PART 70

PERMIT TO OPERATE

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

Operating Permit Number: OP2018-001
Expiration Date: JAN 08 2023
Installation ID: 097-0001
Project Number: 2014-05-088

Installation Name and Address
Empire District - Asbury Power Plant
21133 Uphill Lane
Asbury, MO 64382
Jasper County

Parent Company's Name and Address
Empire District - Asbury Power Plant
21133 Uphill Lane
Asbury MO, 64382

Installation Description:
The Empire District Electric Company (Empire District) – Asbury Power Plant (Asbury) is an electric generating facility. Asbury has a 2730 MMBtu/hr steam generating cyclone fired boiler fueled by sub-bituminous coal, bituminous coal, tire derived fuel, distillate oil and petroleum coke. Distillate oil is used as a start-up fuel. The boiler was installed in 1970 and it powers one steam turbine and generator with a name plate rating of 213 MW. This facility is considered a major source for operating and construction permitting purposes.

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

Director or Designee
Department of Natural Resources

JAN 08 2018
Effective Date
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I. Installation Equipment Listing

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

<table>
<thead>
<tr>
<th>Emission Unit #</th>
<th>Description of Emission Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP4</td>
<td>Coal Crusher House</td>
</tr>
<tr>
<td>EP7</td>
<td>Boiler Exhaust Stack</td>
</tr>
<tr>
<td>EP10</td>
<td>Crushed Coal Transfer</td>
</tr>
<tr>
<td>EP12</td>
<td>Emergency Generator</td>
</tr>
<tr>
<td>EP13</td>
<td>Pneumatic receiving of Lime: Storage Silo Filter Vent</td>
</tr>
<tr>
<td>EP14</td>
<td>Lime Hydrator: Storage Silo Filter Vent</td>
</tr>
<tr>
<td>EP15</td>
<td>Hydrated Lime: Storage Silo Filter Vent</td>
</tr>
<tr>
<td>EP16</td>
<td>Byproduct/Fly Ash: Storage Silo Filter Vent</td>
</tr>
<tr>
<td>EP17</td>
<td>Pneumatic Receiving of PAC: Storage Silo Filter Vent</td>
</tr>
<tr>
<td>EP18</td>
<td>Pugmill</td>
</tr>
<tr>
<td>EP24</td>
<td>Byproduct/Fly Ash Shipping Unpaved Haul Road</td>
</tr>
<tr>
<td></td>
<td>Distillate Fired Space Heaters less than 10 MMBtu/hr total</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Description of Emission Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP1 Coal Truck Unloading</td>
</tr>
<tr>
<td>EP2 Coal Pile</td>
</tr>
<tr>
<td>EP3 Train Unloading</td>
</tr>
<tr>
<td>EP5 Coal Conveyor Belts</td>
</tr>
<tr>
<td>EP6 Truck Loading</td>
</tr>
<tr>
<td>EP8 Haul Road</td>
</tr>
<tr>
<td>EP9 Solvent Containing Parts Washer</td>
</tr>
<tr>
<td>EP21/22 CCR Landfill Disposal Area Earth Moving and Wind Erosion of Exposed Disposal Area</td>
</tr>
<tr>
<td>43,000 gallon No. 2 Distillate Storage Tanks (Installed 1971)</td>
</tr>
</tbody>
</table>
II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued. The plant wide conditions apply to all emission units at this installation. This section applies to regulations that apply on an entire-installation wide basis. The following general conditions apply to all units contained in this permit, unless stated otherwise.

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

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

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

PERMIT CONDITION PW001
10 CSR 10-6.060 Construction Permits Required
Construction Permit 032017-018, Issued March 31, 2017

Phased Constructing Requirements:
Special Condition 5: Commencing construction and operation of the emission sources associated with Construction Permit 032017-018 may be conducted in phases over several months. The permittee shall notify the Compliance Enforcement Section in writing within 15 days after the commencement of operation of each phase.
III. Emission Unit Specific Emission Limitations

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

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP4</td>
<td>Coal crushing house; MHDR = 300 tons/hr; Installed pre 2/24/71; Control Device: Baghouse</td>
</tr>
<tr>
<td>EP10</td>
<td>Crushed coal transfer to storage silo; MHDR = 300 tons/hr; Installed pre 2/24/71; Control Device: Baghouse</td>
</tr>
<tr>
<td>EP13</td>
<td>Pneumatic Receiving of Lime: storage silo filter vent; MHDR = 2.12 tons/hr</td>
</tr>
<tr>
<td>EP14</td>
<td>Lime Hydrator: storage silo filter vent; MHDR = 2.12 tons/hr</td>
</tr>
<tr>
<td>EP15</td>
<td>Hydrated Lime: storage silo filter vent; MHDR = 2.80 tons/hr</td>
</tr>
<tr>
<td>EP16</td>
<td>Byproduct/Fly Ash; storage silo filter vent; MHDR = 8.71 tons/hr</td>
</tr>
<tr>
<td>EP17</td>
<td>Pneumatic Receiving of PAC; storage silo filter vent; MHDR = 0.08 tons/hr</td>
</tr>
</tbody>
</table>

**Emission Limitations:**

1. The permittee shall not cause or permit to be discharged into the atmosphere from emission units EP4 and EP10 (existing units) any visible emissions with an opacity greater than 40 percent.
2. The permittee shall not cause or permit to be discharged into the atmosphere from emission units EP13 through 17 (new units) any visible emissions with an opacity greater than 20 percent.
3. Exception: The permittee may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six minutes in any 60 minutes air contaminants with an opacity up to 60 percent.

**Monitoring:**

1. The permittee shall conduct visible emissions observations on these emission units using U.S. EPA Test Method 22-like procedures. Observations are only required when the emission unit is operating and when the weather conditions allow. If no visible emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative shall conduct a Method 9 observation.
2. The following monitoring schedule must be maintained:
   a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
   b) Observations shall be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
   c) Observations shall be made once per month. If a violation is noted, monitoring reverts to weekly.
d) If, at the issuance of this permit, the permittee has progressed in the schedule listed in 2.a)-c) the permittee may continue to advance accordingly or maintain observations as prescribed in 2.c).

3. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

**Record Keeping:**

1. The permittee shall maintain records of all observation results (see Attachments B & C, or equivalent forms generated by the permittee), noting:
   a) Whether any air emissions (except for water vapor) were visible from the emission units,
   b) All emission units from which visible emissions occurred.

2. The permittee shall maintain records of any equipment malfunctions, using Attachment D or an equivalent form generated by the permittee.

3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition.

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP7</td>
<td>Boiler: 2,730 MBtu/hr steam generating boiler which powers a turbine and generator with a total name plate rating of 213 MW; Fuel: Sub-bituminous coal, bituminous coal, distillate oil, tire derived fuel (TDF) and petroleum coke; Start-up fuel: distillate oil; Installed 1970; Control Equipment: Baghouse; Selective Catalytic Reduction (SCR), Over-fire Air, Powder Activated Carbon System (PAC) &amp; Flue-gas Desulfurization System (FGD).</td>
</tr>
</tbody>
</table>

**Applicability:**

EP7 Boiler meets the definition of a coal-fired electric utility steam generating unit (EGU) within §63.10042. The boiler was constructed in 1970, classifying it as an existing coal-fired EGU and affected source per §63.9982(a)(1). The boiler combusts coal with a heat content in excess of 8,300 Btu/lb meeting the subcategory of non-low rank virgin coal in §63.9990(a)(1).

**Emission Limitations and Work Practice Standards:**

1. The permittee must meet the emission limitations in Table 2 of 40 CFR Part 63 Subpart UUUUU that apply to existing sources listed below: [§63.9991(a)(1)]

2. The permittee must meet the applicable work practice standards in Table 3 of 40 CFR Part 63 Subpart UUUUU that apply to existing sources listed below: [§63.9991(a)(1)]

**Table 2 to Subpart UUUUU of Part 63—Emission Limits for Existing EGUs**
<table>
<thead>
<tr>
<th>If your EGU is in this subcategory</th>
<th>For the following pollutants</th>
<th>You must meet the following emission limits and work practice standards</th>
<th>Using these requirements, as appropriate (e.g., specified sampling volume or test run duration) and limitations with the test methods in Table 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Coal-fired unit not low rank virgin coal</td>
<td>a. Filterable particulate matter (PM)</td>
<td>.030 lb/MMBtu or 0.30 lb/MWh.²</td>
<td>Collect a minimum of 1 dscm per run.</td>
</tr>
<tr>
<td></td>
<td>Sulfur dioxide (SO₂) ⁴</td>
<td>0.20 lb/MMBtu or 1.5 lb/MWh.</td>
<td>SO₂ CEMS.</td>
</tr>
<tr>
<td></td>
<td>Mercury (Hg)</td>
<td>1.2 lb/TBtu or 0.0130 lb/GWh</td>
<td>Hg CEMS</td>
</tr>
</tbody>
</table>

Note: For LEE emissions testing for total PM, the required minimum sampling volume must be increased nominally by a factor of two.

²Gross output.

⁴You may not use the alternate SO₂ limit if your EGU does not have some form of FGD system and SO₂ CEMS installed.

Table 3 to Subpart UUUUU of Part 63 – Work Practice Standards

<table>
<thead>
<tr>
<th>If your EGU is . . .</th>
<th>You must meet the following . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>An existing EGU</td>
<td>Conduct a tune-up of the EGU burner and combustion controls at least each 36 calendar months, or each 48 calendar months if neural network combustion optimization software is employed, as specified in §63.10021(e).</td>
</tr>
</tbody>
</table>
| A coal-fired, liquid oil-fired (excluding limited-use liquid oil-fired subcategory units), or solid oil-derived fuel-fired EGU during startup | a. You have the option of complying using either of the following work practice standards:
(1) If you choose to comply using paragraph (1) of the definition of “startup” in §63.10042, you must operate all CMS during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, you must use clean fuels as defined in §63.10042 for ignition. Once you convert to firing coal, residual oil, or solid oil-derived fuel, you must engage all of the applicable control technologies except dry scrubber and SCR. You must start your dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. You must comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in this subpart. You must keep records during startup periods. You must provide reports concerning activities and startup periods, as specified in §63.10011(g) and |

<table>
<thead>
<tr>
<th>§63.10021(h) and (i).</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) If you choose to comply using paragraph (2) of the definition of “startup” in §63.10042, you must operate all CMS during startup. You must also collect appropriate data, and you must calculate the pollutant emission rate for each hour of startup.</td>
</tr>
</tbody>
</table>

For startup of an EGU, you must use one or a combination of the clean fuels defined in §63.10042 to the maximum extent possible, taking into account considerations such as boiler or control device integrity, throughout the startup period. You must have sufficient clean fuel capacity to engage and operate your PM control device within one hour of adding coal, residual oil, or solid oil-derived fuel to the unit. You must meet the startup period work practice requirements as identified in §63.10020(e).

Once you start firing coal, residual oil, or solid oil-derived fuel, you must vent emissions to the main stack(s). You must comply with the applicable emission limits beginning with the hour after startup ends. You must engage and operate your particulate matter control(s) within 1 hour of first firing of coal, residual oil, or solid oil-derived fuel.

You must start all other applicable control devices as expeditiously as possible, considering safety and manufacturer/supplier recommendations, but, in any case, when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than this Subpart that require operation of the control devices.

c. If you choose to use just one set of sorbent traps to demonstrate compliance with the applicable Hg emission limit, you must comply with the limit at all times; otherwise, you must comply with the applicable emission limit at all times except for startup and shutdown periods.

d. You must collect monitoring data during startup periods, as specified in §63.10020(a) and (e). You must keep records during startup periods, as provided in §§63.10032 and 63.10021(h). You must provide reports concerning activities and startup periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031.

A coal-fired, liquid oil-fired (excluding limited-use liquid oil-fired subcategory units), or solid oil-derived fuel-fired EGU during shutdown

You must operate all CMS during shutdown. You must also collect appropriate data, and you must calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used. While firing coal, residual oil, or solid oil-derived fuel during shutdown, you must vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal, residual oil, or solid oil-derived fuel being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, you must operate your controls when necessary to comply with other standards made
General Requirements:
1. The permittee must be in compliance with the emission limits and operating limits at all times except during periods of startup and shutdown; however, for coal-fired EGUs, the permittee is required to meet the work practice requirements in Table 3 during periods of startup or shutdown. [§63.10000(a)]
2. At all times the permittee must operate and maintain the affected sources, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [§63.10000(b)]

Demonstrating Continuous Compliance:
1. The permittee shall demonstrate continuous compliance with each emissions limit, operating limit, and work practice standard in Tables 2 through 4 to 40 CFR Part 63, Subpart UUUUU that applies, and §63.10021(b) through (g). [§63.10021(a)]

Table 5 to Subpart UUUUU of Part 63—Performance Testing Requirements

<table>
<thead>
<tr>
<th>To conduct a performance test for the following pollutant . . .</th>
<th>Using . . .</th>
<th>You must perform the following activities, as applicable to your input- or output-based emission limit . . .</th>
<th>Using . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filterable Particulate matter (PM)</td>
<td>PM CEMS</td>
<td>a. Install, certify, operate, and maintain the PM CEMS</td>
<td>Performance Specification 11 at appendix B to part 60 of this chapter and Procedure 2 at appendix F to part 60 of this chapter.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b. Install, certify, operate,</td>
<td>Part 75 of this chapter and</td>
</tr>
</tbody>
</table>
2. Except as otherwise provided in §§63.10020(c), if the permittee uses a CEMS to measure \( \text{SO}_2 \), PM, HCl, or Hg emissions, the permittee shall demonstrate continuous compliance by using all quality-assured hourly data recorded by the CEMS and the other required monitoring systems (e.g., flow rate, \( \text{CO}_2 \), \( \text{O}_2 \), or moisture systems) to calculate the arithmetic average emissions rate in units of the standard on a continuous 30-boiler operating day (or, if alternate emissions averaging is used for Hg, 90-boiler operating day) rolling average basis, updated at the end of each new boiler operating day. Use Equation 8 to determine the 30-(or, if applicable, 90-) boiler operating day rolling average.

\[
\text{Boiler Operating Day Average} = \frac{\sum_{i=1}^{n} H_{eri}}{n} \quad \text{Equation 8}
\]
Where:
Here is the hourly emissions rate for hour \(i\) and \(n\) is the number of hourly emissions rate values collected over 30-(or, if applicable, 90-) boiler operating days. [§63.10021(b)]

**Recordkeeping:**
1. The permittee shall keep records as required by §63.10032 of Subpart UUUUU.
2. The records must be in a form suitable and readily available for expeditious review, according to § 63.10(b)(1). [§63.10033(a)]
3. As specified in § 63.10(b)(1), the permittee must keep each record for five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§6310033(b)]
4. The permittee must keep each record on site for at least two (2) years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1). Records can be kept off-site for the remaining 3 years. [§6310033(c)]
5. Records shall be retained in either hard copy or electronic form.

**Notifications and Reporting:**
1. The permittee shall submit applicable notifications as required by §63.10030 of Subpart UUUUU.
2. The permittee shall submit all reports in Table 8 of Subpart UUUUU that are applicable: [§63.10031]

### Table 8 to Subpart UUUUU of Part 63—Reporting Requirements

<table>
<thead>
<tr>
<th>You must submit a</th>
<th>The report must contain . . .</th>
<th>You must submit the report . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance report</td>
<td>a. Information required in §63.10031(c)(1) through (9); and</td>
<td>Semiannually according to the requirements in §63.10031(b).</td>
</tr>
<tr>
<td></td>
<td>b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards in Table 3 to this subpart that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, and operating parameter monitoring systems, were out-of-control as specified in §63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. If you have a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report must contain the information in §63.10031(d). If there were periods during which the CMSs, including continuous emissions monitoring systems and continuous</td>
<td></td>
</tr>
</tbody>
</table>
Empire District – Asbury Power Plant

Installation ID: 097-0001

Parameter monitoring systems, were out-of-control, as specified in §63.8(c)(7), the report must contain the information in §63.10031(e).

Permit Condition 003
10 CSR 10-6.270 Acid Rain Source Permits Required
40 CFR Part 72, 73, and 75 through 78

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

Emission Limitation:
1. The permittee shall obtain an Acid Rain Source Permit for EP7 Boiler pursuant to Title IV of the Clean Air Act.
   a) Attachment E contains a copy of the current Acid Rain permit. The permit has been incorporated into this operating permit and is, therefore, effective as long as this Part 70 operating permit is effective. The permittee shall submit a renewal Acid Rain application at the same time as they submit a renewal Part 70 operating permit application.

Monitoring/Recordkeeping:
1. The permittee shall retain the Acid Rain permit issued to this installation on-site.
2. The permittee shall immediately make the effective acid rain permit available to any Missouri Department of Natural Resources’ personnel upon request.

Permit Condition 004
10 CSR 10-6.362 Clean Air Interstate Rule Annual NOx Trading Program
10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NOx Trading Program
10 CSR 10-6.366 Clean Air Interstate Rule SOx Trading Program

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<tr>
<td>EP7</td>
<td>Boiler: 2,730 MBtu/hr steam generating boiler which powers a turbine and generator with a total name plate rating of 213 MW; Fuel: Sub-bituminous coal, bituminous coal, distillate oil, tire derived fuel (TDF) and petroleum coke; Start-up fuel: distillate oil; Installed 1970; Control Equipment: Baghouse; Selective Catalytic Reduction (SCR), Over-fire Air, Powder Activated Carbon System (PAC) &amp; Flue-gas Desulfurization System (FGD).</td>
</tr>
</tbody>
</table>
The Clean Air Interstate Rule (CAIR) has been replaced by the Cross State Air Pollution Rule (CSAPR), however a CAIR Permit is being issued to this facility because the CAIR regulations have not been removed from the Missouri State Implementation Plan (SIP) at this time. Empire District – Asbury Power Plant is not required to hold CAIR allowances and therefore no violation of CAIR is possible. Once the CAIR regulations are removed from the SIP and replaced with CSAPR, this permit condition will expire and the limitation thereof will no longer apply to the installation. No action on the part of the permittee is required to remove this permit condition from the operating permit.

**Emission Limitation:**
1. The permittee shall obtain a CAIR Permit for EP7 Boiler pursuant to Title IV of the Clean Air Act.
   a) Attachment F contains a copy of the CAIR permit. The permit has been incorporated into this operating permit and is, therefore, effective as long as this Part 70 operating permit is effective. The permittee shall submit a renewal CAIR application at the same time as they submit a renewal Part 70 operating permit application.

**Monitoring/Recordkeeping:**
1. The permittee shall retain the CAIR permit issued to this installation onsite.
2. The permittee shall immediately make the CAIR permit available to any Missouri Department of Natural Resources' personnel upon request.

### Permit Condition 005

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
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<tbody>
<tr>
<td>EP7</td>
<td>Boiler: 2,730 MBtu/hr steam generating boiler which powers a turbine and generator with a total name plate rating of 213 MW; Fuel: Sub-bituminous coal, bituminous coal, distillate oil, tire derived fuel (TDF) and petroleum coke; Start-up fuel: distillate oil; Installed 1970; Control Equipment: Baghouse; Selective Catalytic Reduction(SCR), Over-fire Air, Powder Activated Carbon System (PAC) &amp; Flue-gas Desulfurization System (FGD).</td>
</tr>
</tbody>
</table>

The TR (CSAPR) subject unit(s), and the unit-specific monitoring provisions, at this source are identified in the following table(s). These unit(s) are subject to the requirements for the TR (CSAPR) NOX Annual Trading Program, TR (CSAPR) NOX Ozone Season Group 2 Trading Program, and TR SO2 Group 1 Trading Program.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75,</th>
<th>Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75,</th>
<th>Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75,</th>
<th>Low Mass Emissions excepted monitoring system requirements for gas- and oil-fired units</th>
<th>EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>
1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.830 through 97.835 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO\textsubscript{2} Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.

2. The permittee shall submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3. If the permittee wants to use an alternative monitoring system, the permittee shall submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.835 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO\textsubscript{2} Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative monitoring system is available on the EPA’s website at http://www.epa.gov/airmarkets/emissions/petitions.html.

4. If the permittee wants to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.830 through 97.834 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and/or 97.630 through 97.634 (CSAPR SO\textsubscript{2} Group 1 Trading Program), the permittee shall submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.835 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO\textsubscript{2} Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA’s website at http://www.epa.gov/airmarkets/emissions/petitions.html.

5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NO\textsubscript{x} Annual Trading Program), 97.830 through 97.834 (CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO\textsubscript{2} Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with §70.7(c)(2)(i)(B), may be used to add or change this unit’s monitoring system description.

<table>
<thead>
<tr>
<th></th>
<th>CFR part 75, subpart B (for SO\textsubscript{2} monitoring)</th>
<th>appendix D</th>
<th>CFR part 75, appendix E</th>
<th>pursuant to 40 CFR 75.19</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO\textsubscript{2}</td>
<td>EP7</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>NO\textsubscript{x}</td>
<td>EP7</td>
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</tr>
<tr>
<td>Heat Input</td>
<td>EP7</td>
<td>-----</td>
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</tbody>
</table>
**CSAPR NO\(_x\) Annual Trading Program Requirements:**

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

2. **Emissions monitoring, reporting, and recordkeeping requirements.** [§97.406(b)]
   
   a) The permittee, and the designated representative, of each CSAPR NO\(_x\) Annual source and each CSAPR NO\(_x\) Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.431 (initial monitoring system certification and recertification procedures), §97.432 (monitoring system out-of-control periods), §97.433 (notifications concerning monitoring), §97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.406(b)(1)]

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

3. **NO\(_x\) emissions requirements.** [§97.406(c)]

   a) **CSAPR NO\(_x\) Annual emissions limitation.** [§97.406(c)(1)]

      i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO\(_x\) Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NO\(_x\) emissions for such control period from all CSAPR NO\(_x\) Annual units at the source. [§97.406(c)(1)(i)]

      ii) If total NO\(_x\) emissions during a control period in a given year from the CSAPR NO\(_x\) Annual units at a CSAPR NO\(_x\) Annual source are in excess of the CSAPR NO\(_x\) Annual emissions limitation set forth in §97.406(c)(1)(i), then: [§97.406(c)(1)(ii)]

         1) The permittee shall hold the CSAPR NO\(_x\) Annual allowances required for deduction under §97.424(d); and [§97.406(c)(1)(ii)(A)]

         2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act. [§97.406(c)(1)(ii)(B)]

   b) **CSAPR NO\(_x\) Annual assurance provisions.** [§97.406(c)(2)]

      i) If total NO\(_x\) emissions during a control period in a given year from all CSAPR NO\(_x\) Annual units at CSAPR NO\(_x\) Annual sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such NO\(_x\) emissions during such control period exceeds the common designated representative’s assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators...
of such group) CSAPR NO\textsubscript{x} Annual allowances available for deduction for such control period under §97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.425(b), of multiplying—  

\[\text{§97.406(c)(2)(i)}\]

(1) The quotient of the amount by which the common designated representative’s share of such NO\textsubscript{x} emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative’s share of such NO\textsubscript{x} emissions exceeds the respective common designated representative’s assurance level; and  

\[\text{§97.406(c)(2)(i)(A)}\]

(2) The amount by which total NO\textsubscript{x} emissions from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri for such control period exceed the state assurance level.  

\[\text{§97.406(c)(2)(i)(B)}\]

ii) The permittee shall hold the CSAPR NO\textsubscript{x} Annual allowances required under §97.406(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.  

\[\text{§97.406(c)(2)(ii)}\]

iii) Total NO\textsubscript{x} emissions from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri during a control period in a given year exceed the state assurance level if such total NO\textsubscript{x} emissions exceed the sum, for such control period, of Missouri NO\textsubscript{x} Annual trading budget under §97.410(a) and the state’s variability limit under §97.410(b).  

\[\text{§97.406(c)(2)(iii)}\]

iv) It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO\textsubscript{x} emissions from all CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri during a control period exceed the state assurance level or if a common designated representative’s share of total NO\textsubscript{x} emissions from the CSAPR NO\textsubscript{x} Annual units at CSAPR NO\textsubscript{x} Annual sources in Missouri during a control period exceeds the common designated representative’s assurance level.  

\[\text{§97.406(c)(2)(iv)}\]

v) To the extent the permittee fails to hold CSAPR NO\textsubscript{x} Annual allowances for a control period in a given year in accordance with §97.406(c)(2)(i) through (iii), §97.406(c)(2)(v)]

(1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and  

\[\text{§97.406(c)(2)(v)(A)}\]

(2) Each CSAPR NO\textsubscript{x} Annual allowance that the permittee fails to hold for such control period in accordance with §97.406(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.  

\[\text{§97.406(c)(2)(v)(B)}\]

c) Compliance periods.  

\[\text{§97.406(c)(3)}\]

i) A CSAPR NO\textsubscript{x} Annual unit shall be subject to the requirements under §97.406(c)(1) for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit’s monitor certification requirements under §97.430(b) and for each control period thereafter.  

\[\text{§97.406(c)(3)(i)}\]

ii) A CSAPR NO\textsubscript{x} Annual unit shall be subject to the requirements under §97.406(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit’s monitor certification requirements under §97.430(b) and for each control period thereafter.  

\[\text{§97.406(c)(3)(ii)}\]
d) Vintage of CSAPR NO\textsubscript{x} Annual allowances held for compliance. \[§97.406(c)(4)]
   i) A CSAPR NO\textsubscript{x} Annual allowance held for compliance with the requirements under §97.406(c)(1)(i) for a control period in a given year must be a CSAPR NO\textsubscript{x} Annual allowance that was allocated or auctioned for such control period or a control period in a prior year. \[§97.406(c)(4)(i)]
   ii) A CSAPR NO\textsubscript{x} Annual allowance held for compliance with the requirements under §97.406(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR NO\textsubscript{x} Annual allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. \[§97.406(c)(4)(ii)]

e) Allowance Management System requirements. Each CSAPR NO\textsubscript{x} Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA. \[§97.406(c)(5)]

f) Limited authorization. A CSAPR NO\textsubscript{x} Annual allowance is a limited authorization to emit one ton of NO\textsubscript{x} during the control period in one year. Such authorization is limited in its use and duration as follows: \[§97.406(c)(6)]
   i) Such authorization shall only be used in accordance with the CSAPR NO\textsubscript{x} Annual Trading Program; and \[§97.406(c)(6)(i)]
   ii) Notwithstanding any other provision of 40 CFR Part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. \[§97.406(c)(6)(ii)]

g) Property right. A CSAPR NO\textsubscript{x} Annual allowance does not constitute a property right. \[§97.406(c)(7)]

4. Title V permit revision requirements. \[§97.406(d)]
   a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO\textsubscript{x} Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA. \[§97.406(d)(1)]
   b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.430 through 97.435, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). \[§97.406(d)(2)]

5. Additional recordkeeping and reporting requirements. \[§97.406(e)]
   a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. \[§97.406(e)(1)]
   i) The certificate of representation under §97.416 for the designated representative for the source and each CSAPR NO\textsubscript{x} Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a
new certificate of representation under §97.416 changing the designated representative.  
[$\S$97.406(e)(1)(i)]
ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA. [$\S$97.406(e)(1)(ii)]
iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO$_x$ Annual Trading Program. [$\S$97.406(e)(1)(iii)]
b) The designated representative of a CSAPR NO$_x$ Annual source and each CSAPR NO$_x$ Annual unit at the source shall make all submissions required under the CSAPR NO$_x$ Annual Trading Program, except as provided in §97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [$\S$97.406(e)(2)]

6. **Liability.** [$\S$97.406(f)]
a) Any provision of the CSAPR NO$_x$ Annual Trading Program that applies to a CSAPR NO$_x$ Annual source or the designated representative of a CSAPR NO$_x$ Annual source shall also apply to the permittee. [$\S$97.406(f)(1)]
b) Any provision of the CSAPR NO$_x$ Annual Trading Program that applies to a CSAPR NO$_x$ Annual unit or the designated representative of a CSAPR NO$_x$ Annual unit shall also apply to the permittee. [$\S$97.406(f)(2)]

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

**CSAPR NO$_x$ Ozone Season Group 2 Trading Program Requirements:**

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

2. **Emissions monitoring, reporting, and recordkeeping requirements.** [$\S$97.806(b)]
a) The permittee, and the designated representative, of each CSAPR NO$_x$ Ozone Season Group 2 source and each CSAPR NO$_x$ Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.831 (initial monitoring system certification and recertification procedures), §97.832 (monitoring system out-of-control periods), §97.833 (notifications concerning monitoring), §97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.835 (petitions for alternatives to monitoring, recordkeeping, and reporting requirements). [$\S$97.806(b)(1)]
b) The emissions data determined in accordance with §§97.830 through 97.835 shall be used to calculate allocations of CSAPR NO$_x$ Ozone Season Group 2 allowances under §§97.811(a)(2) and (b) and §97.812 and to determine compliance with the CSAPR NO$_x$ Ozone Season Group 2 emissions limitation and assurance provisions under §97.806(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.830 through 97.835 and
rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.  
[§97.806(b)(2)]

3. **NO**\textsubscript{x} emissions requirements—[§97.806(c)]
   a) **CSAPR NO**\textsubscript{x} Ozone Season Group 2 emissions limitation. [§97.806(c)(1)]
      i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO\textsubscript{x} Ozone Season Group 2 allowances available for deduction for such control period under §97.824(a) in an amount not less than the tons of total NO\textsubscript{x} emissions for such control period from all CSAPR NO\textsubscript{x} Ozone Season Group 2 units at the source. [§97.806(c)(1)(i)]
      ii) If total NO\textsubscript{x} emissions during a control period in a given year from the CSAPR NO\textsubscript{x} Ozone Season Group 2 units at a CSAPR NO\textsubscript{x} Ozone Season Group 2 source are in excess of the CSAPR NO\textsubscript{x} Ozone Season Group 2 emissions limitation set forth in §97.806(c)(1)(i), then: [§97.806(c)(1)(ii)]
         (1) The permittee shall hold the CSAPR NO\textsubscript{x} Ozone Season Group 2 allowances required for deduction under §97.824(d); and [§97.806(c)(1)(ii)(A)]
         (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(1)(ii)(B)]
   b) **CSAPR NO**\textsubscript{x} Ozone Season Group 2 assurance provisions. [§97.806(c)(2)]
      i) If total NO\textsubscript{x} emissions during a control period in a given year from all base CSAPR NO\textsubscript{x} Ozone Season Group 2 units at base CSAPR NO\textsubscript{x} Ozone Season Group 2 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO\textsubscript{x} emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO\textsubscript{x} Ozone Season Group 2 allowances available for deduction for such control period under §97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.825(b), of multiplying—[§97.806(c)(2)(i)]
         (1) The quotient of the amount by which the common designated representative's share of such NO\textsubscript{x} emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the Missouri for such control period, by which each common designated representative's share of such NO\textsubscript{x} emissions exceeds the respective common designated representative's assurance level; and [§97.806(c)(2)(i)(A)]
         (2) The amount by which total NO\textsubscript{x} emissions from all base CSAPR NO\textsubscript{x} Ozone Season Group 2 units at base CSAPR NO\textsubscript{x} Ozone Season Group 2 sources in Missouri during a control period exceed the state assurance level. [§97.806(c)(2)(i)(B)]
      ii) The permittee shall hold the CSAPR NO\textsubscript{x} Ozone Season Group 2 allowances required under §97.806(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.806(c)(2)(ii)]
      iii) Total NO\textsubscript{x} emissions from all base CSAPR NO\textsubscript{x} Ozone Season Group 2 units at base CSAPR NO\textsubscript{x} Ozone Season Group 2 sources in Missouri during a control period in a given year
exceed the state assurance level if such total \( \text{NO}_x \) emissions exceed the sum, for such control period, of the Missouri \( \text{NO}_x \) Ozone Season Group 2 trading budget under §97.810(a) and the state's variability limit under §97.810(b). [§97.806(c)(2)(iii)]

iv) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total \( \text{NO}_x \) emissions from all base CSAPR \( \text{NO}_x \) Ozone Season Group 2 units at base CSAPR \( \text{NO}_x \) Ozone Season Group 2 sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total \( \text{NO}_x \) emissions from the base CSAPR \( \text{NO}_x \) Ozone Season Group 2 units at base CSAPR \( \text{NO}_x \) Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.806(c)(2)(iv)]

v) To the extent the permittee fails to hold CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowances for a control period in a given year in accordance with §97.806(c)(2)(i) through (iii), [§97.806(c)(2)(v)]

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

2) Each CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance that the permittee fails to hold for such control period in accordance with §97.806(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(2)(v)(B)]

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

i) A CSAPR \( \text{NO}_x \) Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(1) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(i)]

ii) A base CSAPR \( \text{NO}_x \) Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(2) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(ii)]

d) **Vintage of CSAPR NO\(_x\) Ozone Season Group 2 allowances held for compliance.** [§97.806(c)(4)]

i) A CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(i) for a control period in a given year must be a CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.806(c)(4)(i)]

ii) A CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(ii)(A) and (c)(2)(i) through (iii) for a control period in a given year must be a CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.806(c)(4)(ii)]

e) **Allowance Management System requirements.** Each CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(c)(5)]

f) **Limited authorization.** A CSAPR \( \text{NO}_x \) Ozone Season Group 2 allowance is a limited authorization to emit one ton of \( \text{NO}_x \) during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.806(c)(6)]
i) Such authorization shall only be used in accordance with the CSAPR NO \textsubscript{x} Ozone Season Group 2 Trading Program; and [§97.806(c)(6)(i)]

ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.806(c)(6)(ii)]

g) 

Property right. A CSAPR NO \textsubscript{x} Ozone Season Group 2 allowance does not constitute a property right. [§97.806(c)(7)]

4. Title V permit requirements. [§97.806(d)]

a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO \textsubscript{x} Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(d)(1)]

b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.830 through 97.835, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.806(d)(2)]

5. Additional recordkeeping and reporting requirements. [§97.806(e)]

a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.806(e)(1)]

i) The certificate of representation under §97.816 for the designated representative for the source and each CSAPR NO \textsubscript{x} Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.816 changing the designated representative. [§97.806(e)(1)(i)]

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

iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO \textsubscript{x} Ozone Season Group 2 Trading Program. [§97.806(e)(1)(iii)]

b) The designated representative of a CSAPR NO \textsubscript{x} Ozone Season Group 2 source and each CSAPR NO \textsubscript{x} Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO \textsubscript{x} Ozone Season Group 2 Trading Program, except as provided in §97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.806(e)(2)]

6. Liability. [§97.806(f)]

a) Any provision of the CSAPR NO \textsubscript{x} Ozone Season Group 2 Trading Program that applies to a CSAPR NO \textsubscript{x} Ozone Season Group 2 source or the designated representative of a CSAPR NO \textsubscript{x} Ozone Season Group 2 source shall also apply to the permittee. [§97.806(f)(1)]
b) Any provision of the CSAPR NO\textsubscript{x} Ozone Season Group 2 Trading Program that applies to a CSAPR NO\textsubscript{x} Ozone Season Group 2 unit or the designated representative of a CSAPR NO\textsubscript{x} Ozone Season Group 2 unit shall also apply to the permittee. [§97.806(f)(2)]

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

**CSAPR SO\textsubscript{2} Group 1 Trading Program Requirements:**

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

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

   a) The permittee, and the designated representative, of each CSAPR SO\textsubscript{2} Group 1 source and each CSAPR SO\textsubscript{2} Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.631 (initial monitoring system certification and recertification procedures), §97.632 (monitoring system out-of-control periods), §97.633 (notifications concerning monitoring), §97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.606(b)(1)]

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

3. SO\textsubscript{2} emissions requirements. [§97.606(c)]

   a) **CSAPR SO\textsubscript{2} Group 1 emissions limitation.** [§97.606(c)(1)]

      i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO\textsubscript{2} Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO\textsubscript{2} emissions for such control period from all CSAPR SO\textsubscript{2} Group 1 units at the source. [§97.606(c)(1)(i)]

      ii) If total SO\textsubscript{2} emissions during a control period in a given year from the CSAPR SO\textsubscript{2} Group 1 units at a CSAPR SO\textsubscript{2} Group 1 source are in excess of the CSAPR SO\textsubscript{2} Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]

         (1) The permittee shall hold the CSAPR SO\textsubscript{2} Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]

         (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCccc and the Clean Air Act. [§97.606(c)(1)(ii)(B)]
b) **CSAPR SO\textsubscript{2} Group 1 assurance provisions.** \[\text{§97.606(c)(2)}\]

i) If total SO\textsubscript{2} emissions during a control period in a given year from all CSAPR SO\textsubscript{2} Group 1 units at CSAPR SO\textsubscript{2} Group 1 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such SO\textsubscript{2} emissions during such control period exceeds the common designated representative’s assurance level for Missouri and such control period, shall hold (in the assurance account established for the permittee of such group) CSAPR SO\textsubscript{2} Group 1 allowances available for deduction for such control period under \text{§97.625(a)} in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with \text{§97.625(b)}, of multiplying— \[\text{§97.606(c)(2)(i)}\]

1. The quotient of the amount by which the common designated representative’s share of such SO\textsubscript{2} emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative’s share of such SO\textsubscript{2} emissions exceeds the respective common designated representative’s assurance level; and \[\text{§97.606(c)(2)(i)(A)}\]

2. The amount by which total SO\textsubscript{2} emissions from all CSAPR SO\textsubscript{2} Group 1 units at CSAPR SO\textsubscript{2} Group 1 sources in Missouri for such control period exceed the state assurance level. \[\text{§97.606(c)(2)(i)(B)}\]

ii) The permittee shall hold the CSAPR SO\textsubscript{2} Group 1 allowances required under \text{§97.606(c)(2)(i)}, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. \[\text{§97.606(c)(2)(ii)}\]

iii) Total SO\textsubscript{2} emissions from all CSAPR SO\textsubscript{2} Group 1 units at CSAPR SO\textsubscript{2} Group 1 sources in Missouri during a control period in a given year exceed the state assurance level if such total SO\textsubscript{2} emissions exceed the sum, for such control period, of the Missouri SO\textsubscript{2} Group 1 trading budget under \text{§97.610(a)} and the state’s variability limit under \text{§97.610(b)}. \[\text{§97.606(c)(2)(iii)}\]

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

v) To the extent the permittee fails to hold CSAPR SO\textsubscript{2} Group 1 allowances for a control period in a given year in accordance with \text{§97.606(c)(2)(i)} through (iii), \text{§97.606(c)(2)(v)}

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

2. Each CSAPR SO\textsubscript{2} Group 1 allowance that the permittee fails to hold for such control period in accordance with \text{§97.606(c)(2)(i)} through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. \[\text{§97.606(c)(2)(v)(B)}\]
c) **Compliance periods.** [§97.606(c)(3)]
   i) A CSAPR SO\(_2\) Group 1 unit shall be subject to the requirements under §97.606(c)(1) for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit’s monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(i)]
   ii) A CSAPR SO\(_2\) Group 1 unit shall be subject to the requirements under §97.606(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit’s monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(ii)]

d) **Vintage of CSAPR SO\(_2\) Group 1 allowances held for compliance.** [§97.606(c)(4)]
   i) A CSAPR SO\(_2\) Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(i) for a control period in a given year must be a CSAPR SO\(_2\) Group 1 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.606(c)(4)(i)]
   ii) A CSAPR SO\(_2\) Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR SO\(_2\) Group 1 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.606(c)(4)(ii)]

e) **Allowance Management System requirements.** Each CSAPR SO\(_2\) Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(c)(5)]

f) **Limited authorization.** A CSAPR SO\(_2\) Group 1 allowance is a limited authorization to emit one ton of SO\(_2\) during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.606(c)(6)]
   i) Such authorization shall only be used in accordance with the CSAPR SO\(_2\) Group 1 Trading Program; and [§97.606(c)(6)(i)]
   ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.606(c)(6)(ii)]

g) **Property right.** A CSAPR SO\(_2\) Group 1 allowance does not constitute a property right. [§97.606(c)(7)]

4. **Title V permit revision requirements.** [§97.606(d)]
   a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO\(_2\) Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(d)(1)]
   b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.630 through 97.635, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart B), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E), Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.606(d)(2)]
5. **Additional recordkeeping and reporting requirements.** [§97.606(e)]
   a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.606(e)(1)]
      i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO\textsubscript{2} Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative. [§97.606(e)(1)(i)]
      ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(e)(1)(ii)]
      iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO\textsubscript{2} Group 1 Trading Program. [§97.606(e)(1)(iii)]
   b) The designated representative of a CSAPR SO\textsubscript{2} Group 1 source and each CSAPR SO\textsubscript{2} Group 1 unit at the source shall make all submissions required under the CSAPR SO\textsubscript{2} Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.606(e)(2)]

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

7. **Effect on other authorities.** No provision of the CSAPR SO\textsubscript{2} Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the permittee, and the designated representative, from compliance with any other provision of Missouri’s state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.606(g)]

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP7</td>
<td>Boiler: 2,730 MBtu/hr steam generating boiler which powers a turbine and generator with a total name plate rating of 213 MW; Fuel: Sub-bituminous coal, bituminous coal, distillate oil, tire derived fuel (TDF) and petroleum coke; Start-up fuel: distillate oil; Installed 1970; Control Equipment: Baghouse; Selective Catalytic Reduction (SCR), Over-fire Air, Powder Activated Carbon System (PAC) &amp; Flue-gas Desulfurization System (FGD).</td>
</tr>
</tbody>
</table>
**Emission Limitation:**
The permittee shall not cause or allow emissions of SO₂ into the atmosphere from any indirect heating source in excess of 12.0 pounds of SO₂ per million BTUs actual heat input averaged on any consecutive three hour time period.

**Monitoring/Recordkeeping:**
1. The permittee shall install, certify, operate and maintain a certified Continuous Emission Monitoring System (CEMS) with an automated data acquisition and handling system for measuring and recording the SO₂ emissions discharged to the atmosphere.
2. 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; and
   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.
3. 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.
4. 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.
5. 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.
6. If SO₂ CEMS is already used to satisfy other requirements (other than only demonstrate compliance with this rule), continue to follow all correlating SO₂ CEMS requirements.
7. All required reports and records must be retained on-site for a minimum of five (5) years and made available within five (5) business days upon written or electronic request by the director.
8. The permittee must furnish the director all data necessary to determine compliance status.

<table>
<thead>
<tr>
<th>Permit Condition 007</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 CSR 10-6.075 Maximum Achievable Control Technology Regulations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP12</td>
<td>No. 1, No. 2 or Jet A (distillate oil) fired standby generator to supply emergency power to the installation; 175 KW; Installed pre 2/24/71</td>
</tr>
</tbody>
</table>
Applicability:
EP12 Emergency Engine qualifies as Existing Emergency Stationary CI RICE with a site rating of less than 500 brake HP located at a major source of HAP emissions for the purpose of complying with 40 CFR Part 63, Subpart ZZZZ. [§63.6590(a)(1)(ii)]

Emergency stationary RICE means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE 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 ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used for peak shaving are not considered emergency stationary ICE. Stationary CI ICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f). All emergency stationary RICE shall comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engines do not comply with the requirements in §63.6640(f), then they are not considered to be emergency stationary RICE. [§63.6675]

Operational Limitations:
1. The permittee shall comply with the operational limitations in Table 2c to 40 CFR Part 63, Subpart ZZZZ which apply. [§63.6602]

Table 2c to Subpart ZZZZ of Part 63. Requirements for Existing Compression Ignition Stationary Rice Located at Major Sources of HAP Emissions

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Work Practices, except during periods of startup</th>
<th>Work Practices during periods of startup</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency CI</td>
<td>Change oil and filter every 500 hrs of operation or annually, whichever comes 1st; 2nd;</td>
<td>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. 3rd;</td>
</tr>
<tr>
<td></td>
<td>Inspect air cleaner every 1,000 hrs of operation or annually, whichever comes 1st;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inspect all hoses and belts every 500 hrs of operation or annually, whichever comes 1st, and replace as necessary. 4th;</td>
<td></td>
</tr>
</tbody>
</table>

1If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of 40 CFR Part 63, Subpart ZZZZ, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources shall report any failure to perform the work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

2Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2c of 40 CFR Part 63, Subpart ZZZZ.

3Sources may petition the Director pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.
2. The permittee shall be in compliance with the operating limitations that apply at all times. 
   [§63.6605(a)]

3. At all times the permittee shall operate and maintain any affected source, including associated air pollution control 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. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]

4. The permittee shall operate and maintain the emergency stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop their own maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [§63.6625(e)]

5. The permittee shall install a non-resettable hour meter if one is not already installed. [§63.6625(f)]

6. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2c to 40 CFR Part 63, Subpart ZZZZ. The oil analysis shall be performed at the same frequency specified for changing the oil in Table 2c to 40 CFR Part 63, Subpart ZZZZ. The analysis program shall at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within two days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil within two days or before commencing operation, whichever is later. The permittee shall retain records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [§63.6625(i)]

7. The permittee shall demonstrate continuous compliance with each operating limitation in Table 2c to 40 CFR Part 63, Subpart ZZZZ that apply according to methods specified in Table 6 to 40 CFR Part 63, Subpart ZZZZ. [§63.6640(a)]

Table 6 to Subpart ZZZZ of Part 63. Continuous Compliance With Emission Limitations and Operating Limitations

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Requirement</th>
<th>Method of Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing emergency stationary RICE ≤500 HP located at a major source of HAP</td>
<td>Work or Management practices</td>
<td>Operate and maintain the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or Develop and follow a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions</td>
</tr>
</tbody>
</table>
8. The permittee shall operate the emergency stationary RICE according to the requirements in paragraphs §63.6640(f)(1) through (4). 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 more than 50 hours per year, as described in paragraphs §63.6640(f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs §63.6640(f)(1) through (4), 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)(3) and (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 permittee may petition the Director 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)]

   c. Emergency stationary RICE located at major 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). 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(3)]

9. At all times the permittee must operate and maintain the generators in a manner consistent with safety and good air pollution control practices for minimizing emissions. [§63.6605(b)]

**Recordkeeping:**

1. The permittee shall retain the following records: [§63.6655(a)]

   a) A copy of each report submitted to comply. [§63.6655(a)(1)]

   b) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [§63.6655(a)(2)]

   c) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]

   d) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.6655(a)(5)]

2. The permittee shall retain the records required in Table 6 of 40 CFR Part 63, Subpart ZZZZ to show continuous compliance with each operating limitation that applies. [§63.6655(d)]
3. The permittee shall retain 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 their own maintenance plan. [§63.6655(e)]

4. The permittee shall retain records of the hours of operation of the engine that is recorded through the
non-resettable hour meter. The permittee shall 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 engines are used for demand response operation, the permittee shall
retain records of the notification of the emergency situation, and the time the engine was operated as
part of demand response. [§63.6655(f)]

5. Records shall be in a form suitable and readily available for expeditious review according to
§63.10(b)(1). [§63.6660(a)]

6. As specified in §63.10(b)(1), the permittee must keep each record for five years following the date of
each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]

7. 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)]

**Reporting:**

1. The permittee shall report each instance in which the permittee did not meet each operating
limitation in Table 2c to 40 CFR Part 63, Subpart ZZZZ that applies. These instances are deviations
from the operating limitations. These deviations shall be reported according to the requirements in
§63.6650. [§63.6640(b)]

2. Unless the director has approved a different schedule for submission of reports under §63.10(a), the
permittee shall submit each report according to the following requirements: [§63.6650(b)]
   a) Each semi-annual compliance report 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.
      [§63.6650(b)(3)]
   b) Each subsequent semi-annual compliance report 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. [§63.6650(b)(4)]
   c) The permittee may submit the first and subsequent semi-annual compliance reports according to
      the dates the permitting authority has established instead of according to the dates in
      §63.6650(b)(1) through (b)(4). [§63.6650(b)(5)]

3. The semi-annual compliance reports shall contain the following information: [§63.6650(c)]
   a) Company name and address. [§63.6650(c)(1)]
   b) Statement by a responsible official, with that official's name, title, and signature, certifying the
      accuracy of the content of the report. [§63.6650(c)(2)]
   c) Date of report and beginning and ending dates of the reporting period. [§63.6650(c)(3)]
   d) If a malfunction occurred during the reporting period, the semi-annual compliance report shall
      include the number, duration, and a brief description for each type of malfunction which
      occurred during the reporting period and which caused or may have caused any applicable
      emission limitation to be exceeded. The report shall also include a description of actions taken by
      the permittee during the malfunction to minimize emissions in accordance with §63.6605(b),
      including actions taken to correct a malfunction. [§63.6650(c)(4)]
   e) If there are no deviations from any operating limitations that apply, a statement that there were
      no deviations from the operating limitations during the reporting period. [§63.6650(c)(5)]
4. For each deviation that occurs, the semi-annual compliance report shall contain the information in §63.6650(c)(1) through (4) and the following information: [§63.6650(d)]
   a) The total operating time of the stationary RICE at which the deviation occurred during the reporting period. [§63.6650(d)(1)]
   b) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [§63.6650(d)(2)]
5. The permittee shall report all deviations in the semi-annual monitoring report required by §70.6 (a)(3)(iii)(A). The permittee may submit their MACT ZZZZ semi-annual compliance report along with, or as part of, the semi-annual monitoring report required by §70.6(a)(3)(iii)(A), provided the semi-annual compliance report includes all required information concerning deviations from the operating limitations, submission of the MACT ZZZZ semi-annual compliance report shall be deemed to satisfy any obligation to report the same deviations in the semi-annual monitoring report. However, submission of the MACT ZZZZ semi-annual compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.6650(f)]

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP12</td>
<td>No. 1, No. 2 or Jet A (distillate oil) fired standby generator to supply emergency power to the installation; 175 KW; Installed pre 2/24/71</td>
</tr>
<tr>
<td></td>
<td>Distillate-fired space heaters (less than 10 MMBtu/hr total)</td>
</tr>
</tbody>
</table>

**Emission Limitation:**
1. The permittee must limit the fuel sulfur content to not more than 8,812 parts per million (ppm) of sulfur content for distillate fuel for new units (units existing, installed or under construction as of February 24, 1971).
2. The permittee must limit the fuel sulfur content to not more than 35,249 parts per million (ppm) of sulfur content for distillate fuel for existing units (units existing, installed or under construction prior to February 24, 1971).

**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 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:

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1 10 CSR 10-6.261 is a state-only requirement. Upon adoption into the Missouri State Implementation Plan (SIP) it will become federally enforceable.
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; and
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.

3. The permittee of sources using fuel delivery records for compliance must also maintain the fuel supplier information to certify all fuel deliveries. Bills of lading and/or other fuel delivery 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; and
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

4. All required reports and records must be retained on-site for a minimum of five (5) years and made available within five (5) business days upon written or electronic request by the director.

5. The permittee must furnish the director all data necessary to determine compliance status.

### Permit Condition 009

10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>EP12</td>
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</tr>
<tr>
<td></td>
<td>Distillate-fired space heaters (less than 10 MMBtu/hr total)</td>
</tr>
</tbody>
</table>

**Emission Limitations:**

1. The permittee shall not cause or permit the emission of gases into the atmosphere containing more than two thousand parts per million by volume (2000 ppmv) of sulfur dioxide or more than seventy milligrams per cubic meter (70 mg/cubic meter) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three (3)-hour time period from existing sources.
2. The permittee shall not cause or permit the emission of gases into the atmosphere containing more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide or more than thirty-five

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2 10 CSR 10-6.260 is a federal-only requirement. This rule was rescinded from the MO Code of State Regulations on November 30, 2015 however it remains in the MO State Implementation Plan and therefore must be included in the operating permit.
milligrams per cubic meter (35 mg/cubic meter) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three (3)-hour time period from new sources

**Monitoring/Recordkeeping:**
Compliance with Permit Condition 008 - As required by Permit Condition 008.

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP18</td>
<td>Pugmill; MHDR – 10.9 tons/hr</td>
</tr>
</tbody>
</table>

**Emission Limitation:**
The permittee shall wet the FGD/PAC byproduct and fly ash at the pugmill (EP-18) sufficient to maintain no visible emissions.

**Monitoring:**
Special Condition 1.B.1) through 3):

1) The permittee shall conduct visible emissions observations on these emission units using U.S. EPA Test Method 22-like procedures for a minimum duration of six minutes. Observations are only required when the emission unit is operating and when the weather conditions allow.

2) The following monitoring schedule must be maintained:
   a. Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
   b. Observations shall be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
   c. Observations shall be made once per month. If a violation is noted, monitoring reverts to weekly.
   d. If, at the issuance of this permit, the permittee has progressed in the schedule listed in 2.a)-c) the permittee may continue to advance accordingly or maintain observations as prescribed in 2.c).

3) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

4) The observation of visible emissions from EP-18 will be considered an excursion and corrective actions shall be implemented within a reasonable period. An excursion does not necessarily indicate a violation of the applicable requirement.

5) When the level of excursions exceed three percent of the total number of observations in a six month period and corrective actions fail to return the emission unit to a no visible emission condition, then the permittee shall conduct source testing within 90 days of the last excursion to demonstrate compliance with the no visible emission limit. If the test demonstrates noncompliance with the above emission limitation the permittee shall propose a schedule to
implement further corrective actions to bring the source into compliance and demonstrate that compliance.

**Record Keeping:**

1. The permittee shall maintain records of all visible emissions observation results (see Attachment B or equivalent forms generated by the permittee), noting:
   a) Whether any air emissions (except for water vapor) were visible from the emission units,
   b) All emission units from which visible emissions occurred.
2. The permittee shall maintain records of any equipment malfunctions, using Attachment D or an equivalent form generated by the permittee.

<table>
<thead>
<tr>
<th>Permit Condition 011</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 CSR 10-6.060 Construction Permits Required</td>
</tr>
<tr>
<td>Construction Permit 022012-010, Issued February 21, 2012</td>
</tr>
<tr>
<td><strong>Emission Unit</strong></td>
</tr>
<tr>
<td>EP24</td>
</tr>
</tbody>
</table>

**Haul Road Watering:**

1. Special Condition 2: The permittee shall water unpaved haul roads (EP-24) whenever conditions exist which would cause visible fugitive emissions to enter the ambient air beyond the property boundary.
2. Watering may be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. Records of all activities shall be kept on site indicating the specific activity and date.

<table>
<thead>
<tr>
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<tr>
<td>10 CSR 10-6.060 Construction Permits Required</td>
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<td>Construction Permit 022012-010, Issued February 21, 2012</td>
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<td><strong>Emission Unit</strong></td>
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<tr>
<td>EP13</td>
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<td>EP14</td>
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<td>EP15</td>
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<td>EP16</td>
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<tr>
<td>EP17</td>
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</tbody>
</table>

**Operational Limitation:**

2. Special Condition 3.B: The filters shall be operated and maintained in accordance with the manufacturer’s specifications.
3. Special Condition 3.C: Replacement filters shall be kept on hand at all times. The filters shall be made of fibers appropriate for operating conditions expected to occur (i.e. temperature limits, acidic and alkali resistance, and abrasion resistance).

**Monitoring/Recordkeeping:**
1. Special Condition 3.D: The permittee shall maintain an operating and maintenance log for the filters which shall include the following:
   1. Incidents of malfunction, impact on emissions, duration of event, probable cause, and corrective actions; and
   2. Maintenance activities, inspection schedule, repair actions, and replacement, etc.
IV. Core Permit Requirements

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

**10 CSR 10-6.045 Open Burning Requirements**

1. General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.

2. Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

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

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

2. The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.

3. Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
4. Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
5. Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required
The permittee shall not commence construction, modification, or major modification of any installation subject to this rule, begin operation after that construction, modification, or major modification, or begin operation of any installation which has been shut down longer than five years without first obtaining a permit from the permitting authority.

10 CSR 10-6.065 Operating Permits
The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

10 CSR 10-6.110 Reporting of Emission Data, Emission Fees and Process Information
1. The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as a spreadsheet file, can be submitted for approval by the director.
2. Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
3. The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.

10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential
This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

10 CSR 10-6.150 Circumvention
The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

10 CSR 10-6.165 Restriction of Emission of Odors
This requirement is a State Only permit requirement.
No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven
volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. This odor evaluation shall be taken at a location outside of the installation’s property boundary.

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

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

Monitoring:
The permittee shall conduct inspections of its facilities sufficient to determine compliance with this regulation. If the permittee discovers a violation, the permittee shall undertake corrective action to eliminate the violation.
The permittee shall maintain the following monitoring schedule:
1. The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
2. Should no violation of this regulation be observed during this period then-
   a) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
   b) If a violation is noted, monitoring reverts to weekly.
   c) Should no violation of this regulation be observed during this period then-
      i) The permittee may observe once per month.
      ii) If a violation is noted, monitoring reverts to weekly.
3. If, at the issuance of this permit, the permittee has progressed in the schedule listed in 2.a)-c) the permittee may continue to advance accordingly or maintain observations as prescribed in 2.c).
4. If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.
Recordkeeping:
The permittee shall document all readings on Attachment A, or its equivalent, noting the following:
1. Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
2. Whether equipment malfunctions contributed to an exceedance.
3. Any violations and any corrective actions undertaken to correct the violation.

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.
1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
   a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
   b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
   c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
   d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
   a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
   b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
   c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
   d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
   e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
   f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.

3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

5. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*
V. General Permit Requirements

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

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

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

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

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

2. Reporting
   a) All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
   b) The permittee shall submit a report of all required monitoring by:
      i) October 1st for monitoring which covers the January through June time period, and
      ii) April 1st for monitoring which covers the July through December time period.
   c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
   d) Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
      i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit, 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)
If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

10 CSR 10-6.065(6)(C)1.E Title IV Allowances
This permit prohibits emissions which exceed any allowances the installation holds under Title IV of the Clean Air Act.

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

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

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

An Acid Rain Permit Renewal is being issued along with this operating permit. It is included as Attachment E.

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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
   a) The identification of each term or condition of the permit that is the basis of the certification;
   b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
   c) Whether compliance was continuous or intermittent;
   d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
   e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

1. Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
   a) The applicable requirements are included and specifically identified in this permit, or
   b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.

2. Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
   a) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders,
   b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
   c) The applicable requirements of the acid rain program,
   d) The authority of the Environmental Protection Agency and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
   e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.
10 CSR 10-6.065(6)(C)7  Emergency Provisions

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

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

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

1. Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
   a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
   b) The permit shield shall not apply to these changes.
10 CSR 10-6.065(6)(C)9 Off-Permit Changes

1. Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the permit, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:

   a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;

   b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3 of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.

   c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and

   d) The permit shield shall not apply to these changes.

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

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

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

This permit shall be reopened for cause if:

1. The Missouri Department of Natural Resources (MoDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,

2. MoDNR or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,

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

4. The installation is an affected source under the acid rain program and additional requirements
   (including excess emissions requirements), become applicable to that source, provided that, upon
   approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;
   or

5. MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with
   applicable requirements.

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

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

### VI. Attachments

Attachments follow.
Attachment A
Fugitive Emission Observations

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Visible Emissions</th>
<th>If visible emissions are present</th>
<th>Initial</th>
</tr>
</thead>
<tbody>
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</table>

If there are visible emissions, the permittee shall conduct a Method 9 opacity observation.
## Attachment B
Visible Emission Observations

<table>
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<tr>
<th>Date</th>
<th>Time</th>
<th>Emission Source</th>
<th>Visible Emissions</th>
<th>Excess Emissions</th>
<th>Cause</th>
<th>Corrective Action</th>
<th>Initial</th>
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1If there are visible emissions, the permittee shall complete the excess emissions columns.
### Method 9 Opacity Emissions Observations

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<th>Company</th>
<th>Observer</th>
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<tbody>
<tr>
<td>Location</td>
<td>Observer Certification Date</td>
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<tr>
<td>Date</td>
<td>Emission Unit</td>
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<tr>
<td>Time</td>
<td>Control Device</td>
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</table>

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<tr>
<th>Hour</th>
<th>Minute</th>
<th>Seconds</th>
<th>Steam Plume (check if applicable)</th>
<th>Comments</th>
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<td>0 15 30 45</td>
<td>Attached Detached</td>
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</table>

### SUMMARY OF AVERAGE OPACITY

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<tr>
<th>Set Number</th>
<th>Time</th>
<th>Opacity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Start</td>
<td>End</td>
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</tbody>
</table>

Readings ranged from ________ to ________ % opacity.

Was the emission unit in compliance at the time of evaluation?  YES  NO  Signature of Observer
## Attachment D
Inspection/Maintenance/Repair/Malfunction Log

**Emission Unit #** ________________________________

<table>
<thead>
<tr>
<th>Date/Time</th>
<th>Inspection/Maintenance Activities</th>
<th>Malfunction Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Malfunction</td>
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</table>
Title IV: Acid Rain Permit

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

**Installation Name:** Empire District Electric Co. - Asbury  
**ORIS Code:** 2076  
**Unit ID:** Boiler 1

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

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

This Acid Rain permit is being issued in conjunction with this operating permit and is effective for the same period of time as the operating permit. The permittee shall submit an application to renew this Acid Rain permit in conjunction with the operating permit renewal application.

**JAN 08 2018**

Date

[Signature]

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

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

This submission is: ~ new ~ revised or Acid Rain permit renewal

#### STEP 1

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

<table>
<thead>
<tr>
<th>Facility (Source) Name</th>
<th>State</th>
<th>Plant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asbury Power Plant</td>
<td>MD</td>
<td>002024</td>
</tr>
</tbody>
</table>

#### STEP 2

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

<table>
<thead>
<tr>
<th>Unit ID#</th>
<th>Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
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Permit Requirements

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

Monitoring Requirements

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

(1) The owners and operators of each source and each affected unit at the source shall:
   (i) Hold allowances, as of the allowance transfer deadline, in the source’s compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
   (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
   (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
   (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
Sulfur Dioxide Requirements, Cont’d.

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

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

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

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

Nitrogen Oxides Requirements

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

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

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

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, by writing to the Administrator or permitting authority:
   (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
Recordkeeping and Reporting Requirements, Cont'd.

STEP 3, Cont'd.

(ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and
(iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

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

Liability

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

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

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

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

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

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

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

Effect on Other Authorities

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

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating
Effect on Other Authorities, Cont’d.

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

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

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

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

Certification

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

Name: Tim Wilson

Signature: [Signature]

Date: 7-16-15

EPA Form 7910-16 (rev. 07-08)
Acid Rain NOₓ Compliance Plan

For more information, see instructions and refer to 40 CFR 76.9

This submission is:  □ New  ☑ Reissued

STEP 1
Indicate plant name, State, and Plant code from the current Certificate of Representation covering the facility.

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>State</th>
<th>Plant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asbury Power Plant</td>
<td>MD</td>
<td>0020%</td>
</tr>
</tbody>
</table>

STEP 2
Identify each affected Group 1 and Group 2 boiler using the unit IDs from the current Certificate of Representation covering the facility. Also indicate the boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom, and select the compliance option for each unit by making an 'X' in the appropriate row and column.

<table>
<thead>
<tr>
<th>ID#</th>
<th>ID#</th>
<th>ID#</th>
<th>ID#</th>
<th>ID#</th>
<th>ID#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
<td>Type</td>
<td>Type</td>
<td>Type</td>
<td>Type</td>
<td>Type</td>
</tr>
</tbody>
</table>

(a) Standard annual average emission limitation of 5.66 lb/mmBtu for Phase I dry bottom wall-fired boilers

(b) Standard annual average emission limitation of 0.45 lb/mmBtu for Phase I tangentially fired boilers

(c) Standard annual average emission limitation of 0.48 lb/mmBtu for Phase II dry bottom wall-fired boilers

(d) Standard annual average emission limitation of 0.45 lb/mmBtu for Phase II tangentially fired boilers

(e) Standard annual average emission limitation of 0.46 lb/mmBtu for cell burner boilers

(f) Standard annual average emission limitation of 0.88 lb/mmBtu for cyclone boilers

☐

(g) Standard annual average emission limitation of 0.80 lb/mmBtu for vertically fired boilers

(h) Standard annual average emission limitation of 0.84 lb/mmBtu for wet bottom boilers

EPA Form 7810-28 (Revised 1-2014)
STEP 2, cont’d

<table>
<thead>
<tr>
<th>ID#</th>
<th>CY Type</th>
<th>ID# Type</th>
<th>ID# Type</th>
<th>ID# Type</th>
<th>ID# Type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(ii) NOx Averaging Plan (include NOx Averaging form)  

(iii) Common stack pursuant to 40 CFR 75.17(a)(2)(ii)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)  

(iv) Common stack pursuant to 40 CFR 75.17(a)(2)(ii)(B) with NOx Averaging (check the NOx Averaging Plan box and include NOx Averaging form)  

(v) EPA-approved common stack approach/emission method pursuant to 40 CFR 75.17(a)(2)(ii)(C), (A)(2)(ii)(B), or (B)(ii)  

STEP 3: Identify the first calendar year in which this plan will apply.

January 1, N/A

STEP 4: Read the special provisions and certification, enter the name of the designated representative, sign and date.

Special Provisions

General: This source is subject to the standard requirements in 40 CFR 72.2. Those requirements are listed in this source’s Acid Rain Permit.

Certification

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

Name: Tim Wilson  
Signature:  
Date: 7-18-15

EPA Form 7610-28 (Revised 1-2014)
Attachment F
CAIR Permit

TITLE V: CLEAN AIR INTERSTATE RULE
(CAIR) PERMIT

In accordance with Title V of the Clean Air Act and Missouri State Rules 10 CSR 10-6.362, *Clean Air Interstate Rule Annual Nox Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NOx Trading Program*, and 10 CSR 10-6.366, *Clean Air Interstate Rule Sox Trading Program*, the State of Missouri issues this CAIR Permit.

**Installation Name:** Empire District Electric Co. - Asbury  
**ORIS Code:** 2076  
**Unit IDs:** Boiler 1

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

This CAIR Permit applies only to Boiler 1 at Empire District Electric Co. - Asbury, plant 097-0001.

This CAIR permit is being issued in conjunction with this operating permit and is effective for the same period of time as the operating permit. The permittee shall submit an application to renew this CAIR permit in conjunction with the operating permit renewal application.

**JAN 08 2018**  
Date  

[Signature]

Director or Designee,  
Department of Natural Resources
CAIR Permit Application

(for sources covered under a CAIR SIP) 2007 JUN - 8 PM 12: 03

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

This submission is: ✓ New  ☐ Revised

<table>
<thead>
<tr>
<th>Plant Name</th>
<th>Asbury</th>
<th>State</th>
<th>MO</th>
<th>ORIS/Facility Code</th>
<th>2076</th>
</tr>
</thead>
</table>

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

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

(a) Permit Requirements

(1) The CAIR designated representative of each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) required to have a Title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) required to have a Title V operating permit at the source shall:

(2) Submit to the permitting authority a complete CAIR permit application under §96.122, §96.222, and §96.322 (as applicable) in accordance with the deadlines specified in §96.121, §96.221, and §96.321 (as applicable); and

(3) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) required to have a Title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) required to have a Title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in subpart II, III, and III (as applicable) of 40 CFR part 96, the owners and operators of a CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) that is not otherwise required to have a Title V operating permit and each CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable) that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for such CAIR NOx source, CAIR SO2 source, and CAIR NOx Ozone Season source (as applicable) and such CAIR NOx unit, CAIR SO2 unit, and CAIR NOx Ozone Season unit (as applicable).
STATEMENT OF BASIS

INSTALLATION DESCRIPTION
The Empire District Electric Company (Empire District) – Asbury Power Plant (Asbury) is an electric generating facility. Asbury has a 2730 MMBtu/hr steam generating cyclone fired boiler fueled by sub-bituminous coal, bituminous coal, tire derived fuel, distillate oil and petroleum coke. Distillate oil is used as a start-up fuel. The boiler was installed in 1970 and it powers one steam turbine and generator with a name plate rating of 213 MW. This facility is considered a major source for operating and construction permitting purposes. It is on the list of Named Sources; therefore fugitive emissions are included in the potential to emit.

Table 1: Emissions Profile, tons per year

<table>
<thead>
<tr>
<th>Pollutants</th>
<th>Reported Emissions</th>
<th>Potential Emissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Particulate Matter ≤ Ten Microns (PM10)</td>
<td>374.51</td>
<td>403.01</td>
</tr>
<tr>
<td>Particulate Matter ≤ 2.5 Microns (PM2.5)</td>
<td>354.88</td>
<td>380.70</td>
</tr>
<tr>
<td>Sulfur Oxides (SOx)</td>
<td>6261.00</td>
<td>7505.50</td>
</tr>
<tr>
<td>Nitrogen Oxides (NOx)</td>
<td>1255.00</td>
<td>2290.30</td>
</tr>
<tr>
<td>Volatile Organic Compounds (VOC)</td>
<td>25.48</td>
<td>27.38</td>
</tr>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>184.48</td>
<td>197.20</td>
</tr>
<tr>
<td>Hazardous Air Pollutants (HAPs)</td>
<td>71.50</td>
<td>67.93</td>
</tr>
<tr>
<td>NH3</td>
<td>2.88</td>
<td>4.56</td>
</tr>
</tbody>
</table>

- Potential to emit from Table 4 of CP 022012-010 was used for EP-7 Boiler (except for SOx) and potential emissions for the project from CP 032017-018 were used for the CCR landfill and new bottom ash handling system.
- Potential emissions of SOx for EP-7 Boiler was calculated using the SO2 limit (0.2 lb/MMBtu) from 40 CFR Part 63 Subpart UUUUU.
- Potential to Emit was calculated assuming 8760 per year except for the emergency generator which was evaluated assuming 500 hours per year.
- Changes in emission factors (due to CEMs data and the use of the SO2 limit from Subpart UUUUU) used to calculate emissions account for the reported emissions of SOx and NOx being higher than the potential emissions in 2014 and earlier years.

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

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

40 CFR Parts 70 and 97 Cross State Air Pollution Rule
10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NOx Trading Allowance Allocations
10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NOx Trading Allowance Allocations
10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO2 Trading Allowance Allocations

The Cross-State Air Pollution Rules (CSAPR) Rules replaced the Clean Air Interstate Rules (CAIR) rules and they are included in this operating permit. CAIR is also included because it has not yet been removed from the Missouri State Implementation Plan (SIP) by the time of permit issuance.

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 10-6.260 Restriction of Emission of Sulfur Compounds was rescinded November 30, 2015.

10 CSR 10-6.350 Emission Limitations and Emissions Trading of NOx is not applicable to this facility. The facility is exempted under 10 CSR 10-6.350(1)(F) because the facility is subject to and implementing the requirements of 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NOx Trading Program.

10 CSR 10-6.360 Control of NOx Emissions From Electric Generating Units and Non-Electric Generating Boilers is not applicable to this facility as it does not apply to facilities located in Jasper County, MO.

Construction Permit History

The following construction permits have been issued to this installation:

Construction Permit 022012-010, Issued February 21, 2012
This construction permit authorized the construction of a flue gas desulfurization (FGD) and powdered activated carbon (PAC) system.

Construction Permit 032017-018, Issued March 31, 2017
This construction permit authorized the construction of a new dry CCR landfill and the installation of a new bottom ash handling system. Emission units associated with this construction permit that have not been constructed by the time of this renewal include:

- EP24A Fly Ash & Byproducts Unpaved haul Road
- EP24B Bottom Ash Unpaved Haul Road
- EP24C Bottom Ash Paved Haul Road
- EP24D Fly Ash & Byproducts Paved haul Road
- EP25A Bottom Ash conveyor
- EP26A Bottom Ash Loadout from Bunker to Trucks
- EP26B Bottom Ash Front End Loader
- EP27 CCR Loadout from Trucks to Landfill

The construction permit allows the permittee up to one year after startup of the permitted units to modify the operating permit. At the time of operating permit issuance, the permittee wishes to only include the currently operating emission units in the operating permit and submit a modification to include these new units once they are operating.

New Source Performance Standards (NSPS) Applicability

40 CFR part 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators
40 CFR part 60 Subpart Da, Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
40 CFR part 60 Subpart Db, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units
40 CFR part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

These regulations do not apply to EP7 Boiler because it was constructed/installed prior to the applicability dates below:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Constructed/modified/reconstructed</th>
<th>Maximum design heat input capacity…</th>
</tr>
</thead>
<tbody>
<tr>
<td>D</td>
<td>August 17, 1971</td>
<td>greater than 250 MMBtu/hr</td>
</tr>
<tr>
<td>Da</td>
<td>September 18, 1978</td>
<td>greater than 250 MMBtu/hr</td>
</tr>
<tr>
<td>Db</td>
<td>June 19, 1984</td>
<td>greater than 100 MMBtu/hr</td>
</tr>
<tr>
<td>Dc</td>
<td>June 19, 1984</td>
<td>between 10 and 100 MMBtu/hr</td>
</tr>
</tbody>
</table>

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
These rules do not apply to the 43,000 gallon distillate storage tank because it was installed prior to the applicability dates below:

These regulations apply to storage vessels with the following parameters:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Constructed/modified/reconstructed</th>
<th>With contents and capacities</th>
</tr>
</thead>
<tbody>
<tr>
<td>K</td>
<td>Between June 11, 1973 and May 19, 1978</td>
<td>Petroleum liquids, &gt;40,000 gallons</td>
</tr>
<tr>
<td>Ka</td>
<td>Between May 18, 1978 and July 23, 1984</td>
<td>Petroleum liquids, &gt;40,000 gallons</td>
</tr>
<tr>
<td>Kb</td>
<td>After July 23, 1984</td>
<td>Volatile organic liquids, &gt;19,813 gallons</td>
</tr>
</tbody>
</table>

40 CFR Part 60 Subpart IIII, *New Source Performance Standards for Stationary Compression Ignition Internal Combination Engines*

40 CFR Part 60 Subpart JJJJ, *New Source Performance Standards for Stationary Spark Ignition Internal Combination Engines*

These subparts do not apply to the engine at this facility because it was constructed prior to the applicability dates.

40 CFR Part 60, Subpart Y – *Standards of Performance for Coal Preparation and Processing Plants* is not applicable to the installation and has not been applied in this permit. This regulation applies to thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), and coal storage systems, transfer and loading systems that commenced construction, reconstruction, or modification after October 27, 1974. The installation’s coal handling equipment was constructed before the applicability date and has not since been modified or reconstructed.

40 CFR Part 60, Subpart TTTT – *Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units* is not applicable to the installation. This regulation applies to each steam generating unit, IGCC, or stationary combustion turbine that commences construction after January 8, 2014 or commences modification or reconstruction after June 18, 2014. Boiler 1 was constructed in 1970 and has not been modified or reconstructed.

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


EP7 Boiler is subject to this subpart and meets the definition of a coal-fired electric utility steam generating unit (EGU) within §63.10042. The boiler was constructed/installed in 1970, classifying it as existing coal-fired EGU and affected source per §63.9982(a)(1). The permittee has submitted several test reports to the Air Program as required by this subpart, all of which are currently under review by the Compliance and Enforcement Section. The allowable options chosen by the facility to comply with Subpart UUUUU emission limitations and compliance demonstrations are included in the operating permit. The facility maintains the ability to switch compliance options as allowed by Subpart UUUUU and this permit does not limit the facility from doing so.

40 CFR part 63 Subpart T, National Emission Standards for Halogenated Solvent Cleaning

The provisions of this subpart apply to each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane
(CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent. The concentration of these solvents may be determined using EPA test method 18, material safety data sheets, or engineering calculations. Wipe cleaning activities, such as using a rag containing halogenated solvent or a spray cleaner containing halogenated solvent are not covered under the provisions of this subpart. This subpart does not apply to the solvent cleaning parts washer as it does not use a solvent containing the listed chemicals.

40 CFR part 63 Subpart DDDDD, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters
The provisions of this subpart apply to various industrial, commercial, or institutional boiler or process heaters located at major sources of HAPs. This subpart does not apply to EP7 Boiler because it is subject to 40 CFR Part 63 Subpart UUUUU.

EP12 Emergency Generator is subject to this subpart as an Existing Emergency Stationary CI RICE with a site rating of less than 500 brake HP located at a major source of HAP emissions.

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

Compliance Assurance Monitoring (CAM) Applicability
40 CFR Part 64, Compliance Assurance Monitoring (CAM)
The CAM rule applies to each pollutant specific emission unit that:
• Is subject to an emission limitation or standard, and
• Uses a control device to achieve compliance, and
• Has pre-control emissions that exceed or are equivalent to the major source threshold.

CAM was applicable to EP7 Boiler in the previous operating permit due to the PM limits from 10 CSR 10-6.405, however these units are now subject to a more stringent 40 CFR Part 63 Subpart UUUUU and are thus exempt from CAM per §64.2(b)(i).
**Greenhouse Gas Emissions**

Note that this source may be subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO$_2$ emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation’s CO$_2$ emissions were not included within this permit. If required to report, the applicant is required to report the data directly to EPA. The public may obtain CO$_2$ emissions data by visiting [http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html](http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html).

**Other Regulatory Determinations**

10 CSR 10-6.405 *Restriction of PM Emissions From Fuel Burning Equipment Used For Indirect Heating* is applicable to the EP7 Boiler, but has not been applied within this permit. This regulation would apply a 0.23 lb/MMBtu filterable PM annual average standard to the boiler. This is based on the equation for existing installations in the outstate area with a maximum heat input capacity between 10 and 10,000 MMBtu/hr, $E = .90Q^{.174}$. The 0.23 lb/MMBtu filterable PM annual average limit is less stringent than the 0.03 lb/MMBtu filterable PM 30-day rolling average limit for the boiler in MACT UUUUU; therefore, only the more stringent standard has been applied in this permit.

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants* is not applicable EP7 Boiler because it is subject to 40 CFR Part 63 Subpart UUUUU and demonstrates compliance with a particulate matter continuous emissions monitoring system.

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

This regulation applies to EP7 Boiler, EP12 Emergency Generator and the distillate-fired space heaters.

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

Although this rule was rescinded from the Missouri Code of State Regulations on November 30, 2015, it has not yet been removed from the State Implementation Plan (SIP), therefore it is still applicable to the facility and must remain in the operating permit until it is removed from the SIP.

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

The following particulate matter emission sources are exempt from 10 CSR 10-6.400 for the following reasons:

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
<th>Exemption</th>
</tr>
</thead>
<tbody>
<tr>
<td>EP4</td>
<td>Coal Crusher House</td>
<td>10 CSR 10-6.400(1)(B)13 – grinding, crushing and conveying operations at a power plant</td>
</tr>
<tr>
<td>EP7</td>
<td>Boiler</td>
<td>10 CSR 10-6.400(1)(B)6 – burning of fuel for indirect heating</td>
</tr>
<tr>
<td>EP10</td>
<td>Crushed Coal Transfer</td>
<td>10 CSR 10-6.400(1)(B)13 – grinding, crushing and conveying operations at a power plant</td>
</tr>
<tr>
<td>EP13</td>
<td>Pneumatic Receiving of Lime: Storage Silo Vent</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
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<td>Description</td>
<td>Exemption</td>
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<tr>
<td>---------------</td>
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<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>EP14</td>
<td>Lime Hydrator: Storage Silo Vent</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
<tr>
<td>EP15</td>
<td>Hydrated Lime: Storage Silo Vent</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
<tr>
<td>EP16</td>
<td>Byproduct/Fly Ash: Storage Silo Vent</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
<tr>
<td>EP17</td>
<td>Pneumatic Receiving of PAC: Storage Silo Vent</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
<tr>
<td>EP18</td>
<td>Pugmill</td>
<td>10 CSR 10-6.400(1)(B)12 – potential to emit less than 0.5 lb/hr</td>
</tr>
<tr>
<td>EP24-23 and 8</td>
<td>Haul Roads</td>
<td>10 CSR 10-6.400(1)(B)7 – Fugitive Emissions</td>
</tr>
<tr>
<td>EP1</td>
<td>Coal Truck Unloading</td>
<td>10 CSR 10-6.400(1)(B)7 – Fugitive Emissions</td>
</tr>
<tr>
<td>EP2</td>
<td>Coal Pile</td>
<td>10 CSR 10-6.400(1)(B)7 – Fugitive Emissions</td>
</tr>
<tr>
<td>EP3</td>
<td>Train Unloading</td>
<td>10 CSR 10-6.400(1)(B)7 – Fugitive Emissions</td>
</tr>
<tr>
<td>EP5</td>
<td>Coal Conveyor Belts</td>
<td>10 CSR 10-6.400(1)(B)13 – grinding, crushing and conveying operations at a power plant</td>
</tr>
<tr>
<td>EP6</td>
<td>Truck Loading</td>
<td>10 CSR 10-6.400(1)(B)7 – Fugitive Emissions</td>
</tr>
</tbody>
</table>

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

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

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

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

The draft Part 70 Operating Permit for Empire District – Asbury Power Plant (097-0001) was placed on public notice as of October 6, 2017 for a 30-day comment period. The public notice was published on the Department of Natural Resources’ Air Pollution Control Program’s web page at: http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm. The Air Pollution Control Program received comments from Mr. Jeff Burkett of Empire District and from Mr. Sunil Bector of the Sierra Club Environmental Law Program. The comments are addressed below.

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Comment #1 from Empire District: In our October 5, 2017 comments, Empire made a request to clarify an issue pertaining to the MATS Rule - Subpart UUUUU. Our first set of comments requested that MDNR include all options for Emission Limitations and Compliance Demonstrations within Permit Condition 002. However, in your response you stated that, although the method of compliance selected by Asbury is placed within Permit Condition 002, Asbury may select other options as allowed in Subpart UUUUU. In order to provide clarity in this matter among the public, MDNR inspectors and Empire personnel we requested that the following explanation, or similar language, that Mrs. Jill Wade provided in her email dated October 2, 2017 be placed within the Statement of Basis (that email is attached to these comments).

“The allowable options chosen by a facility to comply with Subpart UUUUU emission limitations and compliance demonstrations are placed within the permit conditions of this Operating Permit. However, the facility has the ability to switch options for compliance, as allowed by Subpart UUUU, and the permit does not limit the facility from doing so”.

However, this clarification was not included in the current draft permit that has been placed on public notice and we believe this is very important to have spelled-out somewhere within the Permit Condition 002 (Subpart UUUUU) or within the Statement of Basis.

Response to Empire District Comment 1: The above statement was added to the statement of basis as requested.

Comment #1 from Sierra Club: On October 31, 2017, Empire District filed an application for a Customer Savings Plan before the Missouri Public Service Commission. As part of its Customer Savings Plan, Empire intends to retire the Asbury Power Plant prior to April 2019. Because the Draft Permit will be issued for a five-year term, DNR should (a) incorporate a discussion of the Asbury Power Plant’s closure into the Draft Permit, (b) clarify that all emissions shall subsequently cease after closure and no later than May 1, 2019, and (c) request that Empire surrender its air permit by May 1, 2019.

Response to Sierra Club Comment 1: The Air Pollution Control Program is aware of the application before the Missouri Public Service Commission by the Empire District Electric Company for approval of a Customer Savings Plan. This plan states that Empire District could achieve savings for its customers over the next twenty years by taking advantage of an opportunity to develop strategically located wind generation in or near its service territory. A proposal to retire the Asbury Power Plant prior to April 2019 is part of the Customer Savings Plan. The operating permit can be terminated once the plant is shut down.
Missouri Department of
NATURAL RESOURCES
Eric R. Greitens, Governor
Carol S. Comer, Director

JAN 08 2018

Mr. Fred Prutch
Empire District - Asbury Power Plant
21133 Uphill Lane
Asbury, MO 64382

Re: Empire District - Asbury Power Plant, 097-0001
Permit Number: OP2018-001

Dear Mr. Prutch:

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

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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS::jwj

Enclosures

c: PAMS File: 2014-05-088