



# 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:** OP2015-029  
**Expiration Date:** JUL 01 2020  
**Installation ID:** 159-0059  
**Project Number:** 2014-04-013

**Installation Name and Address**

Edwards FRP Tank & Repair, Inc.  
31197 Wingate Road  
Sedalia, MO 65301  
Pettis County

**Installation Description:**

Edwards FRP Tank & Repair, Inc. operates a fiberglass tank manufacturing plant in Sedalia. For each tank manufactured, a maximum of 700 pounds (lbs.) of resin and 100 lbs. of gel coat will be used. The facility can produce, on average, one tank every nine hours.

The installation has potential emissions that exceed the major source threshold for hazardous air pollutants (HAPS). Therefore, the facility is subject to 40 CFR Part 63, Subpart WWWW, *National Emission Standard for Hazardous Air Pollutants: Reinforced Plastic Composites Production.*

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6/ JUL 02 2015  
Effective Date

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Edwards FRP Tank & Repair, Inc. operates a fiberglass tank manufacturing plant in Sedalia. For each tank manufactured, a maximum of 700 pounds (lbs.) of resin and 100 lbs. of gel coat will be used. The facility can produce, on average, one tank every nine hours.

The installation has potential emissions that exceed the major source threshold for hazardous air pollutants (HAPS). Therefore, the facility is subject to 40 CFR Part 63, Subpart WWWW, *National Emission Standard for Hazardous Air Pollutants: Reinforced Plastic Composites Production*.

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs) <sup>1</sup>
2011	--	--	--	10.84	--	--	

\*2011 is the only year emissions were reported.

### 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.

Emission Unit #	Description of Emission Unit
EP-02	Gel Coat Application – Chop Gun
EP-03	Resin Application – Chop Gun
EP-04	Resin Application – Filament Winding

## II. Plant Wide Emission Limitations

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

### **PERMIT CONDITION PW001**

10 CSR 10-6.060 Construction Permits Required  
Air Pollution Control Program Construction Permit 022012-008

#### **Operational Requirement**

- 1.) The permittee shall not operate more than twelve hours per day. [Special Condition 2.A]
- 2.) The permittee shall not use any gelcoats containing Methyl Methacrylate (CAS no. 80-62-6) [Special Condition 2.B].
- 3.) The permittee shall keep all resins, gelcoats, activators and any other chemicals containing volatile organic compounds (VOC) and hazardous air pollutants (HAPs) in sealed containers whenever the materials are not in use. The permittee shall provide and maintain suitable, easily read, permanent markings on all chemical containers used with this equipment. [Special Condition 2.C]

#### **Nuisance Odor and Corrective Action**

If a continuing situation of demonstrated nuisance odor exists in violation of Missouri State Rules 10 CSR 10-6.165, *Restriction of Emission of Odors*, the Director may require Edwards FRP Tank & Repair, Inc. to submit a corrective action plan within thirty (30) days to timely, adequately and significantly mitigate the odors. Edwards FRP Tank & Repair, Inc. shall implement any such plan immediately upon its approval by the Director. Failure to either submit or implement such a plan shall be a violation of this permit. [Special Condition 3.A]

#### **Record Keeping and Reporting Requirements**

- 1.) Attachment A, or equivalent forms, such as electronic forms, approved by the Air Pollution Control Program shall be used to demonstrate compliance with the 12 hours/day operational limitation. [Special Condition 2.D]
- 2.) The permittee shall maintain all records required by this permit for not less than five years and shall make them available to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheets (MSDS) for all materials used. [Special Condition 5.A]
- 3.) 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 days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit. [Special Condition 5.B]

**PERMIT CONDITION PW002**

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations  
40 CFR Part 63, Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants:  
Reinforced Plastic Composites Production

*For ease of reference, Tables 3, 4 and 7 of 40 CFR 63 Subpart WWWW (MACT WWWW) are summarized and included in Attachment C of this permit.*

**Applicability:**

- 1.) The affected source consists of all parts of the facility engaged in the following operations: Open molding, mixing, cleaning of equipment used in reinforced plastic composites manufacture, HAP-containing materials storage, and repair operations. [§63.5790(b)]
- 2.) The following operations are specifically excluded from any requirements of MACT WWWW: application of mold sealing and release agents; mold stripping and cleaning; repair of parts not manufactured at the installation, including non-routine manufacturing of parts; personal activities that are not part of the manufacturing operations; prepreg materials as defined in §63.5935; non-gel coat surface coatings; application of putties, polyputties, and adhesives; repair or production materials that do not contain resin or gel coat; research and development operations as defined in Section 112(c)(7) of the CAA; polymer casting; and closed molding operations (except for compression/injection molding). Note that the exclusion of certain operations from any requirements applies only to operations specifically listed in this paragraph. The requirements for any co-located operations still apply. [§63.5790(c)]

**Emissions and Work Practice Standards:**

- 1.) The permittee shall meet the following requirements (The permittee may elect to comply using any options to meet the standards described in §63.5810): [§63.5805]
  - a.) The permittee shall meet the organic HAP emissions limits in Table 3 to MACT WWWW and the work practice standards in Table 4 to MACT WWWW that apply, regardless of the quantity of HAP emitted (*See Attachment C*). [§63.5805(b)]
  - b.) If the permittee performs repair operations subject to MACT WWWW as defined in §63.5935, these repair operations must meet the requirements in Tables 3 and 4 to MACT WWWW. [§63.5805(g)]

**Open Molding Organic HAP Emission Factors:**

Emissions factors are used to determine compliance with certain organic HAP emissions limits in Table 3 to MACT WWWW. The permittee may use the equations in Table 1 of MACT WWWW to calculate their emissions factors (*see Attachment B*). Equations are available for each open molding operation and have units of pounds of organic HAP emitted per ton (lb/ton) of resin or gel coat applied. These equations are intended to provide a method for the permittee to demonstrate compliance without the need to conduct a HAP emissions test. In lieu of these equations, the permittee may elect to use site-specific organic HAP emissions factors to demonstrate compliance provided the site-specific organic HAP emissions factors are approved by the Director and incorporated into this operating permit and are based on actual facility HAP emissions test data. The permittee may also use the organic HAP emissions factors calculated using the equations in Table 1 to this subpart, combined with resin and gel coat use data, to calculate their organic HAP emissions. [§63.5796]

**Organic HAP Content:**

- 1.) In order to determine the organic HAP content of resins and gel coats, the permittee may rely on information provided by the material manufacturer, such as manufacturer's formulation data and material safety data sheets (MSDS), using the procedures specified in paragraphs §63.5797(a) through (c), as applicable. [§63.5797]

**General Requirements:**

- 1.) The permittee shall be in compliance at all times with the work practice standards in Table 4, as well as the organic HAP emissions limits in Table 3 or the organic HAP content limits in Table 7, as applicable, that the permittee is meeting without the use of add-on controls. (See Attachment C) [§63.5835(a)]
- 2.) The permittee shall be in compliance with all organic HAP emissions limits of MACT WWWW that the permittee meets using add-on controls, except during periods of startup, shutdown, and malfunction. [§63.5835(b)]
- 3.) The permittee shall always operate and maintain affected sources, including air pollution control and monitoring equipment, according to the provisions in §63.6(e)(1)(i). [§63.5835(c)]

**Open Molding Compliance Options:**

- 1.) The permittee shall use one of the following methods in paragraphs §63.5810(a) through (d) to meet the standards for open molding operations in Table 3 to MACT WWWW. The permittee may use any control method that reduces organic HAP emissions, including reducing resin and gel coat organic HAP content, changing to nonatomized mechanical application, and using covered curing techniques. The permittee may use different compliance options for the different operations listed in Table 3 to MACT WWWW. The necessary calculations must be completed within 30 days after the end of each month. The permittee may switch between the compliance options in paragraphs §63.5810 (a) through (d). When the permittee switches to an option based on a 12-month rolling average, the permittee shall base the average on the previous 12 months of data calculated using the compliance option the permittee is switching to, unless the permittee previously used an option that did not require the permittee to maintain records of resin and gel coat use. In this case, the permittee shall immediately begin collecting resin and gel coat use data and demonstrate compliance 12 months after switching options. [§63.5810]

**Continuous Compliance:**

- 1.) The permittee shall demonstrate continuous compliance with each standard in §63.5805 that applies according to the following methods: [§63.5900(a)]
  - a.) Compliance with organic HAP emissions limits is demonstrated by maintaining an organic HAP emissions factor value less than or equal to the appropriate organic HAP emissions limit listed in Table 3 to MACT WWWW, on a 12-month rolling average, and/or by including in each compliance report a statement that individual resins and gel coats, as applied, meet the appropriate organic HAP emissions limits, as discussed in §63.5895(d). [§63.5900(a)(2)]
  - b.) Compliance with organic HAP content limits in Table 7 to MACT WWWW is demonstrated by maintaining an average organic HAP content value less than or equal to the appropriate organic HAP contents listed in Table 7 to MACT WWWW, on a 12-month rolling average, and/or by including in each compliance report a statement that resins and gel coats individually meet the appropriate organic HAP content limits in Table 7 to MACT WWWW, as discussed in §63.5895(d). [§63.5900(a)(3)]
  - c.) Compliance with the work practice standards in Table 4 to MACT WWWW is demonstrated by performing the work practice required. [§63.5900(a)(4)]

- 2.) The permittee shall report each deviation from the applicable standards in §63.5805. The deviations shall be reported according to the requirements in §63.5910. [§63.5900(b)]
- 3.) During periods of startup, shutdown or malfunction, the permittee shall meet the applicable organic HAP emissions limits and work practice standards. [§63.5900(c)]
- 4.) Consistent with §§63.6(e) and 63.7(e)(1), deviations that occur during a period of malfunction for those affected sources are not violations if the permittee demonstrates to the Administrator's satisfaction that the permittee was operating in accordance with §63.6(e)(1). The Administrator will determine whether deviations that occur during a period of startup, shutdown, and malfunction are violations, according to the provisions in §63.6(e). [§63.5900(e)]

**Monitoring/Recordkeeping:**

- 1.) The permittee shall retain records of resin and gel coat use, organic HAP content, and operation where the resin is used to meet any organic HAP emissions limits based on an organic HAP emissions limit in Table 3 to MACT WWWW. The permittee shall retain records of resin and gel coat use, organic HAP content, and operation where the resin is used to meet any organic HAP content limits in Table 7 to MACT WWWW when averaging organic HAP contents. Resin use records may be based on purchase records if the permittee can reasonably estimate how the resin is applied. The organic HAP content records may be based on MSDS or on resin specifications supplied by the resin supplier. Attachment D or an equivalent form may be used. [§63.5895(c)]
- 2.) Resin and gel coat use records are not required for the individual resins and gel coats that are demonstrated, as applied, to meet their applicable emission as defined in §63.5810(a). However, the permittee shall retain the records of resin and gel coat organic HAP content, and the permittee shall include the list of these resins and gel coats and identify their application methods in each semi-annual compliance report. If after having initially demonstrated that a specific combination of an individual resin or gel coat and application method meets its applicable emission limit, and the resin or gel coat changes or the organic HAP content increases, or the permittee changes the application method, then the permittee shall again demonstrate that the individual resin or gel coat meets its emission limit as specified in paragraph §63.5810 (a). If any of the previously mentioned changes results in a situation where an individual resin or gel coat now exceeds its applicable emission limit in Table 3 of MACT WWWW, the permittee shall begin collecting resin and gel coat use records and calculate compliance using one of the averaging options on a 12-month rolling average. [§63.5895(d)]
- 3.) The permittee shall retain the following records: [§63.5915(a)]
  - a.) A copy of each notification and report that the permittee submitted to comply with MACT WWWW, including all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted, according to the requirements in §63.10(b)(2)(xiv). [§63.5915(a)(1)]
  - b.) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction. [§63.5915(a)(2)]
- 4.) The permittee shall retain all data, assumptions, and calculations used to determine organic HAP emissions factors or average organic HAP contents for operations listed in Tables 3 and 7 to MACT WWWW. [§63.5915(c)]
- 5.) The permittee shall retain a certified statement that the permittee is in compliance with the work practice requirements in Table 4 to MACT WWWW, as applicable. [§63.5915(d)]
- 6.) The permittee shall retain all applicable records in such a manner that they can be readily accessed and are suitable for inspection according to §63.10(b)(1). [§63.5920(a)]

- 7.) As specified in §63.10(b)(1), the permittee shall retain each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.5920(b)]
- 8.) The permittee shall retain each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). The permittee may keep the records offsite for the remaining 3 years. [§63.5920(c)]
- 9.) The permittee may keep records in hard copy or computer readable form including, but not limited to, paper, microfilm, computer floppy disk, magnetic tape, or microfiche. [§63.5920(d)]

**Reporting:**

- 1.) The permittee shall submit each report in Table 14 to MACT WWWW that applies. [§63.5910(a)]
- 2.) 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 specified in Table 14 to MACT WWWW and according to the following requirements: [§63.5910(b)]
  - a.) Compliance reports shall cover the semi-annual reporting period from January 1 through June 30 or the semi-annual reporting period from July 1 through December 31. [§63.5910(b)(3)]
  - b.) Compliance reports shall be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semi-annual reporting period. [§63.5910(b)(4)]
  - c.) As the permittee is subject to permitting requirements under 40 CFR Part 70, the permittee may submit their 40 CFR Part 63, Subpart WWWW compliance reports in conjunction with their 40 CFR Part 70 semi-annual monitoring reports. [§63.5910(b)(5)]
- 3.) The compliance report shall contain the information in following: [§63.5910(c)]
  - a.) Company name and address. [§63.5910(c)(1)]
  - b.) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report. [§63.5910(c)(2)]
  - c.) Date of the report and beginning and ending dates of the reporting period. [§63.5910(c)(3)]
  - d.) If the permittee had a startup, shutdown, or malfunction during the reporting period and the permittee took actions consistent with their startup, shutdown, and malfunction plan, the compliance report shall include the information in §63.10(d)(5)(i). [§63.5910(c)(4)]
  - e.) If there are no deviations from any organic HAP emissions limitations, and there are no deviations from the requirements for work practice standards in Table 4 to MACT WWWW, a statement that there were no deviations from the organic HAP emissions limitations or work practice standards during the reporting period. [§63.5910(c)(5)]
- 4.) For each deviation from an organic HAP emissions limitation and for each deviation from the requirements for work practice standards that occurs at an affected source, the compliance report shall contain the information in paragraphs §63.5910(c)(1) through (4) and in paragraphs §63.5910(d)(1) and (2). This includes periods of startup, shutdown, and malfunction. [§63.5910(d)]
- 5.) Each affected source that has obtained a Title V operating permit pursuant to 40 CFR Part 70 shall report all deviations as defined in this subpart in the semi-annual monitoring report required by §70.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 14 to MACT WWWW along with, or as part of, the semi-annual monitoring report required by §70.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any organic HAP emissions limitation or work practice requirement in this subpart, 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 affected source may have to report deviations from permit requirements to the permitting authority. [§63.5910(g)]

- 6.) Submit compliance reports and startup, shutdown, and malfunction reports based on the requirements in Table 14 to MACT WWW this subpart, and not based on the requirements in §63.999. [§63.5910(h)]
- 7.) Where multiple compliance options are available, the permittee shall state in each compliance report if the permittee has changed compliance options since their last compliance report. [§63.5910(i)]
- 8.) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, 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.
- 9.) The permittee shall report any deviations from the open molding organic HAP emission factors, organic HAP content, standards, open molding compliance options, general requirements, initial compliance, continuous compliance, monitoring/recordkeeping, notification, and reporting requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

### **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.

## 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.
  - (B) Yard waste.
- (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) Edwards FRP Tank & Repair, 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 Edwards FRP Tank & Repair, 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 Record Keeping. 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.

### **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 10-6.165 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 10-6.250 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 record keeping 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*

<b>10 CSR 10-6.280 Compliance Monitoring Usage</b>
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- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

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

### **10 CSR 10-6.065(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 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, 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, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
  - d) Submit supplemental reports as required or as needed. 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 semiannual 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 semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;

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

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

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

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

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

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously

emitted. The permittee shall notify the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
  - b) The permit shield shall not apply to these changes.

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

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the 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 contemporaneous written notice of the change to the permitting authority and to the administrator. This notice shall not be required for changes that are insignificant activities under paragraph (6)(B)3. of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.020(2)(R)39 Responsible Official**

The application utilized in the preparation of this permit was signed by Robert Edwards, President. 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) MDNR or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 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) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

## **VI. Attachments**

Attachments follow.



### Attachment B - Equations To Calculate Organic HAP Emission Factors

**Table 1 to Subpart WWWW of Part 63** — *Equations To Calculate Organic HAP Emissions Factors for Specific Open Molding Process Streams*

Operation	Type of Coating Application	Process Description	Organic HAP Emission Factor Equation (lb/ton resin/gel coat applied) <sup>1,2</sup>	
			Materials Containing < 33% HAPs	Materials Containing ≥ 33% HAPs
Open Molding	Manual resin application	Nonvapor-suppressed resin	$EF = 0.126 \times \%HAP \times 2000$	$EF = ((0.286 \times \%HAP) - 0.0529) \times 2000$
		Vapor-suppressed resin	$EF = 0.126 \times \%HAP \times 2000 \times (1 - (0.5 \times VSE \text{ factor}))$	$EF = ((0.286 \times \%HAP) - 0.0529) \times 2000 \times (1 - (0.5 \times VSE \text{ factor}))$
	Atomized mechanical resin application	Nonvapor-suppressed resin	$EF = 0.169 \times \%HAP \times 2000$	$EF = ((0.714 \times \%HAP) - 0.18) \times 2000$
		Vapor-suppressed resin	$EF = 0.169 \times \%HAP \times 2000 \times (1 - (0.45 \times VSE \text{ factor}))$	$EF = ((0.714 \times \%HAP) - 0.18) \times 2000 \times (1 - (0.45 \times VSE \text{ factor}))$
	Nonatomized mechanical resin application	Nonvapor-suppressed resin	$EF = 0.107 \times \%HAP \times 2000$	$EF = ((0.157 \times \%HAP) - 0.0165) \times 2000$
		Vapor-suppressed resin	$EF = 0.107 \times \%HAP \times 2000 \times (1 - (0.45 \times VSE \text{ factor}))$	$EF = ((0.157 \times \%HAP) - 0.0165) \times 2000 \times (1 - (0.45 \times VSE \text{ factor}))$
	Filament application <sup>3</sup>	Nonvapor-suppressed resin	$EF = 0.184 \times \%HAP \times 2000$	$EF = ((0.2746 \times \%HAP) - 0.0298) \times 2000$
		Vapor-suppressed resin	$EF = 0.12 \times \%HAP \times 2000$	$EF = ((0.2746 \times \%HAP) - 0.0298) \times 2000 \times 0.65$
	Atomized spray gel coat application	Nonvapor-suppressed gel coat	$EF = 0.445 \times \%HAP \times 2000$	$EF = ((1.03646 \times \%HAP) - 0.195) \times 2000$
	Nonatomized spray gel coat application		$EF = 0.185 \times \%HAP \times 2000$	$EF = ((0.4506 \times \%HAP) - 0.0505) \times 2000$
Atomized spray gel coat application using robotic or automated spray	$EF = 0.445 \times \%HAP \times 2000 \times 0.73$		$EF = ((1.03646 \times \%HAP) - 0.195) \times 2000 \times 0.73$	

<sup>1</sup>Percent HAP means total weight percent of organic HAP (styrene, methyl methacrylate, and any other organic HAP) in the resin or gel coat prior to the addition of fillers, catalyst, and promoters. Input the percent HAP as a decimal, i.e., 33 percent HAP should be input as 0.33, not 33.

<sup>2</sup>The VSE factor means the percent reduction in organic HAP emissions expressed as a decimal measured by the VSE test method of Appendix A to this subpart.

<sup>3</sup>Applies only to filament application using an open resin bath. If resin is applied manually or with a spray gun, use the appropriate manual or mechanical application organic HAP emissions factor equation.

**Attachment C - Tables 3, 4 and 7 to Subpart WWWW of Part 63**

**Table 3 to Subpart WWWW of Part 63 — Organic HAP Emissions Limits for Open Molding Sources**  
 As specified in §63.5805, the permittee shall meet the following organic HAP emissions limits:

Operation	Type of Coating Application	Organic HAP emissions limit (lb/ton) <sup>1</sup>
Open molding — corrosion-resistant and/or high strength (CR/HS)	Mechanical resin application	113
	Filament application	171
	Manual resin application	123
Open molding — non-CR/HS	Mechanical resin application	88
	Filament application	188
	Manual resin application	87
Open molding — low-flame spread/low-smoke products	Mechanical resin application	497
	Filament application	270
	Manual resin application	238
Open molding — gel coat <sup>2</sup>	Tooling gel coating	440
	White/off white pigmented gel coating	267
	All other pigmented gel coating	377
	CR/HS or high performance gel coat	605
	Fire retardant gel coat	854
	Clear production gel coat	522

<sup>1</sup>The permittee shall be at or below these values based on a 12-month rolling average.

<sup>2</sup>If the permittee only applies gel coat with manual application, for compliance purposes treat the gel coat as if it were applied using atomized spray guns to determine both emission limits and emission factors. If the permittee uses multiple application methods and any portion of a specific gel coat is applied using nonatomized spray, the permittee may use the nonatomized spray gel coat equation to calculate an emission factor for the manually applied portion of that gel coat. Otherwise, use the atomized spray gel coat application equation to calculate emission factors.

**Table 4 to Subpart WWWW of Part 63 — Work Practice Standards**

As specified in §63.5805, the permittee shall meet the work practice standards in the following table:

Operation	Work Practice Standards
Cleaning	The permittee shall not use cleaning solvents that contain HAP, except organic HAP containing cleaners may be used to clean cured resin from application equipment. Application equipment includes any equipment that directly contacts resin.
HAP-containing materials storage	The permittee shall keep containers that store HAP-containing materials closed or covered except during the addition or removal of materials.

Attachment C (Continued)

**Table 7 to Subpart WWWW of Part 63** — *Options Allowing Use of the Same Resin Across Different Operations That Use the Same Resin Type*

As specified in §63.5810(d), when electing to use the same resin(s) for multiple resin application methods, the permittee may use any resin(s) with an organic HAP content less than or equal to the values shown in the following table, or any combination of resins whose weighted average organic HAP content based on a 12-month rolling average is less than or equal to the values shown the following table:

<b>Resin Type</b>	<b>Application Method</b>	<b>Type of Coating Application</b>	<b>Maximum Allowable Percent Organic HAP Content</b>
CR/HS resins	Nonatomized mechanical	Filament application	46.4
		Manual	46.4
	Filament application	Manual	42.0
Non-CR/HS resins	Filament application	Mechanical	45.0 <sup>1</sup>
		Manual	45.0
	Nonatomized mechanical	Manual	38.5

<sup>1</sup>Nonatomized mechanical application shall be used.



## 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 April 3, 2014;
- 2) 2011 Emissions Inventory Questionnaire
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.
- 4) APCP Construction Permit #022012-008

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

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

None.

### Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, *Alternate Emission Limits* is not applicable to the installation and has not been applied within this permit. The installation is in an ozone attainment area.

### Construction Permit Revisions

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

Construction Permit #022012-008 has superceded all permit conditions of previously issued construction permits 052007-005 and 052007-005A.

### New Source Performance Standards (NSPS) Applicability

40 CFR Part 60, Subpart VVV – *Standard of Performance for Polymeric Coating of Supporting Substrates Facilities* is not applicable to the installation and has not been applied within this permit. The installation does not perform polymeric coating of supporting substrates as defined within §60.741(a).  
[§60.740(a)]

### Maximum Achievable Control Technology (MACT) Applicability

40 CFR Part 63, Subpart NNN – *National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing* is not applicable to the installation and has not been applied within this

permit. The installation does not meet the definition of wool fiberglass manufacturing facility within §63.1381. [§63.1380(a)]

40 CFR Part 63, Subpart HHHH – *National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production* is not applicable to the installation and has not been applied within this permit. The installation does not meet the applicability criteria within §63.2981 as the installation does not operate a drying or curing oven.

40 CFR Part 63, Subpart WWWW – *National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production* is applicable to the installation and has been applied within this permit (see Permit Condition PW001). The installation meets the applicability criteria within §63.5785 as the installation is a major source of HAPs and the installation molds plastics using resins and gel coats containing styrene (110-42-5).

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

None.

### **Compliance Assurance Monitoring (CAM) Applicability**

40 CFR Part 64, *Compliance Assurance Monitoring (CAM)*

The CAM rule applies to each pollutant specific emission unit that:

- Is subject to an emission limitation or standard, and
- Uses a control device to achieve compliance, and
- Has pre-control emissions that exceed or are equivalent to the major source threshold.

40 CFR Part 64 is not applicable because none of the pollutant-specific emission units uses a control device to achieve compliance with a relevant standard.

### **Updated Potential to Emit for the Installation**

<b>Pollutant</b>	<b>Potential to Emit (tons/yr)<sup>1</sup></b>
HAP	32.6
VOC	41.7

<sup>1</sup>Construction Permit 022012-008, Special Condition 2.A. limits the installation to operating no more than twelve hours per day.

### **Other Regulatory Determinations**

The reason for only one MoEIS submission in 2011 is because the installation was listed as No Operating Permit Required.

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

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

1. The specific pollutant regulated by that rule is not emitted by the installation;
2. The installation is not in the source category regulated by that rule;

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

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

## Response to Public Comments

On March 6, 2015, the Air Pollution Control Program received two comments from Mr. Bob Cheever of the U.S. EPA, Region 7. The comments are addressed in the order in which they appear within the letter(s).

**Comment #1: Permit Condition PW002** incorporates the applicable requirements of 40 CFR Part 63, Subpart WWWW; National Emission Standards for Hazardous Air Pollutants: *Reinforced Plastic Composites Production*. The draft permit has several references to Attachment B where the permittee to can find the emission factors, and work practice standards from Tables 3, 4 and 7 of 40 CFR 63, Subpart WWWW. However, the reference in the draft permit to find Tables 3, 4 and 7 is Attachment C. Therefore, EPA suggests MDNR make the necessary corrections in Permit Condition PW002.

**Response to Comment:** The requested changes were made to the permit.

**Comment #2: Permit Condition PW002** requires the permittee to achieve an emission limit based on a pound per ton (#/ton) basis; on a 12-month rolling average and requires the permittee to maintain records which verify compliance with the limitation. It is MDNR customary practice to include the methodology the permittee uses to measure their compliance against the standards along with an example record keeping sheet. However, this draft permit does not describe how Edwards FRP Tanks & Repair, Inc. calculates their HAP emissions in #/ton and the method Edwards FRP Tanks & Repair calculates the 12-month rolling average. Without these calculations, this permit condition is not enforceable from a practical matter. EPA recommends MDNR include the emission limit verification methodology used by Edwards FRP Tank & Repair inside Permit Condition PW002 and also include an example record keeping document used by the permittee to verify compliance as an Attachment to the operating permit.

**Response to Comment:** Table 3 of MACT WWWW in Attachment B contains the methodology for calculating the emission factor in lbs/ton which is why it is included in the draft permit. Attachment D was added to the permit to assist in tracking the rolling 12 month total for HAP emissions.