036, §63.1037, or Paragraph (e) of this section. §63.1028(c)(1)

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- (2) Instrument reading that defines a leak. If an instrument reading equivalent of 10,000 parts per million or greater is measured, a leak is detected. §63.1028(c)(2)
  - (3) Visual inspection. §63.1028(c)(3)
    - (a) Each agitator seal shall be checked by visual inspection each calendar week for indications of liquids dripping from the agitator seal. The owner or operator shall document that the inspection was conducted and the date of the inspection. §63.1028(c)(3)(i)
    - (b) If there are indications of liquids dripping from the agitator seal, the owner or operator shall follow the procedures specified in Paragraphs (c)(3)(ii)(A) or (c)(3)(ii)(B) of this section prior to the next required inspection. §63.1028(c)(3)(ii)
      - (i) The owner or operator shall monitor the agitator seal as specified in §63.1023(b) and, as applicable, §63.1023(c), to determine if there is a leak of regulated material. If an instrument reading of 10,000 parts per million or greater is measured, a leak is detected, and it shall be repaired according to Paragraph (d) of this section; or §63.1028(c)(3)(ii)(A)
      - (ii) The owner or operator shall eliminate the indications of liquids dripping from the agitator seal. §63.1028(c)(3)(ii)(B)
  - ii) Leak repair. If a leak is detected, then the leak shall be repaired using the procedures in §63.1024. §63.1028(d)
  - f) Pressure relief devices in gas and vapor service standards.
    - i) Compliance standard. Except during pressure releases as provided for in Paragraph (c) of this section, or as otherwise specified in §§63.1036, 63.1037, or Paragraphs (d) and (e) of this section, each pressure relief device in gas and vapor service shall be operated with an instrument reading of less than 500 parts per million as measured by the method specified in §63.1023(b) and, as applicable, §63.1023(c). §63.1030(b)
    - ii) Pressure relief requirements. §63.1030(c)
      - (1) After each pressure release, the pressure relief device shall be returned to a condition indicated by an instrument reading of less than 500 parts per million, as soon as practical, but no later than five calendar days after each pressure release, except as provided in §63.1024(d). §63.1030(c)(1)
      - (2) The pressure relief device shall be monitored no later than five calendar days after the pressure to confirm the condition indicated by an instrument reading of less than 500 parts per million above background, as measured by the method specified in §63.1023(b) and, as applicable, §63.1023(c). §63.1030(c)(2)
      - (3) The owner or operator shall record the dates and results of the monitoring required by Paragraph (c)(2) of this section following a pressure release including the background level measured and the maximum instrument reading measured during the monitoring. §63.1030(c)(3)
    - iii) Pressure relief devices routed to a process or fuel gas system or equipped with a closed vent system and control device. Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage from the pressure relief device to a control device meeting the requirements of §63.1034 is exempt from the requirements of Paragraphs (b) and (c) of this section. §63.1030(d)
    - iv) Rupture disk exemption. Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of Paragraphs (b) and (c) of this section provided the owner or operator installs a replacement rupture disk upstream of the pressure relief device as soon as practical after each pressure release but no

later than five calendar days after each pressure release, except as provided in §63.1024(d).  
§63.1030(e)

**Recordkeeping:**

You must keep the records specified in Paragraphs (a) through (k) of §63.2525.

1. Each applicable record required by Subpart A of Part 63 and in referenced Subparts F, G, SS, UU, WW, and GGG of Part 63 and in referenced Subpart F of 40 CFR Part 65. §63.2525(a)
2. Records of each operating scenario as specified in Paragraphs (b)(1) through (8) of this section. §63.2525(b)
  - a) A description of the process and the type of process equipment used. §63.2525(b)(1)
  - b) An identification of related process vents, including their associated emissions episodes if not complying with the alternative standard in §63.2505; wastewater point of determination (POD); storage tanks; and transfer racks. §63.2525(b)(2)
  - c) The applicable control requirements of this subpart, including the level of required control, and for vents, the level of control for each vent. §63.2525(b)(3)
  - d) The control device or treatment process used, as applicable, including a description of operating and/or testing conditions for any associated control device. §63.2525(b)(4)
  - e) The process vents, wastewater POD, transfer racks, and storage tanks (including those from other processes) that are simultaneously routed to the control device or treatment process(s). §63.2525(b)(5)
  - f) The applicable monitoring requirements of this subpart and any parametric level that assures compliance for all emissions routed to the control device or treatment process. §63.2525(b)(6)
  - g) Calculations and engineering analyses required to demonstrate compliance. §63.2525(b)(7)
  - h) For reporting purposes, a change to any of these elements not previously reported, except for Paragraph (b)(5) of this section, constitutes a new operating scenario. §63.2525(b)(8)
3. A schedule or log of operating scenarios for processes with batch vents from batch operations updated each time a different operating scenario is put into effect. §63.2525(c)
4. The information specified in Paragraphs (d)(1) and (2) of this section for Group 1 batch process vents in compliance with a percent reduction emission limit in Table 2 to this subpart if some of the vents are controlled to less the percent reduction requirement. §63.2525(d)
  - a) Records of whether each batch operated was considered a standard batch. §63.2525(d)(1)
  - b) The estimated uncontrolled and controlled emissions for each batch that is considered to be a nonstandard batch. §63.2525(d)(2)
5. A record of each time a safety device is opened to avoid unsafe conditions in accordance with §63.2450(s). §63.2525(f)
6. Records of the results of each CPMS calibration check and the maintenance performed, as specified in §63.2450(k)(1). §63.2525(g)
7. For each CEMS, you must keep records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period. §63.2525(h)
8. For each PUG, you must keep records specified in Paragraphs (i)(1) through (5) of this section. §63.2525(i)
  - a) Descriptions of the MCPU and other process units in the initial PUG required by §63.2535(l)(1)(v). §63.2525(i)(1)
  - b) Rationale for including each MCPU and other process unit in the initial PUG ( i.e., identify the overlapping equipment between process units) required by §63.2535(l)(1)(v). §63.2525(i)(2)
  - c) Calculations used to determine the primary product for the initial PUG required by §63.2535(l)(2)(iv). §63.2525(i)(3)

- d) Descriptions of process units added to the PUG after the creation date and rationale for including the additional process units in the PUG as required by §63.2535(1)(1)(v). §63.2525(i)(4)
  - e) The calculation of each primary product redetermination required by §63.2535(1)(2)(iv). §63.2525(i)(5)
9. In the SSMP required by §63.6(e)(3), you are not required to include Group 2 emission points, unless those emission points are used in an emissions average. For equipment leaks, the SSMP requirement is limited to control devices and is optional for other equipment. §63.2525(j)

**Reporting:**

1. You must submit each report in Table 11 to this subpart that applies to you. §63.2520(a)

Table 11 to Subpart FFFF of Part 63—Requirements for Reports

As required in §63.2520(a) and (b), you must submit each report that applies to you on the schedule shown in the following table:

<b>You must submit a(n)</b>	<b>The report must contain . . .</b>	<b>You must submit the report . . .</b>
1. Precompliance report	The information specified in §63.2520(c)	At least 6 months prior to the compliance date; or for new sources, with the application for approval of construction or reconstruction.
2. Notification of compliance status report	The information specified in §63.2520(d)	No later than 150 days after the compliance date specified in §63.2445.
3. Compliance report	The information specified in §63.2520(e)	Semi-annually according to the requirements in §63.2520(b).

2. Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 11 to this subpart and according to Paragraphs (b)(1) through (5) of §63.2520. §63.2520(b)
- a) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.2445 and ending on June 30 or December 31, whichever date is the first date following the end of the first six months after the compliance date that is specified for your affected source in §63.2445. §63.2520(b)(1)
  - b) The first compliance report must be postmarked or delivered no later than October 1st or April 1st, whichever date is the first date following the end of the first reporting period specified in Paragraph (b)(1) of §63.2520.
  - c) Each subsequent compliance report must cover the semi-annual reporting period from January 1 through June 30 or the semi-annual reporting period from July 1 through December 31. §63.2520(b)(3)
  - d) Each subsequent compliance report must be postmarked or delivered no later than October 1st or April 1st, whichever date is the first date following the end of the semi-annual reporting period.
  - e) For each affected source that is subject to permitting regulations pursuant to 40 CFR Part 70 or 40 CFR Part 71, and if the permitting authority has established dates for submitting semi-annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has

established instead of according to the dates in Paragraphs (b)(1) through (4) of §63.2520.  
§63.2520(b)(5)

3. Compliance report. The compliance report must contain the information specified in Paragraphs (e)(1) through (10) of §63.2520. §63.2520(e)
  - a) Company name and address. §63.2520(e)(1)
  - b) Statement by a responsible official with that official's name, title, and signature, certifying the accuracy of the content of the report. §63.2520(e)(2)
  - c) Date of report and beginning and ending dates of the reporting period. §63.2520(e)(3)
  - d) For each SSM during which excess emissions occur, the compliance report must include records that the procedures specified in your startup, shutdown, and malfunction plan (SSMP) were followed or documentation of actions taken that are not consistent with the SSMP, and include a brief description of each malfunction. §63.2520(e)(4)
  - e) The compliance report must contain the information on deviations, as defined in §63.2550, according to Paragraphs (e)(5)(i), (ii), (iii), and (iv) of §63.2520(e)(5). §63.2520(e)(5)
    - i) If there are no deviations from any emission limit, operating limit or work practice standard specified in this subpart, include a statement that there were no deviations from the emission limits, operating limits, or work practice standards during the reporting period. §63.2520(e)(5)(i)
    - ii) For each deviation from an emission limit, operating limit, and work practice standard that occurs at an affected source where you are not using a continuous monitoring system (CMS) to comply with the emission limit or work practice standard in this subpart, you must include the information in Paragraphs (e)(5)(ii)(A) through (C) of §63.2520(e)(5)(ii). This includes periods of SSM. §63.2520(e)(5)(ii)
      - (1) The total operating time of the affected source during the reporting period. §63.2520(e)(5)(ii)(A)
      - (2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. §63.2520(e)(5)(ii)(B)
      - (3) Operating logs of processes with batch vents from batch operations for the day(s) during which the deviation occurred, except operating logs are not required for deviations of the work practice standards for equipment leaks. §63.2520(e)(5)(ii)(C)
    - iii) For each deviation from an emission limit or operating limit occurring at an affected source where you are using a CMS to comply with an emission limit in this subpart, you must include the information in Paragraphs (e)(5)(iii)(A) through (L) of §63.2520. This includes periods of SSM. §63.2520(e)(5)(iii)
      - (1) The date and time that each CMS was inoperative, except for zero (low-level) and high level checks. §63.2520(e)(5)(iii)(A)
      - (2) The date, time, and duration that each CEMS was out-of-control, including the information in §63.8(c)(8). §63.2520(e)(5)(iii)(B)
      - (3) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period. §63.2520(e)(5)(iii)(C)
      - (4) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total operating time of the affected source during that reporting period. §63.2520(e)(5)(iii)(D)

- (5) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes. §63.2520(e)(5)(iii)(E)
  - (6) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the affected source during that reporting period. §63.2520(e)(5)(iii)(F)
  - (7) An identification of each HAP that is known to be in the emission stream. §63.2520(e)(5)(iii)(G)
  - (8) A brief description of the process units. §63.2520(e)(5)(iii)(H)
  - (9) A brief description of the CMS. §63.2520(e)(5)(iii)(I)
  - (10) The date of the latest CMS certification or audit. §63.2520(e)(5)(iii)(J)
  - (11) Operating logs of processes with batch vents from batch operations for each day(s) during which the deviation occurred. §63.2520(e)(5)(iii)(K)
  - (12) The operating day or operating block average values of monitored parameters for each day(s) during which the deviation occurred. §63.2520(e)(5)(iii)(L)
- f) If you use a CEMS, and there were no periods during which it was out-of-control as specified in §63.8(c)(7), include a statement that there were no periods during which the CEMS was out-of-control during the reporting period. §63.2520(e)(6)
- g) Include each new operating scenario which has been operated since the time period covered by the last compliance report and has not been submitted in the notification of compliance status report or a previous compliance report. For each new operating scenario, you must provide verification that the operating conditions for any associated control or treatment device have not been exceeded and that any required calculations and engineering analyses have been performed. For the purposes of this paragraph, a revised operating scenario for an existing process is considered to be a new operating scenario. §63.2520(e)(7)
- h) Records of process units added to a PUG as specified in §63.2525(i)(4) and records of primary product redeterminations as specified in §63.2525(i)(5). §63.2520(e)(8)
- i) Applicable records and information for periodic reports as specified in referenced Subparts F, G, H, SS, UU, WW, and GGG of this part and Subpart F of 40 CFR Part 65. §63.2520(e)(9)
- j) Notification of process change. (i) Except as specified in Paragraph (e)(10)(ii) of this section, whenever you make a process change, or change any of the information submitted in the notification of compliance status report or a previous compliance report, that is not within the scope of an existing operating scenario, you must document the change in your compliance report. A process change does not include moving within a range of conditions identified in the standard batch, and a nonstandard batch does not constitute a process change. The notification must include all of the information in Paragraphs (e)(10)(i)(A) through (C) of §63.2520. §63.2520(e)(10)(i)
- i) A description of the process change. §63.2520(e)(10)(i)(A)
  - ii) Revisions to any of the information reported in the original notification of compliance status report under Paragraph (d) of this section. §63.2520(e)(10)(i)(B)
  - iii) Information required by the notification of compliance status report under Paragraph (d) of this section for changes involving the addition of processes or equipment at the affected source. §63.2520(e)(10)(i)(C)
- k) You must submit a report 60 days before the scheduled implementation date of any of the changes identified in Paragraph (e)(10)(ii)(A), (B), or (C) of this section. §63.2520(e)(10)(ii)

- i) Any change to the information contained in the precompliance report. §63.2520(e)(10)(ii)(A)
- ii) A change in the status of a control device from small to large. §63.2520(e)(10)(ii)(B)
- iii) A change from Group 2 to Group 1 for any emission point except for batch process vents that meet the conditions specified in §63.2460(b)(6)(i). §63.2520(e)(10)(ii)(C)

**PERMIT CONDITION EU0010-002**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit No. 102006-002, Issued October 3, 2006  
Special Condition 1 – Control Equipment-Condenser/Scrubber System

**Operational Limitation:**

The condenser/scrubber system must be in use at all times when the associated equipment is in operation. (Special Condition 1.A.) The scrubber shall be operated and maintained within appropriate design parameters to ensure proper operation.

**Monitoring:**

1. Ag Processing Inc. shall monitor and record the operating pressure of the scrubber using a continuous internal pressure monitor. (Special Condition 1.B.)
2. Ag Processing Inc. shall monitor and record the operating pressure drop across each scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with a gauge or meter that indicates the pressure drop across the scrubber. (Special Condition 1.C.) The operating pressure drop shall be maintained at greater than zero inches to ensure proper operation.
3. Ag Processing Inc. shall monitor and record the flow rate through the scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with a flow meter that indicates the flow through the scrubber. (Special Condition 1.D.) A consistent flow rate, not in excess of ten gallons per minute, shall be maintained.

**Recordkeeping:**

1. Ag Processing Inc. shall maintain an operating and maintenance log for the scrubber which shall include the following: (Special Condition 1.E.)
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
  - c) A written record of regular inspection schedule, the date and results of all inspections including any actions or maintenance activities that result from that inspection.

<b>EU0100 Haul Roads</b>		
<b>Emission Unit</b>	<b>Description</b>	<b>2010 EIQ</b>
EU0100	Haul Roads	EP106

**PERMIT CONDITION EU0100-001**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit No. 102006-002, Issued October 3, 2006  
Special Condition 2 – Pavement of Haul Roads

**Operational Limitation:**

1. Ag Processing Inc. shall pave all haul roads (EP106) with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the Program. The pavement will be applied in accordance with industry standards for such pavement so as to achieve “Control of Fugitive Emissions” while the plant is operating.
2. Maintenance and/or repair of the surfaces will be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
3. Ag Processing Inc. shall periodically water, wash and/or otherwise clean all of the paved portions of the haul roads as necessary to achieve control of fugitive emissions from these areas while the plant is operating.

## 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 is only an excerpt from the regulation or code, and is 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) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
  - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
    - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
    - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
    - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
  - b) Yard waste, with the following exceptions:
    - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
    - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
    - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
      - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
      - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
      - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
      - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the Department Director; and

- iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) Ag Processing, Inc. may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Ag Processing, Inc. fails to comply with the provisions or any condition of the open burning permit.
- a) In a nonattainment area, as defined in 10 CSR 10-6.020, Paragraph (2)(N)5., the Director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the Director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Recordkeeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005, shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the Director.
- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
- a) Name and location of installation;
- b) Name and telephone number of person responsible for the installation;
- c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
- d) Identity of the equipment causing the excess emissions;
- e) Time and duration of the period of excess emissions;
- f) Cause of the excess emissions;
- g) Air pollutants involved;
- h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
- i) Measures taken to mitigate the extent and duration of the excess emissions; and

- j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the Paragraph 1 information list to the Director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the Director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
  - 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under Section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the Paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the Director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under Section 643.080 or 643.151, RSMo.
  - 4) Nothing in this rule shall be construed to limit the authority of the Director or commission to take appropriate action, under Sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
  - 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

#### **10 CSR 10-6.060 Construction Permits Required**

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

#### **10 CSR 10-6.065 Operating Permits**

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

#### **10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61 Subpart M National Emission Standard for Asbestos**

- 1) The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.
- 2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

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

- 1) The permittee shall submit 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) The permittee may be required by the Director to file additional reports.
- 3) 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.
- 4) 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.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.
- 6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the Director. The reports shall be submitted to the Director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

**10 CSR 10-6.150 Circumvention**

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

**10 CSR 10-6.170**

**Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

**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.

**Monitoring:**

The permittee shall conduct inspections of its facilities sufficient to determine compliance with this regulation. If the permittee discovers a violation, the permittee shall undertake corrective action to eliminate the violation.

The permittee shall maintain the following monitoring schedule:

- 1) The permittee shall conduct monthly observations unless a violation is noted, which will require the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after the violation.
  - b) Should no violation of this regulation be observed during this period then:
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
    - ii) If a violation is noted, monitoring reverts to weekly.
    - iii) Should no violation of this regulation be observed during this period then:
      - (1) The permittee may observe once per month.
      - (2) If a violation is noted, monitoring reverts to weekly.
  - c) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency in Item 1a.

**Recordkeeping:**

The permittee shall document all readings on Attachment A, or its equivalent, noting the following:

- 1) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
- 2) Whether the visible emissions were normal for the installation.
- 3) Whether equipment malfunctions contributed to an exceedance.
- 4) Any violations and any corrective actions undertaken to correct the violation.

<b>10 CSR 10-6.180 Measurement of Emissions of Air Contaminants</b>
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- 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 10-6.165 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

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

**Emission Limitation:**

No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions in excess of the limits specified by this rule. This permit will contain the opacity limits identified (10, 20 or 40 percent) for the specific emission units.

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in U.S. EPA Test Method 22. The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The permittee shall conduct monthly observations unless a violation is noted, which will require the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after the violation.
  - b) Should no violation of this regulation be observed during this period then-
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
    - ii) If a violation is noted, monitoring reverts to weekly.
    - iii) Should no violation of this regulation be observed during this period then-
      - (1) The permittee may observe once per month.
      - (2) If a violation is noted, monitoring reverts to weekly.
  - c) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency in Item 2a.

**Recordkeeping:**

The permittee shall maintain records of all observation results using Attachment B (or its equivalent), noting:

- 1) Whether any air emissions (except for water vapor) were visible from the emission units;
- 2) All emission units from which visible emissions occurred;
- 3) Whether the visible emissions were normal for the process;
- 4) The permittee shall maintain records of any equipment malfunctions, which may contribute to visible emissions; and,
- 5) The permittee shall maintain records of all USEPA Method 9 opacity tests performed.

**10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution

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

#### **Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone**

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
  - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed

refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

- 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*

#### **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:
- Monitoring methods outlined in 40 CFR Part 64;
  - Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - Any other monitoring methods approved by the Director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
- Monitoring methods outlined in 40 CFR Part 64;
  - A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - 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:
- Applicable monitoring or testing methods, cited in:
    - 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - 10 CSR 10-6.040, "Reference Methods";
    - 10 CSR 10-6.070, "New Source Performance Standards";
    - 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

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

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

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

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

- 1) Recordkeeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) October 1st for monitoring which covers the January through June time period, and
    - ii) April 1st for monitoring which covers the July through December time period.
    - iii) Exception. Monitoring requirements which require reporting more frequently than semi-annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
  - c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
  - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in Paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semi-annual report shall be reported on the schedule specified in this permit, and no later than ten days after any exceedance of any applicable rule, regulation, or other restriction.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

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

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

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

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

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

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

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

permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None.

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semi-annually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;

- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

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

P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under Section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the Air Pollution Control Program 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 Air Pollution Control Program as soon as possible after learning of the need to make the change.
  - b) The permit shield shall not apply to these changes.

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

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d) The permit shield shall not apply to these changes.

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

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

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

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
- 2) The Missouri Department of Natural Resources or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 3) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 4) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements), become applicable to that source, provided that, upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit; or
- 5) The Missouri Department of Natural Resources or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

## STATEMENT OF BASIS

### Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received September 19, 2008;
- 2) 2010 Emissions Inventory Questionnaire, received April 21, 2011; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.
- 4) NESHAP Subpart FFFF (40 CFR 63.2430 to 63.2550), Notification of Compliance Status Report, 40 CFR 63.2520(d)(2)(i) through (ix) signed February 7, 2008
- 5) MDNR Support Facility Determination for the Ag Processing Inc. Biodiesel Plant, Project Number: 2006-03-081; Installation ID Number 021-0060, dated August 3, 2006

### 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.

*40 CFR 61, Subpart V—National Emission Standard for Equipment Leaks (Fugitive Emission Sources)*  
§ 61.240 Applicability and designation of sources.

(a) The provisions of this subpart apply to each of the following sources that are intended to operate in volatile hazardous air pollutant (VHAP) service: pumps, compressors, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, and control devices or systems required by this subpart.

(b) The provisions of this subpart apply to the sources listed in Paragraph (a) after the date of promulgation of a specific subpart in part 61.

(c) While the provisions of this subpart are effective, a source to which this subpart applies that is also subject to the provisions of 40 CFR Part 60 only will be required to comply with the provisions of this subpart.

*40 CFR 61, Subpart V—National Emission Standard for Equipment Leaks (Fugitive Emission Sources)*  
takes precedence over 40 CFR 60, Subpart VV and VVa in accordance with §61.240(c).

This subpart is applicable instead of 40 CFR 60, Subpart VV or VVa. Subpart FFFF of 40 CFR 63 can be used for compliance with 40 CFR 61, Subpart V in accordance with 40 CFR 63.2535(k).

### 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

Construction Permit #102006-002, Project #2006-031-081, issued October 3, 2006

Initial construction of 250 million pounds/year methyl ester production plant

The Permit Conditions 1.A., 1.C. and 1.D. were modified as indicated below.

A. The condenser/scrubber system must be in use at all times when the associated equipment is in operation ~~and shall be operated and maintained in accordance with the manufacturer's specifications.~~

***The scrubber shall be operated and maintained within appropriate design parameters to ensure proper operation.***

C. Ag Processing Inc. shall monitor and record the operating pressure drop across each scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with a gauge or meter that indicates the pressure drop across the scrubber. ~~The operating pressure drop shall be maintained within the design conditions specified by the manufacturer's performance warranty.~~ ***The operating pressure drop shall be maintained at greater than zero inches to ensure proper operation.***

D. Ag Processing Inc. shall monitor and record the flow rate through the scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with a flow meter that indicates the flow through the scrubber. ~~The flow rate shall be maintained within the design conditions specified by the manufacturer's performance warranty.~~ ***The operating pressure drop shall be maintained at greater than zero inches to ensure proper operation.***

The conditions were modified in response to the following email from Martie Chapman of AGP.

**From:** Chapman, Martie [<mailto:mchapman@agp.com>]

**Sent:** Tuesday, October 11, 2011 10:51 AM

**To:** Kochan, Paul

**Subject:**

Paul,

The manufacturer's maintenance specifications are attached.

Regarding the liquid flow rate and the pressure drop, the scrubber was custom built for AGP. There are only design specifications and no official manufacturer's specifications or a performance warranty.

The scrubber was designed with a maximum liquid flow rate of 10 gallons per minute. As required by Subpart FFFF, the scrubber is equipped with a flow meter capable of providing a continuous record of the influent liquid flow. Based on readings taken from the flow meter, the average liquid flow rate is relatively constant at 9 gallons per minute.

The scrubber was designed with a pressure drop of zero. Based on readings taken from the scrubber pressure gauges, the pressure drop averages approximately 0.1" and is primarily tracked to ensure that there are no obstructions in the scrubber that could interfere with proper functioning.

Because there are no manufacturer's specifications or a performance warranty available, it appears that the language in the Title V Permit will require modification. AGP proposes the following changes:

Permit Condition EU 0010-002 Monitoring:

2. Ag Processing Inc. shall monitor and record the operating pressure drop across the scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with gauges that can be used to measure pressure drop across the scrubber. The operating pressure drop shall be maintained within appropriate design parameters to ensure proper operation.
3. Ag Processing Inc. shall monitor and record the flow rate through the scrubber at least once every twenty four (24) hours. The scrubber shall be equipped with a flow meter that indicates the flow through the scrubber. The flow rate will be maintained within appropriate design parameters to ensure proper operation.

If you need any additional information, please don't hesitate to ask.

Thank you.

Martie Chapman"

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

*40 CFR Part 60, Subpart Kb Volatile Organic Liquid Storage Vessels after 7/23/1984*

This subpart applies to storage vessels holding volatile organic liquids that were constructed after August 23, 1984, and have a volume greater than 19,800 gallons.

The 4-55,330 gallon biodiesel and 2-55,330 gallon glycerin tanks are not subject because of vapor pressures less than 3.5 kPa. The 35,720 gallon sodium methylate catalyst tank, 25,430 gallon glycerin day tank and the 36,320 gallon fatty acid tanks are not subject to the subpart because of vapor pressures less than 15 kPa.

The 76,310 gallon methanol storage tank is subject to this rule because of size and a vapor pressure of 3.5 kPa or greater. Methanol vapor pressure is 12.9 kPa. The tank is subject to control in accordance with 40 CFR 60.112b(a)(3).

Subpart FFFF of 40 CFR 63 will be used for compliance with 40 CFR 60, Subpart Kb in accordance with 40 CFR 63.2535(c):

"You are in compliance with this Subpart FFFF if you have a storage tank with a fixed roof, closed-vent system, and control device in compliance with the provisions of either 40 CFR Part 60, Subpart Kb, or 40 CFR Part 61, Subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this Subpart FFFF. Alternatively, if a storage tank assigned to an MCPU is subject to control under 40 CFR Part 60, Subpart Kb, or 40 CFR Part 61, Subpart Y, you may elect to comply only with the requirements for Group 1 storage tanks in this Subpart FFFF."

*Subpart VV—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006*

§ 60.480 Applicability and designation of affected facility

(e)(2) Subpart VVa. Owners or operators may choose to comply with the provisions of Subpart VVa of this part 60 to satisfy the requirements of this Subpart VV for an affected facility.

*Subpart VVa—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006*

§ 60.480a Applicability and designation of affected facility.

(a)(1) The provisions of this subpart apply to affected facilities in the synthetic organic chemicals manufacturing industry.

§ 60.481a Definitions.

Synthetic organic chemicals manufacturing industry means the industry that produces, as intermediates or final products, one or more of the chemicals listed in §60.489.

56–81–5 Glycerol (Glycerin)

The facility is subject to Subpart VV because a product is glycerin. Subpart FFFF of 40 CFR 63 can be used for compliance with 40 CFR 60, Subpart VV in accordance with 40 CFR 63.2535(k).

*40 CFR Part 60, Subpart RRR—Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes*

§ 60.700 Applicability and designation of affected facility.

(a) The provisions of this subpart apply to each affected facility designated in Paragraph (b) of this section that is part of a process unit that produces any of the chemicals listed in § 60.707 as a product, co-product, byproduct, or intermediate, except as provided in Paragraph (c) of this section.

(b) The affected facility is any of the following for which construction, modification, or reconstruction commenced after June 29, 1990:

(1) Each reactor process not discharging its vent stream into a recovery system.

(2) Each combination of a reactor process and the recovery system into which its vent stream is discharged.

(3) Each combination of two or more reactor processes and the common recovery system into which their vent streams are discharged.

The methyl ester facility has a reactor. The reactor will produce an intermediate glycerin rich phase that will be further processed to produce glycerol. Glycerol is one of the chemicals listed in 50 CFR 60.707, so the facility is subject to Subpart RRR.

Subpart FFFF of 40 CFR 63 can be used for compliance with 40 CFR 60, Subpart RRR in accordance with 40 CFR 63.2535(h):

“After the compliance dates specified in §63.2445, if you have an MCPU that contains equipment subject to the provisions of this subpart that are also subject to the provisions of 40 CFR Part 60, Subpart DDD, III, NNN, or RRR, you may elect to apply this subpart to all such equipment in the MCPU. If an MCPU subject to the provisions of this subpart has equipment to which this subpart does not apply but which is subject to a standard in 40 CFR Part 60, Subpart DDD, III, NNN, or RRR, you may elect to comply with the requirements for Group 1 process vents in this subpart for such equipment. If you elect any of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this Paragraph (h), will constitute compliance with 40 CFR Part 60, Subpart DDD, III, NNN, or RRR, as applicable.”

*40 CFR Part 60, Subpart NNN VOC Emissions from SOCFI Distillation Operations*

§ 60.660 Applicability and designation of affected facility.

(a) The provisions of this subpart apply to each affected facility designated in Paragraph (b) of this section that is part of a process unit that produces any of the chemicals listed in §60.667 as a product, co-product, by-product, or intermediate, except as provided in Paragraph (c).

(b) The affected facility is any of the following for which construction, modification, or reconstruction commenced after December 30, 1983:

(1) Each distillation unit not discharging its vent stream into a recovery system.

(2) Each combination of a distillation unit and the recovery system into which its vent stream is discharged.

(3) Each combination of two or more distillation units and the common recovery system into which their vent streams are discharged.

§ 60.661 Definitions.

Product means any compound or chemical listed in §60.667 that is produced for sale as a final product as that chemical, or for use in the production of other chemicals or compounds. By-products, co-products, and intermediates are considered to be products.

Methanol is listed in 40 CFR 60.667. This facility has a distillation (rectification) unit for methanol recovery for use as a raw material to replace virgin methanol that would otherwise be used. The recovered methanol is not a product, so Subpart NNN is not applicable.

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

The Notification of Compliance Status Report for 40 CFR Part 63, Subpart FFFF Miscellaneous Organic Chemical Manufacturing was signed February 7, 2008, and submitted in accordance with 40 CFR 63.2520(d). The italicized items below are excerpts from the Notification of Compliance Status Report.

*40 CFR Part 63, Subpart FFFF Miscellaneous Organic Chemical Manufacturing*

§ 63.2435 Am I subject to the requirements in this subpart?

The Notification of Compliance Status Report signed February 7, 2008, states: *“The biodiesel production process located at the AGP facility in St. Joseph, MO is subject to 40 CFR 63 Subpart FFFF because it is located at a major HAP facility. The process SIC is defined as 2869, the process uses methanol (a hazardous air pollutant) and it is not covered by another NESHAP. There is one miscellaneous chemical process unit (MCPU) operating at this facility and it is the Biodiesel Process.*

*The biodiesel process involves reacting semi-refined or refined vegetable oils with methanol in the presence of a catalyst to produce biodiesel and crude glycerin. Because methanol is a hazardous air pollutant (HAP) and is used in this process, this process is subject to NESHAP Subpart FFFF. The entire biodiesel process line, including the methanol and catalyst storage tanks, is defined as a single MCPU. This MCPU is subject to several provisions of NESHAP Subpart FFFF. The applicability of each provision and the required compliance demonstrations are detailed below.”*

The methyl ester (fatty acid) facility is subject to Subpart FFFF because fatty acids have the SIC code 2869. The facility is regulated as new because it became operational after November 10, 2003.

§ 63.2450 What are my general requirements for complying with this subpart?

The Notification of Compliance Status Report signed February 7, 2008, states: *“Per 40 CFR 63.2450(k)(5), the liquid flow rate will be continuously monitored on the scrubber. The gas now does not need to be monitored, but needs to be either measured at the inlet of the scrubber or calculated based on the blower design (adjusted for pressure drop). There is no blower on this system and the inlet flow to the control equipment cannot be measured due to the system being under pressure. It is logical to assume that without a blower, the gas flow at the inlet of the scrubber is almost equivalent to the gas flow measured at the exit of the scrubber. Based on the engineering airflow calculation completed for the stack test, the average gas flow is 37 dscfm.*

*The liquid flow rate averages 9 gallons per min, with a range of 6 to 10 gallons per minute. The gas flow at the inlet of the scrubber is assumed to be equivalent to the gas flow measured at the exit of the scrubber since there is no blower utilized in this system. Based on the stack test, the average gas flow is 37 dscfm. Using this information, the average L/G ratio during the stack test was 0.033. The range of the L/G flow will be 0.022 to 0.036.”*

#### Emission Limits, Work Practice Standards, and Compliance Requirements

§63.2450 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limits and work practice standards in Tables 1 through 7 (attachment A) to this subpart at all times, except during periods of startup, shutdown, and malfunction (SSM), and you must meet the requirements specified in §§63.2455 through 63.2490 (or the alternative means of compliance in §63.2495, §63.2500, or §63.2505), except as specified in Paragraphs (b) through (s) of this section. You must meet the notification, reporting, and recordkeeping requirements specified in §§63.2515, 63.2520, and 63.2525.

§63.2460 What requirements must I meet for batch process vents?

The Notification of Compliance Status Report signed February 7, 2008 states: *“There are three reactors that operate separately as batch reactors with intermittent or discontinuous feed into the equipment. The procedures in 40 CFR 63.1257(d)(2)(i) and (iii) must be used to determine group status of the four batch vents above. These calculations can be found in Appendix B (Design Evaluation for Uncontrolled Emissions). Based on these calculations, the hourly and annual emission rates for each of these process vents are below. For calculating annual emission rate, a conservative estimate of 8000 hour/year of operation was assumed.*

*Reactors 1,2,3-----2.92 lb/hr avg during each batch or 23,360 lb/yr each.*

*All three of the reactors vents are Group 1 Batch vents (>10,000 lb/yr uncontrolled).”*

*“The exit vapor temperature is continuously monitored on the vent condenser, as required. For the vent condenser, the operating range for the exit temperature is 55 F to 85 F.”*

The emission testing report to determine the efficiency of the scrubber, installed to control methanol emissions, was reviewed by the Department of Natural Resources and a concurrence letter was sent dated March 20, 2008. The scrubber demonstrated a control efficiency greater than 99.99%.

§63.2455 What requirements must I meet for continuous process vents?

The Notification of Compliance Status Report signed February 7, 2008 states: *“There are several process vents that operate under steady-state conditions and therefore these vents do not meet the definition of batch process vents. Along with the batch process vents and the storage tanks, all of these process vents go to the common header and are vented to the vent pre-condenser, the final condenser, and the scrubber. Per 40 CFR 63.2450(c), the requirements for combined emission streams apply. Since there are Group 1 batch process vents at this facility, the requirements for Group 1 batch vents apply to all the vents in the combined emission stream and per 40 CFR 63.24(b)(1), the facility is not required to determine the Group status of the continuous process vents.*

§63.2450 What are my general requirements for complying with this subpart?

... (c) Requirements for combined emission streams. When organic HAP emissions from different emission types (e.g., continuous process vents, batch process vents, storage tanks, transfer operations, and waste management units) are combined, you must comply with the requirements of either Paragraph (c)(1) or (2) of this section.

(1) Comply with the applicable requirements of this subpart for each kind of organic HAP emissions in the stream ( e.g., the requirements of Table 1 to this subpart for continuous process vents and the requirements of Table 4 to this subpart for emissions from storage tanks).

(2) Determine the applicable requirements based on the hierarchy presented in Paragraphs (c)(2)(i) through (vi) of this section. For a combined stream, the applicable requirements are specified in the highest-listed paragraph in the hierarchy that applies to any of the individual streams that make up the combined stream. For example, if a combined stream consists of emissions from Group 1 batch process vents and any other type of emission stream, then you must comply with the requirements in Paragraph (c)(2)(i) of this section for the combined stream; compliance with the requirements in Paragraph (c)(2)(i) of this section constitutes compliance for the other emission streams in the combined stream. Two exceptions are that you must comply with the requirements in Table 3 to this subpart and §63.2465 for all process vents with hydrogen halide and halogen HAP emissions, and recordkeeping requirements for Group 2 applicability or compliance are still required ( e.g., the requirement in §63.2525(f) to track the number of batches produced and calculate rolling annual emissions for processes with Group 2 batch process vents).

§63.2460 What requirements must I meet for batch process vents?

(a) You must meet each emission limit in Table 2 to this subpart that applies to you, and you must meet each applicable requirement specified in Paragraphs (b) and (c) of this section.

§63.2465 What requirements must I meet for process vents that emit hydrogen halide and halogen HAP or HAP metals?

The Notification of Compliance Status Report signed February 7, 2008 states: *“Hydrochloric acid is utilized in the wash step of the process to remove any soaps that may be present. The HCl reacts with the soaps to form salts. These salts are not emitted to the atmosphere. Therefore, there are no process vents in the biodiesel process MCPU with potential HCl or chlorine emissions and there are no applicable hydrogen halide or halogen HAP requirements.”*

§63.2470 What requirements must I meet for storage tanks?

The Notification of Compliance Status Report signed February 7, 2008 states: *“The methanol and catalyst storage tanks are Group 1 storage tanks. These tanks are designed to vent through the closed vent system connected to the Vent Condenser and Scrubber.*

*The biodiesel and crude glycerin storage tanks, as well as the loadouts associated with these products are not vented to the any control devices. These storage tanks are not considered storage tanks regulated under this subpart since they contain HAP only as impurities and are specifically excluded per definition of the storage tanks contained in 40 CFR 63.2550(i).*

*The HCl storage tank is less than 10,000 gallons so it does not meet the definition of a Group 1 storage tank and there are no applicable requirements.”*

(e) *Vapor balancing alternative.* As an alternative to the emission limits specified in Table 4 to this subpart, you may elect to implement vapor balancing in accordance with §63.1253(f), except as specified in Paragraphs (e)(1) through (3) of this section.

*“None of the storage tanks at this facility are complying with the vapor balancing alternative.”*

§63.2475 What requirements must I meet for transfer racks?

The Notification of Compliance Status Report signed February 7, 2008 states: *“Per 40 CFR 63.2550(i), transfer racks are those used to fill tank trucks or railcars with organic liquids containing one or more organic HAP. Group 1 transfer racks are defined as having a throughput greater than 0.65 million liters per year and a rack-weighted partial pressure greater than or equal to 1.5 psia. There are no transfer racks associated with the biodiesel process MCPU that meet the definition of Group 1 transfer racks. The only Group 2 transfer racks load biodiesel and/or crude glycerin. There are no applicable requirements for Group 2 transfer racks.”*

§63.2480 What requirements must I meet for equipment leaks?

The Notification of Compliance Status Report signed February 7, 2008 states: *“The biodiesel process MCPU is subject to the equipment leaks provisions.”*

§63.2485 What requirements must I meet for wastewater streams and liquid streams in open systems within an MCPU?

The Notification of Compliance Status Report signed February 7, 2008 states: *“There is one wastewater stream from the biodiesel MCPU. The stream is identified as the “ME Wastewater” stream. The average ppmw of methanol in this stream is 6250 ppmw. Per 40 CFR 63.2485(c)(1), a Group 1 wastewater stream is defined as one that has more than 30,000 ppmw total for Table 8 and Table 9 compounds AND combined total annual loads of compounds in Tables 8 and 9 greater than or equal to 1 tpy. Based on sampling, this stream has less than 30,000 ppmw methanol, which is a Table 9 chemical. There are no Table 8 chemicals in this process or therefore this waste stream. This stream does not meet the definition of Group 1 wastewater stream and is therefore is categorized as a Group 2 wastewater stream.*

*As a Group 2 wastewater stream, the facility is required to comply with 40 CFR 63.146 (b)(1) and 63.147(8). 40 CFR 63.146(b)(1) requires description of process unit, stream identification code, and concentration of Table 8 and/or Table 9 compounds (ppmw) including documentation on the methodology used, and flow rate in gallons per minute. 40 CFR 63.148(8) requires the facility to keep records containing this information in an accessible location.*

*Process Unit Description - The methyl ester process unit description is contained in the response to “§63.2435 Am I subject to the requirements in this subpart?” above.*

*Stream Identification – WW1/ME Wastewater Stream*

*Concentration-Table 8 Compounds - 0 ppmw*

*Table 9 Compounds- 6250 ppmw average”*

§63.2490 What requirements must I meet for heat exchange systems?

The Notification of Compliance Status Report signed February 7, 2008 states: *“There are no heat exchangers that meet the definition of heat exchange system per 40 CFR 63.101.”*

§63.2535 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?

The Notification of Compliance Status Report signed February 7, 2008 states: *“The biodiesel process MCPU is subject to NSPS Subparts Kb and VV. AGP is opting to demonstrate compliance with these standards by complying with NESHAP Subpart FFFF and the provisions of 40 CFR 63.2535. These provisions require facilities to demonstrate compliance for total organic compounds instead of total organic HAP. Methanol is the only volatile organic compound utilized in this MCPU.”*

(l) Applicability of process units included in a process unit group. You may elect to develop and comply with the requirements for PUG in accordance with Paragraphs (l)(1) through (3) of this section.  
*“Not applicable.”*

*Subpart UU—National Emission Standards for Equipment Leaks—Control Level 2 Standards*

§63.1039 Reporting requirements.

The Notification of Compliance Status Report signed February 7, 2008 states: *“Below is the information required by 40 CFR 63.1039(a)(1)(i) through (iv). The requirements of 40 CFR 63.1039(a)(2) and (3) do not apply as the facility is not complying with the applicable alternative standards.”*

(i) Process Unit or affected facility identification.

*“Ag Processing Inc.*

*Biodiesel Production Facility*

*900 Lower Lake Road*

*St. Joseph, MO 64502*

*These responses apply to the biodiesel MCPU.”*

(ii) Number of each equipment type (e.g., valves, pumps) excluding equipment in vacuum service.

<i>“Equipment Type</i>	<i>Type of Service</i>	<i>Component Count</i>
<i>Connectors</i>	<i>Light Liquid/Vapor</i>	<i>1091</i>
<i>Pumps</i>	<i>Light Liquid</i>	<i>21</i>
<i>Agitators</i>	<i>Vapor</i>	<i>7</i>
<i>Valves</i>	<i>Light Liquid/Vapor</i>	<i>300</i>

*Vegetable oil biodiesel, and glycerin are not VOC compounds. Therefore, the only VOC and/or HAP compound at this facility is methanol. The equipment count above reflects all of the equipment that contains >5% methanol.”*

(iii) Method of compliance with the standard (e.g., “monthly leak detection and repair” or “equipped with dual mechanical seals”).

*“An initial survey has been completed.*

*Valves shall be monitored per 63.1025. Repairs will be done in accordance with 40 CFR 63.1024.*

*Pumps shall be monitored per 40 CFR 63.1026. Weekly visual inspection shall be completed as required. If a visual leak is detected the pump shall be monitored per EPA Method 21~Determination of volatile organic compound leaks. All repairs will be in accordance to 63.1024.*

*Connectors shall be monitored per 40 CFR 63.1027. Repairs will be in accordance with 40 CFR 63.1024.*

*Agitators will be monitored per 63.1028. Weekly visual inspection shall be done. If a visual leak is detected the agitator shall be monitored per EPA Method 21-Determination of Volatile Organic Compound Leaks. All repairs will be in accordance to 63.1024.*

*Pressure Relief Valves will be monitored in accordance with 40 CFR 63.1030. Repairs will be made in accordance with 63.1024. LDAR requirements do not apply to the pressure relief devices which are conservation vents on storage tanks.”*

(iv) Planned schedule for requirements in §§63.1025 and 63.1026.

*“Valves in light liquid/vapor service will be monitored on an annual basis as per 63.1025. Pumps in light liquid service will be monitored on a monthly basis per 63.1026.”*

Subpart FFFF of 40 CFR Part 63 lists 40 CFR 65 Subpart F or 40 CFR 63 Subpart UU as options, in Table 6—Requirements for Equipment Leaks. Ag Processing has chosen to comply with 40 CFR 63 Subpart UU.

*40 CFR 63, Subpart UU—National Emission Standards for Equipment Leaks—Control Level 2 Standards*

§ 63.1019 Applicability.

(a) The provisions of this subpart apply to the control of air emissions from equipment leaks for which another subpart references the use of this subpart for such air emission control. These air emission standards for equipment leaks are placed here for administrative convenience and only apply to those owners and operators of facilities subject to a referencing subpart. The provisions of 40 CFR Part 63, Subpart A (General Provisions) do not apply to this subpart except as noted in the referencing subpart.

Subpart UU is referenced by 40 CFR 63, Subpart FFFF.

Subpart WW—National Emission Standards for Storage Vessels (Tanks)—Control Level 2

§ 63.1060 Applicability.

The provisions of this subpart apply to the control of air emissions from storage vessels for which another subpart references the use of this subpart for such air emission control. These air emission standards for storage vessels are placed here for administrative convenience and only apply to those owners and operators of facilities subject to a referencing subpart.

Subpart WW is referenced by 40 CFR 63, Subpart FFFF.

Subpart SS—National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process

§ 63.980 Applicability.

The provisions of this subpart include requirements for closed vent systems, control devices and routing of air emissions to a fuel gas system or process. These provisions apply when another subpart references the use of this subpart for such air emission control. These air emission standards are placed here for administrative convenience and only apply to those owners and operators of facilities subject to a referencing subpart.

Subpart SS is referenced by 40 CFR 63, Subpart FFFF.

*Subpart F—National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry*

§ 63.100 Applicability and designation of source.

(a) This subpart provides applicability provisions, definitions, and other general provisions that are applicable to Subparts G and H of this part.

(b) Except as provided in Paragraphs (b)(4) and (c) of this section, the provisions of Subparts F, G, and H of this part apply to chemical manufacturing process units that meet all the criteria specified in Paragraphs (b)(1), (b)(2), and (b)(3) of this section:

(1) Manufacture as a primary product one or more of the chemicals listed in Paragraphs (b)(1)(i) or (b)(1)(ii) of this section.

(i) One or more of the chemicals listed in Table 1 of this subpart; or

(ii) One or more of the chemicals listed in Paragraphs (b)(1)(ii)(A) or (b)(1)(ii)(B) of this section:

(A) Tetrahydrobenzaldehyde (CAS Number 100–50–5); or

(B) Crotonaldehyde (CAS Number 123–73–9).

(2) Use as a reactant or manufacture as a product, or co-product, one or more of the organic hazardous air pollutants listed in Table 2 of this subpart;

(3) Are located at a plant site that is a major source as defined in section 112(a) of the Act.

Glycerol (glycerin) is listed in the subpart as an applicable product. It is not the primary product, it is a byproduct of methyl ester production.

Subpart F is referenced by 40 CFR 63, Subpart FFFF.

*Subpart G—National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater*

§ 63.110 Applicability.

(a) This subpart applies to all process vents, storage vessels, transfer racks, wastewater streams, and in-process equipment subject to §63.149 within a source subject to Subpart F of this part.

Subpart G is referenced by 40 CFR 63, Subpart FFFF.

*Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks § 63.160 Applicability and designation of source.*

(a) The provisions of this subpart apply to pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrumentation systems, and control devices or closed vent systems required by this subpart that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63 that references this subpart.

Subpart H is referenced by 40 CFR 63, Subpart FFFF.

#### **National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability**

Subpart V—National Emission Standard for Equipment Leaks (Fugitive Emission Sources)

§ 61.240 Applicability and designation of sources.

(a) The provisions of this subpart apply to each of the following sources that are intended to operate in volatile hazardous air pollutant (VHAP) service: pumps, compressors, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, and control devices or systems required by this subpart.

This subpart is applicable instead of 40 CFR 60, Subpart VV or VVa.

Subpart FFFF of 40 CFR 63 can be used for compliance with 40 CFR 61, Subpart V in accordance with 40 CFR 63.2535(k):

“After the compliance date specified in §63.2445, if you have an affected source with equipment that is also subject to the requirements of 40 CFR Part 60, Subpart VV, or 40 CFR Part 61, Subpart V, you may elect to apply this subpart to all such equipment. After the compliance date specified in §63.2445, if you have an affected source with equipment to which this subpart does not apply, but which is subject to the requirements of 40 CFR Part 60, Subpart VV, or 40 CFR Part 61, Subpart V, you may elect to apply this subpart to all such equipment. If you elect either of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this Paragraph (k), will constitute compliance with 40 CFR Part 60, Subpart VV and 40 CFR Part 61, Subpart V, as applicable.”

#### **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.

Compliance Assurance Monitoring is not applicable because the emission units are subject to 40 CFR Part 63, Subpart FFFF which was promulgated November 10, 2003. 40 CFR Part 64, Compliance Assurance Monitoring (CAM), §64.2(b)(1)(i) states that the requirements of the part shall not apply to emission limitations or standards proposed by the administrator after November 15, 1990 pursuant to Section 111 and 112 of the Act.

### Other Regulatory Determinations

Construction Permit No. 102006-002, issued October 3, 2006, requires the use of the condenser/scrubber system. The stack test report dated January 3, 2008 and the Notification of Compliance Status signed February 7, 2008, were used to determine the potential-to-emit for EP100.

A control efficiency of 99.54% results from the uncontrolled methanol emission rate of 103.08 pounds/hour (stack test page 12) and the average controlled rate of 0.47 pounds/hour (stack test Summary of Results).

However, the stack test report refers to the Notice of Compliance Status Report (NOCSR) for details on the calculation. The NOCSR states: *“The facility was unable to test the uncontrolled emissions because the system operates under pressure (design pressure of 30 psi) and there is no acceptable method for completing a test. Uncontrolled emissions have been derived from design calculations per 40 CFR 63.1257(d) and are included in Appendix B. Based on these design calculation, the total uncontrolled emission rate is 108.92 pounds/hr. The facility is required to demonstrate a minimum of 98% percent reduction in order to comply with Table 2 to 40 CFR Subpart FFFF.”* The calculated average uncontrolled methanol emission rate of 108.92 pounds/hour (NOCSR page 3) and the average controlled rate of 0.47 pounds/hour (from the stack test) work out to a control efficiency of 99.57%.

The potential-to-emit with the required scrubber is:

	HAP	PM <sub>10</sub>	PM <sub>2.5</sub>	VOC
Total	14.12	0.92	0.23	0.53

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

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

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

Should a later determination conclude that the installation is subject to one or more of the regulations cited in this Statement of Basis or other regulations which were not cited, the installation shall determine and demonstrate, to the Air Pollution Control Program's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the Air Pollution Control Program a schedule for achieving compliance for that regulation(s).

Prepared by:

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Paul Kochan  
Environmental Engineer

CERTIFIED MAIL: 70093410000190188766  
RETURN RECEIPT REQUESTED

Mr. Mark Craigmile  
Ag Processing, Inc.  
P.O. Box 427  
St. Joseph, MO 64502

Re: Ag Processing, Inc., 021-0118  
Permit Number: **OP2012-004**

Dear Mr. Craigmile:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 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 do not hesitate to contact Paul Kochan at the Kansas City Regional Office, 500 NE Colbern Rd., Lee's Summit, MO 63125, or by telephone at (816) 622-7000. You may also contact the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, at (573) 751-4817. Thank you for your time and attention to this matter

Sincerely,

**AIR POLLUTION CONTROL PROGRAM**

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

MJS:pkk

Enclosures

c: Kansas City Regional Office  
PAMS File: 2008-09-053