



INTERMEDIATE STATE PERMIT TO OPERATE

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

Intermediate Operating Permit Number: OP2017-079
Expiration Date: NOV 13 2022
Installation ID: 013-0029
Project Number: 2015-03-086

Installation Name and Address

Butler Municipal Power Plant
Business 49 & Mill Street
Butler, MO 64730
Bates County

Parent Company's Name and Address

City of Butler
22 West Ohio
Butler, MO 64730

Installation Description:

Butler Municipal Power Plant operates eight (8) diesel fueled engine-generators to supplement electrical power to the city of Butler.

The installation is a synthetic minor source for Nitrogen Oxides (NO_x) emissions.

Prepared by:
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Operating Permit Unit

Director or Designee
Department of Natural Resources

NOV 13 2017

Effective Date

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I. Installation Equipment Listing

EMISSION UNITS WITH LIMITATIONS

The following list provides a description of the equipment at this installation which emits air pollutants and identified as having unit-specific emission limitations.

Emission Unit ##	Description
EP-03	Fairbanks Morse Engine-Generator #3 (Emergency)
EP-04	Fairbanks Morse Engine-Generator #4 (Emergency)
EP-05	Fairbanks Morse Engine-Generator #5 (Emergency)
EP-06	Fairbanks Morse Engine-Generator #6 (Emergency)
EP-07	Caterpillar Engine-Generator #1 North (Emergency)
EP-08	Caterpillar Engine-Generator #1 South (Emergency)
EP-09	Caterpillar Engine-Generator #2 North: Catalytic converter with Hi-back monitoring; closed crankcase ventilation
EP-10	Caterpillar Engine-Generator #2 South: Catalytic converter with Hi-back monitoring; closed crankcase ventilation

EMISSION UNITS WITHOUT LIMITATIONS

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

Description of Emission Unit

Two 15,000-gallon diesel storage tank
Two 21,300-gallon diesel storage tanks
Three 350-gallon diesel storage tanks

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 on the date of permit issuance. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

PERMIT CONDITION PW001

10 CSR 10-6.060 Construction Permits Required
Construction Permit No. 1099-009, Issued October 14, 1999
10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

Emission Limitations:

The permittee shall discharge less than 100.00 tons of nitrogen oxides (NO_x) into the atmosphere from the entire installation in any consecutive 12-month period.

Recordkeeping:

- 1) The permittee shall maintain an accurate record of emissions of NO_x emitted into the atmosphere from the entire installation. [Special Condition 2]
- 2) The permittee shall record the monthly and running 12-month totals of NO_x emissions from this installation and shall use Attachment A or an equivalent form for this purpose. [Special Condition 2]
- 3) The permittee shall maintain records on-site for the most recent 60 months of all records required by this permit condition and shall immediately make such records available to any Missouri Department of Natural Resources' personnel upon request. [Special Condition 2]

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after the end of the month, if the 12-month cumulative total records show that the source exceeded the limitation of 100 tons of NO_x. [Special Condition 3]
- 2) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

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 on the date of permit issuance.

PERMIT CONDITION 1		
<i>40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines</i>		
Emission Unit	Description	Manufacturer/Model #
EP-09	Caterpillar Engine-Generator #2 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00936
EP-10	Caterpillar Engine-Generator #2 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00938

Emission Limitations:

- 1) For each of the engines the permittee must;
 - a) Limit concentration of CO in the stationary reciprocating internal combustion engine (RICE) exhaust to 23 ppmvd at 15 percent O₂; or
 - b) Reduce CO emissions by 70 percent or more. [Table 2d to Subpart ZZZZ, Item #3]

Operational Requirements:

- 1) The permittee must be in compliance with the applicable requirements of MACT ZZZZ at all times. [§63.6605(a)]
- 2) At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. [§63.6605(b)]
- 3) The permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. [§63.6604(a)]
- 4) During periods of startup the permittee must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [§63.6625(h)]
- 5) The permittee must meet the following operating limitation, except during periods of startup;
 - a) maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and
 - b) maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. (The permittee can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.) [Table 2b to MACT ZZZZ. Item #2]

- 6) If the permittee changes the catalyst, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the permittee reestablishes the values of the operating parameters, the permittee must also conduct a performance test to demonstrate that the applicable emission limit is met for the stationary RICE. [§63.6640(b)]

Continuous Compliance Requirements:

- 1) The permittee must demonstrate continuous compliance with each emission limitation, operating limitation and other applicable requirements in Tables 2b and Table 2d to MACT ZZZZ, according to methods specified in Table 6 to MACT ZZZZ. [§63.6640(a)]
- 2) The permittee must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. [§63.6625(g)]
- 3) Since the permittee has elected to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of MACT ZZZZ, the permittee must install, operate, and maintain each CPMS according to the following requirements. [§63.6625(b)]
 - a) The permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs §63.6625(b)(1)(i) through (v) and in §63.8(d). As specified in §63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in §63.6625(b)(1) through (5) in your site-specific monitoring plan. [§63.6625(b)(1)]
 - i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;
 - ii) Sampling interface (*e.g.*, thermocouple) location such that the monitoring system will provide representative measurements;
 - iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;
 - iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1)(ii) and (c)(3); and
 - v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i).
 - b) The permittee must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan. [§63.6625(b)(2)]
 - c) The CPMS must collect data at least once every 15 minutes (see also §63.6635). [§63.6625(b)(3)]
 - d) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger. [§63.6625(b)(4)]
 - e) The permittee must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually. [§63.6625(b)(5)]
 - f) The permittee must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan. [§63.6625(b)(6)]
- 4) The permittee shall demonstrate continuous compliance by:

- a) Conducting performance tests every 8,760 hrs or 3 yrs, whichever comes 1st, for CO to demonstrate that the required CO % reduction is achieved or that the emissions remain at or below the CO concentration. limit; and
- b) Collecting the catalyst inlet temp. data according to §63.6625(b); and
- c) Reducing these data to 4-hr rolling averages; and
- d) Maintaining the 4-hr rolling averages within the operating limits for the catalyst inlet temperature.; and
- e) Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limit established during the performance test. [Table 6 to Subpart ZZZZ of Part 63, Item #10]

Notifications:

- 1) The permittee shall meet the applicable notification requirements in §63.6645 and in 40 CFR Part 63, Subpart A.
- 2) The permittee shall submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified.[§63.6645(a)]
- 3) The permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1). [§63.6645(g)]

Recordkeeping:

- 1) The permittee shall retain the records described in §63.6655(a)(1) through (a)(5), and §63.6655(b)(1) through (b)(3). [§63.6655(a)]
- 2) The permittee shall retain the records required in Table 6 of MACT ZZZZ to show continuous compliance with each emission or operating limit that applies. [§63.6655(d)]
- 3) The permittee shall retain each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]
- 4) These records shall be kept on-site, and shall be made available to Department personnel upon request.

Reporting:

- 1) The permittee must report each instance in which each applicable emission limitation or operating limitation in Table 2d to MACT ZZZZ is not met. These instances are deviations from the emission and operating limitations in MACT ZZZZ. These deviations must be reported according to the requirements in §63.6650. [§63.6640(b)]
- 2) The permittee shall submit each report in Table 7 of MACT ZZZZ that applies. [§63.6650(a)]
- 3) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report by the date in Table 7 of MACT ZZZZ and according to the requirements in paragraphs §63.6650(b)(1) through (b)(9): [§63.6650(b)]
 - a) The permittee may submit the first and subsequent Compliance Reports as part of their 40 CFR Part 70 semi-annual Compliance Reports instead of according to the dates in paragraphs §63.6650(b)(1) through (b)(4). [§63.6650(b)(5)]
- 4) The Compliance report must contain the information in paragraphs §63.6650 (c)(1) through (6): [§63.6650(c)]
- 5) For each deviation from an emission or operating limit, the permittee shall include the information in §63.6650(c)(1) through (4) and §63.6650(e)(1) through (12): [§63.6650(e)]

- 6) The permittee shall report all deviations as defined in MACT ZZZZ in the semi-annual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A). If the permittee submits a Compliance Report pursuant to Table 7 of MACT ZZZZ along with, or as part of, the semi-annual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A), and the Compliance Report includes all required information concerning deviations from any emission or operating limit in MACT ZZZZ, submission of the Compliance Report shall be deemed to satisfy any obligation to report the same deviations in the semi-annual monitoring report. However, submission of a Compliance Report shall not otherwise affect any obligation the permittee may have to report deviations from permit requirements to the Air Pollution Control Program. [§63.6650(f)]
- 7) Required reports shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.
- 8) The permittee shall report any deviations of this permit condition to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.

PERMIT CONDITION 2		
<i>40 CFR Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines</i>		
Emission Unit	Description	Manufacturer/Model #
EP-03	Fairbanks Morse Engine-Emergency Generator #3: Diesel Fuel Fired; MHDR=8.78 MMBtu/hr = 1254 HP; Construction Date 1946	Fairbanks Morse/87871
EP-04	Fairbanks Morse Engine-Emergency Generator #4: Diesel Fuel Fired; MHDR=14.56 MMBtu/hr = 2080 HP; Construction Date 1952	Fairbanks Morse/953760
EP-05	Fairbanks Morse Engine-Emergency Generator #5: Diesel Fuel Fired; MHDR=14.56 MMBtu/hr = 2080 HP; Construction Date 1959	Fairbanks Morse/968757
EP-06	Fairbanks Morse Engine-Emergency Generator #6: Diesel Fuel Fired; MHDR=15.68 MMBtu/hr = 2240 HP; Construction Date 1959	Fairbanks Morse/969954
EP-07	Caterpillar Engine-Emergency Generator #1 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999	Caterpillar/7RN00933
EP-08	Caterpillar Engine-Emergency Generator #1 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr ; 2628 HP; Construction Date 1999	Caterpillar/7RN00937

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power

from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.

- (2) *The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §63.6640(f).*
- (3) *The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §63.6640(f)(2)(ii) or (iii) and §63.6640(f)(4)(i) or (ii).*

Operational Requirements:

- 1) At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. [§63.6605(b)]

Work Practice Standards:

- 1) For each Emergency stationary CI RICE, the permittee must meet the following requirements, except during periods of startup.
 - a) Change oil and filter every 500 hours of operation or annually, whichever comes first;
 - b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
 - c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [Table 2d To Subpart ZZZZ, item #4]
- 2) The permittee shall use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. [§63.6604(b)]

Operational Limitations:

- 1) The permittee shall operate the emergency stationary RICE according to the following requirements. In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described, is prohibited. If you do not operate the engine according to the requirements, the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines. [§63.6640(f)]
 - a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
 - b) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs §63.6640(f)(4) counts as part of the 100 hours per calendar year allowed by this paragraph §63.6640(f)(2). [§63.6640(f)(2)]
 - i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be

used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

[§63.6640(f)(2)(i)]

- ii) Emergency stationary RICE which are not subject to MACT ZZZZ by §63.6582(f)(1) through (3) shall not operate for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6585(f)(3)]
 - A) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]
 - B) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]
- c) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph §63.6640(f)(2). Except as provided in paragraphs §63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(4)]

Recordkeeping Requirements:

- 1) The Permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the facility's own maintenance plan. [§63.6655(e)]
- 2) The Permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [§63.6655(f)]

Reporting:

- 1) The Permittee must report each instance in which you did not meet each emission limitation or operating limitation in Table 2d to MACT ZZZZ that applies to you. These instances are deviations from the emission and operating limitations in MACT ZZZZ. These deviations must be reported according to the requirements in §63.6650. [§63.6640(b)].
- 2) The permittee shall report any deviations of this permit condition to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.

PERMIT CONDITION 3		
<i>10 CSR 10-6.270 Acid Rain Source Permits Required</i>		
Emission Unit	Description	Manufacturer/Model #
EP-07	Caterpillar Engine-Emergency Generator #1 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999	Caterpillar/7RN00933
EP-08	Caterpillar Engine-Emergency Generator #1 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999	Caterpillar/7RN00937
EP-09	Caterpillar Engine-Generator #2 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00936
EP-10	Caterpillar Engine-Generator #2 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00938

Note: This permit condition includes the requirements needed to maintain compliance with the “New Units Exemption” under 40 CFR Part 72.7.

Operational Limitations:

- 1) EP-07 through EP-10 shall be limited to burning fuel oil with an annual average sulfur content of 0.05 percent or less by weight. [§72.7(a)(3)]
- 2) EP-07 through EP-10 shall be exempt from the Acid Rain Program, except for the provisions of §§72.2 through 72.6, and §§72.10 through 72.13. [§72.7(b)(1)]

Monitoring:

- 1) Compliance with the requirement that fuel burned during the year have an annual average sulfur content of 0.05 percent by weight or less shall be determined as follows using a method of determining sulfur content that provides information with reasonable precision, reliability, accessibility, and timeliness: [§72.7(d)]
 - a) For fuel oil burned during the year, the requirement is met if the annual average sulfur content is equal to or less than 0.05 percent by weight. The annual average sulfur content, as a percentage by weight, shall be calculated using Equation 1: [§72.7(d)(3)]
- 2) *Special Provisions:* The permittee, and to the extent applicable, the designated representative of the units shall: [§72.7(f)(1)]
 - a) Comply with the requirements of burning fuel oil with an annual average sulfur content of 0.05 percent or less by weight for all periods for which the units are exempt; and [§72.7(f)(1)(i)]
 - b) Comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect. [§72.7(f)(1)(ii)]
- 3) *Loss of Exemption:* On the earliest of the following dates, a unit shall lose its exemption and shall be treated as an affected unit under the Acid Rain Program: [§72.7(f)(4)(i)]
 - a) The date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; [72.7(f)(4)(i)(A)]
 - b) The date on which the unit burns any coal or coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or [§72.7(f)(4)(i)(B)]

- c) January 1 of the year following the year in which the unit burns a gaseous fuel other than natural gas or the annual average sulfur content for fuel oil burned at the unit exceeds 0.05 percent by weight. [§72.7(f)(4)(i)(C)]

Recordkeeping:

- 1) For a period of 5 years from the date the records are created, the permittee shall retain records demonstrating that the requirements of this permit condition are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Director. [§72.7(f)(3)]
 - a) Such records shall include, for each delivery of fuel to the installation, the type of fuel, the sulfur content, and the sulfur content of each sample taken. [§72.7(f)(3)(i)]
 - b) The permittee shall bear the burden of proof that the requirements of this permit condition are met. [§72.7(f)(3)(ii)]

Reporting:

- 1) The designated representative for a unit that loses its exemption shall submit a complete Acid Rain Permit Application 60 days after the first date on which the unit is no longer exempt, notwithstanding §72.30(b) and (c). [§72.7(f)(4)(ii)]
- 2) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

PERMIT CONDITION 4		
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds		
Emission Unit	Description	Manufacturer/Model #
EP-03	Fairbanks Morse Engine-Emergency Generator #3: Diesel Fuel Fired; MHDR=8.78 MMBtu/hr = 1254 HP; Construction Date 1946	Fairbanks Morse/87871
EP-04	Fairbanks Morse Engine-Emergency Generator #4: Diesel Fuel Fired; MHDR=14.56 MMBtu/hr = 2080 HP; Construction Date 1952	Fairbanks Morse/953760
EP-05	Fairbanks Morse Engine-Emergency Generator #5: Diesel Fuel Fired; MHDR=14.56 MMBtu/hr = 2080 HP; Construction Date 1959	Fairbanks Morse/968757
EP-06	Fairbanks Morse Engine-Emergency Generator #6: Diesel Fuel Fired; MHDR=15.68 MMBtu/hr = 2240 HP; Construction Date 1959	Fairbanks Morse/969954
EP-07	Caterpillar Engine-Emergency Generator #1 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999	Caterpillar/7RN00933
EP-08	Caterpillar Engine-Emergency Generator #1 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999	Caterpillar/7RN00937
EP-09	Caterpillar Engine-Generator #2 North: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00936
EP-10	Caterpillar Engine-Generator #2 South: Diesel Fuel Fired; MHDR=19.15 MMBtu/hr; 2628 HP; Construction Date 1999; : Catalytic converter with Hi-back monitoring; closed crankcase ventilation	Caterpillar/7RN00938

*This regulation is a federal regulation only.

Emission Limitation:

- 1) The permittee shall not allow the emission in the atmosphere gases containing more than five hundred parts per million by volume (500 ppm_v) of sulfur dioxide.
- 2) Stack gases from the emission units shall not contain more than thirty five milligrams per cubic meter (35 mg/m³) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three (3)-hour time period.

Monitoring/Recordkeeping:

- 1) The permittee shall determine compliance using fuel delivery records, fuel sampling and analysis, performance tests, continuous emission monitoring, or other compliance methods approved by the staff director and the U.S. Environmental Protection agency and incorporated into the state implementation plan.
- 2) The permittee must maintain a list of modifications to the source's operating procedures or other routine procedures instituted to prevent or minimize the occurrence of any excess emissions.
- 3) The permittee must maintain a record of data, calculations, results, records and reports from any performance test, continuous emission monitoring, fuel deliveries, and/or fuel sampling tests.

- 4) The permittee must maintain a record of any applicable monitoring data, performance evaluations, calibration checks, monitoring system and device performance tests, and any adjustments and maintenance performed on these systems or devices.
- 5) If the permittee is using fuel delivery records for compliance they must also maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel deliver documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule:
 - a) The name, address, and contact information of the fuel supplier;
 - b) The type of fuel;
 - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
 - d) The heating value of the fuel.
- 6) The permittee shall maintain records for a minimum of five (5) years on-site.
- 7) The permittee shall make all records immediately available to Missouri Department of Natural Resources personnel upon request.

Reporting:

- 1) The permittee must report any excess emissions other than startup, shutdown and malfunction excess emissions to the staff director for each calendar quarter within thirty (30) days following the end of the quarter. In all cases, the notification must be a written report and must include, at a minimum, the following:
 - a) Name and location of source;
 - b) Name and telephone number of person responsible for the source;
 - c) Identity and description of the equipment involved;
 - d) Time and duration of the period of excess emissions;
 - e) Type of activity;
 - f) Estimate of the magnitude of the excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
 - g) Measures taken to mitigate the extent and duration of the excess emissions;
 - h) Measures taken to remedy the situation which cause the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219.
- 3) The permittee shall report to the EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The following are only excerpts from the regulation or code, and are provided for summary purposes only.

10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;
 - g) Air pollutants involved;
 - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
 - i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

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

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 3) The permittee shall submit a full EIQ for the 2017 and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 4) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.

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

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

10 CSR 10-6.150 Circumvention

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

10 CSR 10-6.165 Restriction of Emission of Odors

This is a State Only permit requirement.

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

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

Emission Limitation:

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-6.280 Compliance Monitoring Usage

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:

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

40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
 - b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
 - c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
 - d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
 - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
 - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
 - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
 - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).

- e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
- f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*

V. General Permit Requirements

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

10 CSR 10-6.065, §(5)(C)1, §(6)(C)1.B, §(5)(E)2.C Permit Duration

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General Record Keeping and Reporting Requirements

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

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

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

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

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

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

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

None.

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions
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- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
 - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
 - b) That the installation was being operated properly,
 - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and

- d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
 - b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

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

10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MoDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,

- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
 - a) The permit has a remaining term of less than three years;
 - b) The effective date of the requirement is later than the date on which the permit is due to expire;
or
 - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

VI. Attachments

Attachments follow.

Attachment A
NOx Compliance Worksheet

This sheet covers the period from _____ to _____.
 (month, year) (month, year)

Month/Year	Column 1	Column 2	Column 3	Column 4	Column 5
	Monthly Amount of Diesel Fuel per Engine Manufacturer (1000 gal)	NO _x Emission Factor (lbs/1000 gal)	Monthly NO _x Emissions (tons)	Start-up, Shutdown, Malfunction Emissions (tons)	12-Month NO _x Emissions (tons/year)
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			
	CAT	487.4			
	FM	604			

- [1] Column 3 = Column 1 x Column 2 x 0.0005
- [2] Column 5 = Sum of last 12-months of Column 3 + [The sum of all start-up, shutdown, and malfunction NO_x emissions from the emission units in tons for the last 12 months]
- [3] A cumulative NOx emission during 12-month rolling total should not exceed 100 tons per year.
- [4] The heat input of 140,000 BTU/gal for Distillate (Fuel Oil 1-4) was used.
- [5] Emission factor has been taken from AP-42 SCC No. 20300101.
- [6] Start-up, Shutdown, and Malfunction (SSM) emissions shall be the monthly SSM emissions as reported to the Air Pollution Control Program's Compliance/Enforcement Section

STATEMENT OF BASIS

Voluntary Limitations

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

Installation Description

Butler Municipal Power Plant operates eight (8) diesel fueled engine-generators to supplement electrical power to the city of Butler. Of these eight engine-generators, six are emergency and 2 are non-emergency. The two non-emergency engines have a catalytic converter with Hi-back monitor (CPMS) and closed crankcase ventilation.

The installation is a synthetic minor source for Nitrogen Oxides (NO_x) emissions.

Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr)
CO	8.48
HAP	6.33E-03
NO _x	≤ 100
PM ₁₀	8.58
PM _{2.5}	8.58
SO _x ^{2,3}	0.04
VOC	1.96

¹ Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.

² All generators were evaluated at 0.0015% Sulfur content as required by MACT ZZZZ.

³ Actual SO_x emissions are reported as higher than the potential due to MOEIS assuming a higher sulfur content of the fuel.

⁴ The installation is limited to 100.0 tons of NO_x emissions.

⁵ Emergency generators have been evaluated at 500 hours of operation.

Reported Air Pollutant Emissions, tons per year

Pollutants	2016	2015	2014	2013	2012
Particulate Matter ≤ Ten Microns (PM ₁₀)	0.09	0.06	0.06	0.11	0.11
Particulate Matter ≤ 2.5 Microns (PM _{2.5})	0.09	0.06	0.06	0.11	0.11
Sulfur Oxides (SO _x)	--	0.22	0.22	0.36	0.36
Nitrogen Oxides (NO _x)	1.16	0.83	0.83	1.42	1.42
Volatile Organic Compounds (VOC)	0.04	0.03	0.03	0.07	0.07
Carbon Monoxide (CO)	0.14	0.11	0.11	0.21	0.21

Permit Reference Documents

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

- 1) Intermediate Operating Permit Application, received March 23, 2015;
- 2) 2016 Emissions Inventory Questionnaire, received January 06, 2017;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 4) Construction Permit No. 1099-009, Issued October 15, 1999.

Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits

In the operating permit application, the installation indicated they were not subject to the following regulation(s). However, in the review of the application, the agency has determined that the installation is subject to the following regulation(s) for the reasons stated.

None.

Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, Alternate Emission Limits

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

Construction Permit Revisions

The following revisions were made to construction permits for this installation:

- 1) Missouri Department of Natural Resources Construction Permit No. 1099-009 authorized the installation of six Caterpillar diesel engine-generators.
 - a) Only four Caterpillar diesel engine-generators (EU0050 through EU0080) were installed at the installation. Since the facility did not begin construction of the additional two engines within two years of construction permit issuance, the facility will need to submit a Missouri Department of Natural Resources construction permit application before any additional engines can be constructed.

New Source Performance Standards (NSPS) Applicability

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

40 CFR Part 60 Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984*

These subparts do not apply to storage vessels with a capacity less than 151 m³ (39,890 gallons). Since all of the storage vessels at the installation have capacities less than 151 m³ (39,890 gallons), these subparts do not apply.

40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*

This subpart does not apply to storage vessels with a capacity greater than or equal to 75 m³ (19,813 gallons) but less than 151 m³ (39,890 gallons) storing a liquid with a maximum true vapor pressure less than 15.0 kPa. The two 21,300 gallon fuel storage tanks each store diesel fuel oil, a liquid with a maximum true vapor pressure less than 15.0 kilopascals (kPa). Therefore, this subpart does not apply.

None of the other NSPS standards applies.

Maximum Achievable Control Technology (MACT) Applicability

40 CFR Part 63 Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*

Subpart ZZZZ has been applied to the eight (8) Diesel reciprocating internal combustion engines and has been included as Permit Conditions 1 and 2.

None of the other MACT standards apply.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

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

None of the other NESHAP standards apply.

Other Regulatory Determinations

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

This rule does not apply to the engine-generators (EP-03 through EP-10) because according to §(1)(A), internal combustion engines are exempt.

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

This regulation applies to the engine-generators (EP-03 through EP-10) and has been included as Permit Condition 4.

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

This regulation applies to the engine-generators (EP-03 through EP-10) but has not been applied within this operating permit because the requirement to combust Ultra Low Sulfur Diesel (ULSD) by MACT ZZZZ is a stricter requirement for sulfur emissions.

10 CSR 10-6.270, *Acid Rain Source Permits Required*

The engine-generators (EP-07 through EP-10) qualify for the “New Unit Exemption” found in 40 CFR 72.6(b)(9). Permit Condition 3 contains the requirements necessary to maintain the exemption. This rule does not apply to the engine-generators (EP-03 through EP-06) because they were constructed before November 15, 1990 and do not serve a generator with a nameplate capacity of greater than twenty-five megawatts (25 MW).

10 CSR 10-6.360, *Control of NO_x Emissions from Electric Generating Units and Non-Electric Generating Boilers*

10 CSR 10-6.390, *Control of NO_x Emissions from Large Stationary Internal Combustion Engines*

These rules do not apply to the engine-generators (EP-03 through EP-10) because they are not located in an affected county.

10 CSR 10-6.362, *Clean Air Interstate Rule Annual NO_x Trading Program*

10 CSR 10-6.364, *Clean Air Interstate Rule Seasonal NO_x Trading Program*

10 CSR 10-6.366, *Clean Air Interstate Rule SO_x Trading Program*

10 CSR 10-6.368, *Control of Mercury Emissions from Electric Generating Units*

These rules do not apply to the engine-generators (EP-03 through EP-10) because these electrical generating units have a nameplate capacity of less than twenty-five megawatts (25 MW).

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

This rule does not apply to the engine-generators (EP-03 through EP-10) because according to §(2)(A), liquids and gases used solely as fuels are excluded in defining process weight.

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

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

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

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

Response to Public Comments

A draft of the Butler Municipal Power Plant Intermediate Operating Permit was placed on public notice on November 30, 2015, by the Missouri Department of Natural Resources (MDNR). Comments were received on December 14, 2015 from Robert Cheever, Environmental Engineer in the Air Permitting and Compliance Branch of the Environmental Protection Agency Region 7. The eight (8) comments are presented below as submitted, with the response to the comment by the Air Pollution Control Program (APCP) directly following.

EPA Comment #1:

The applicable requirements detailed in both Permit Condition 1 and Permit Condition 2 are dependent upon the type and horsepower of the fuel burning engine. However, the draft permit conditions fail to identify engines horsepower (hp) and therefore, the public cannot adequately comment on the applicability of these permit conditions. MDNR-APCP should include the horsepower of each of the eight engines within the draft operating permit installation description.

Missouri Air Pollution Control Program Response to EPA Comment #1:

The horsepower of the engines have been included with the permit conditions.

EPA Comment #2:

Permit Condition 1 and Permit Condition 2 both include the acronyms RICE and CI and yet neither is defined. EPA recommends that all acronyms used in an operating permit should be defined and suggests MDNR-APCP define both RICE and CI.

Missouri Air Pollution Control Program Response to EPA Comment #2:

The meanings of these acronyms have been included with the first appearance of the acronyms.

EPA Comment #3:

Continuous Compliance Requirement 1) in Permit Condition 1 says “permittee must demonstrate continuous compliance with each emission limitation, operating requirement and other applicable requirements in Tables 2b and 2d to MACT ZZZZ according to methods specified in Table 6 to MACT ZZZZ.” It appears that the emission limitations and operating requirements are shown under those sub-headings in Permit Condition 1; and the methods specified in Table 6 are detailed in Continuous Compliance Requirement 5). Therefore, EPA would recommend that Continuous Compliance Requirement 1) might be better stated as: “Permittee must demonstrate continuous compliance with the emission limitations and operating requirements stated above; according to the methods specified in Item 5) below.”

Missouri Air Pollution Control Program Response to EPA Comment #3:

The recommended change has been made.

EPA Comment #4:

Continuous Compliance Requirement 4) says “Since the permittee has elected to install a continuous parameter monitoring system (CPMS) ...” If this is a description of the installation, then EPA would suggest this type of information be included in the Installation Description and the details associated with the operation and maintenance of the CPMS (as specified in §63.6625(b)(1) through (6)) be listed in this Continuous Compliance Requirement.

Missouri Air Pollution Control Program Response to EPA Comment #4:

Control equipment and CPMS have been included in the description of the two non-emergency engine-generators.

EPA Comment #5:

Monitoring requirement 1) a) in Permit Condition 1 says “Permittee shall monitor continuously at all times that the stationary RICE is operating.” MDNR-APCP should detail exactly what the permittee is required to operate.

Missouri Air Pollution Control Program Response to EPA Comment #5:

The requirements were removed since similar requirements were already included in the permit condition.

EPA Comment #6:

EPA’s guidance on incorporating-by-reference (IBR) recommends that all emission limits, operational requirements, compliance determinations, and monitoring, recordkeeping, and reporting, applicable to the specific emission unit(s), must be clearly incorporated into the permit. Therefore, the record keeping requirements in Permit Condition 1 should be included in detail in this operating permit. Additionally, reporting requirement 2, in Permit Condition 1 should detail the specific reporting requirements that apply.

Missouri Air Pollution Control Program Response to EPA Comment #6:

Additional requirement details have been included in Permit Condition 1.

EPA Comment #7:

Operational limitation 1 in Permit Condition 2 requires the permittee to operate the emergency stationary RICE according to the requirements in paragraphs §63.6640(f)(1) through (4). This would appear to direct the permittee to the code of federal regulations in order to determine the specific requirements. However, operational limitation 1) a), b), and c) appear to provide the requirements. Therefore, EPA recommends MDNR-APCP consider rewording the introduction to the operational limitation by saying: “The permittee shall operate the emergency stationary RICE according to the following requirements:”

Missouri Air Pollution Control Program Response to EPA Comment #7:

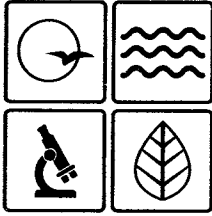
This recommendation has been accepted and the change made.

EPA Comment #8:

The Maximum Achievable Control Technology (MACT) Applicability section in the statement of basis indicates that MACT subpart ZZZZ applies to the eight (8) diesel generators. 40 CFR part 63, Subpart ZZZZ applies to the reciprocating internal combustion engines and not the generators and EPA recommends MDNR-APCP modify the statement of basis.

Missouri Air Pollution Control Program Response to EPA Comment #8:

This has been corrected to refer to them as engines.



Missouri Department of

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NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

NOV 13 2017

Mr. Charles Long
Butler Municipal Power Plant
22 West Ohio
Butler, MO 64730

Re: Butler Municipal Power Plant, 013-0029
Permit Number: OP2017-079

Dear Mr. Long:

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

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:dbj

Enclosures

c: PAMS File: 2015-03-086

