



## INTERMEDIATE STATE PERMIT TO OPERATE

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

**Intermediate Operating Permit Number:** OP2010-096  
**Expiration Date:** AUG 16 2015  
**Installation ID:** 147-0008  
**Project Number:** 2009-07-044

**Installation Name and Address**

Energizer Battery Manufacturing, Inc.  
3131 East First Street  
Maryville, MO 64468  
Nodaway County

**Parent Company's Name and Address**

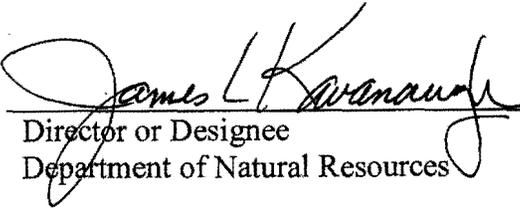
Eveready Battery Co.  
533 Maryville University Drive  
St. Louis, MO 63141

**Installation Description:**

Energizer Battery Manufacturing, Inc. operates an alkaline dry-cell batteries manufacturing plant in Maryville, Missouri. The alkaline dry-cells are manufactured by the successive combination of primary constituents such as manganese dioxide, zinc, graphite, asphalt (sealant), water and other compounds. The plant produces AA, C, and 9-volt batteries. The facility is a synthetic minor source of VOC.

AUG 17 2010

\_\_\_\_\_  
Effective Date

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

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Energizer Battery Manufacturing, Inc. operates an alkaline dry-cell batteries manufacturing plant in Maryville, Missouri. The alkaline dry-cells are manufactured by the successive combination of primary constituents such as manganese dioxide, zinc, graphite, asphalt (sealant), water and other compounds. The plant produces AA, C, and 9-volt batteries. The facility is a synthetic minor source of VOC.

Reported Air Pollutant Emissions, tons per year						
Year	Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Hazardous Air Pollutants (HAPs)
2008	0.41	0.01	2.26	25.97	1.90	-
2007	0.10	-	-	31.30	-	0.15
2006	0.39	0.09	4.42	34.41	3.03	0.34
2005	0.39	0.02	3.22	37.11	2.66	0.31
2004	0.48	0.02	3.44	33.33	2.84	0.28

### EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit
C-03	Heating – Hot Water Boiler No. 2
C-04	Hot Water Boiler No. 1
C-08	Heating & Humidification – Steam Boiler
C-12	Domestic Hot Water Heater
C-14	Heating & Humidification – Steam Boiler
C-19	BTL Emergency Generator (Diesel)
C-20	BTL Emergency Generator (Diesel)
C-21	AC Emergency Generator (Diesel) For West Equipment Room
C-22	AC Emergency Generator (Diesel) For East Equipment Room
D-02	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 3
D-03	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 4
D-06	Cathode Mix Reclaim – Desprue Hopper No. 1 Lines 1 and 2
D-08	North Batch Room Dust Collector No. 4
D-11	Cathode Mix Dust South Batch Room Dust Collector No. 5
D-15	Indium Hydroxide Feeder – Anode Room Penthouse
D-20	Nail Machine Brass Dust Collector No. 9
D-22	Pneumatic Transfer System For Cathode Mix
D-23	By-Pass For Air Recirculation To Penthouse No. 6

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### **EMISSION UNITS WITHOUT LIMITATIONS**

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

#### Description of Emission Source

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F-13	General Purpose Fan – AA RC Fume Exhaust
F-14	4A – 2A RC Fume Exhaust
F-15	4A-2A RC Raw Cell (Alcohol/996)
F-20	C/F Raw Cell (Asphalt/Naphtha)
F-21	Lab Hood Fume Exhaust (Burnishing Area)
F-24	Flowable Gel Tank Hold Fume
F-26	Lab Fume Hood Exhaust
F-28	Burnishing
F-29	Cook Waste Water Lab Hood
F-30	Exhaust Fan
F-33 & F-34	Bulk KOH Tanks
F-35	Wastewater Treatment Tank
F-41	South Subassembly(Asphalt/Naphtha)
F-42	Fugitive Losses
F-43	Diesel Fuel Tank (BTL Generator C-19)
F-47	Bulk HCl Storage Area Vent
F-48	North Subassembly(Asphalt/Naphtha)
F-49	Diesel Fuel Tank (West Equipment Room For Boilers)
F-50	Diesel Fuel Tank (West Equipment Room Under Generator C-21)
F-51	Diesel Fuel Tank (East Equipment Room Under Generator C-22)
F-52	Diesel Fuel Tank (BTL Under Generator C-20)
F-53	Exhaust Fan For Welding Area
F-54	Exhaust Fan For Welding Area
F-55	Exhaust Fan For Paint Booth
M-01	Building Maintenance Miscellaneous Painting Activities
M-02	Solvent Cleaning - Ethyl Alcohol
M-03	Solvent Cleaning - Isopropyl Alcohol
M-05	Silicon Spray Aerosol
M-06	CRC-3-36 Aerosol
M-07	Solvent Cleaning - Gildsafe
W-01	Water Vapor - Vacuum System For Molding

### **DOCUMENTS INCORPORATED BY REFERENCE**

This permit incorporates the following documents by reference:

- Construction Permit No. 0693-002, Issued June 3, 1993
- Construction Permit No. 0197-020, Issued January 5, 1997
- Construction Permit No. 0299-009, Issued January 19, 1999

## II. Plant Wide Emission Limitations

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

### **PERMIT CONDITION PW001**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit No. 0197-020, Issued January 5, 1997

#### **Operational Limitation:**

Special Condition No. 1: If the presence of particulate matter less than ten microns (PM<sub>10</sub>) in the ambient air exists in quantities and durations that directly or proximately cause or contribute to injury to human, plant, or animal life or health, or to property, or that unreasonably interferes with the enjoyment of life or the use of property, the Director may require the permittee to submit a corrective action plan within ten (10) days adequate to timely and significantly mitigate the emission of PM<sub>10</sub>. The permittee shall implement any such plan immediately upon its approval by the Director. Failure to either submit or implement such a plan shall be a violation of this permit.

#### **Reporting:**

The permittee shall report any deviations from the operational limitation and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

### **PERMIT CONDITION PW002**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit No. 0299-009, Issued January 19, 1999

#### **Emission Limitation:**

Special Condition No. 1: The permittee shall emit into the atmosphere less than ten (10) tons of manganese dioxide (MnO<sub>2</sub>) in any consecutive 12-month rolling period.

#### **Monitoring/Recordkeeping:**

1. Special Condition No. 2: The permittee shall maintain the monthly and the sum of the most recent consecutive 12-month records of the MnO<sub>2</sub> emissions using Attachment H or an equivalent form generated by the permittee.
2. The permittee shall maintain up-to-date MSDS for all MnO<sub>2</sub> emitting materials. The MSDS shall be kept on-site and made easily accessible to all employees at the facility.
3. Records shall be maintained on-site for a period of not less than five years.
4. Records may be kept electronically or on paper.
5. Records shall be made available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

1. Special Condition No. 3: The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after the end of the month during which the 12-month rolling total indicates the emission limitation of less than 10 tons MnO<sub>2</sub> has been exceeded.
2. The permittee shall report any deviations from the emission limitation, monitoring/recordkeeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

**PERMIT CONDITION PW003**

10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

**Emission Limitation:**

The permittee shall emit less than 100 tons of volatile organic compounds (VOC) in any consecutive 12-month period.

**Monitoring/Record Keeping:**

1. The permittee shall maintain an accurate record of monthly usage for each VOC emitting material (this includes fuel sources).
2. The monthly emissions of volatile organic compounds from each VOC emitting material shall be calculated, Attachment D or an equivalent form generated by the permittee may be used.
3. The permittee shall calculate their annual emission of volatile organic compounds by summing the monthly emissions from each VOC emitting material for the last twelve months. The annual emission will be calculated each month using the most recent twelve months worth of monthly emission totals.
4. All records shall be kept for no less than five years and be made available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include Material Safety Data Sheets (MSDS) for all materials used at the installation.

**Reporting:**

1. If at any time the yearly emission limit of 100 tons should be exceeded or a malfunction occur which could possibly cause exceedance the permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after the exceedance.
2. The permittee shall report any deviations from the emission limitation, monitoring/recordkeeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

**PERMIT CONDITION PW004**

10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

**Emission Limitation:**

1. The permittee shall emit less than ten (10) tons individually of any Hazardous Air Pollutants (HAPs) from the installation in any consecutive 12-month period.
2. The permittee shall emit less than twenty-five (25) tons combined of Hazardous Air Pollutants (HAPs) from the installation in any consecutive 12-month period.

**Monitoring/Record Keeping:**

1. The permittee shall record the amount of each HAP emitting material used each month.
2. The permittee shall calculate the monthly and rolling 12-month HAP emissions for each individual HAP and for total combined HAP using Attachments G & H or equivalent forms generated by the permittee.
3. The permittee shall maintain a complete set of Material Safety Data Sheets (MSDS) for all material used at the installation.
4. All records shall be kept for no less than five years and be made available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

1. If at any time the yearly emission limit of 10 tons individual or 25 tons combined should be exceeded or a malfunction occur which could possibly cause exceedance the permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after the exceedance.
2. The permittee shall report any deviations from the emission limitation, monitoring/recordkeeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 001</b>		
10 CSR 10-6.060 Construction Permits Required Construction Permit No. 0693-002, Issued June 3, 1993		
Emission Unit	Description	Baghouse Unit
D-02	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 3	BH-1
D-03	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 4	BH
D-08	North Batch Room Dust Collector No. 4	BH-2
D-11	Cathode Mix Dust South Batch Room Dust Collector No. 5	BH-02
D-15	Indium Hydroxide Feeder – Anode Room Penthouse	BH-20
D-20	Nail Machine Brass Dust Collector No. 9	BH-22
D-23	By-Pass For Air Recirculation To Penthouse No. 6	BH13

**Operational Limitation:**

Special Condition No. 5: An adequate supply of replacement bags for the baghouses must be kept on site at all times.

**Reporting:**

The permittee shall report any deviations from the operational limitation and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 002</b>		
10 CSR 10-6.060 Construction Permits Required Construction Permit No. 0299-009, Issued January 19, 1999		
Emission Unit	Description	Baghouse Unit
D-11	Cathode Mix Dust South Batch Room Dust Collector No. 5	BH-02

**Operational Limitation:**

Special Condition No. 4: A high efficiency fabric dust collector (baghouse) must be in use at all times when the associated emission point D-11 is in operation. The baghouse shall be operated and maintained in accordance with the manufacturer’s specifications.

**Monitoring/Recordkeeping:**

1. The permittee shall maintain a log detailing incidents of maintenance activities, inspection schedule, repair actions, and replacements using Attachment B or an equivalent form generated by the permittee.
2. All records shall be maintained on-site for a period of not less than five years.
3. Records may be kept electronically or on paper.

- Records shall be made available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations from the operational limitation, monitoring/recordkeeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 003</b>						
10 CSR 10-3.060 Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating						
Emission Unit	Description	Manufacturer and Model	Construction Date	MHDR (MMBtu/hr)	Fuel	Stack No.
C-03	Heating – Hot Water Boiler No. 2	Kewanee	1998	16.7	Natural Gas	C-03
C-04	Hot Water Boiler No. 1	Kewanee	1998	16.7	Natural Gas	C-04
C-08	Heating & Humidification – Steam Boiler	Kewanee	1998	10.4	Natural Gas or Fuel Oil No. 2	C-08
C-12	Domestic Hot Water Heater	Columbia CWH-1510	1971	1.2	Natural Gas	C-12
C-14	Heating & Humidification – Steam Boiler	Cleaver Brooks CB 200x-200	1981	8.4	Natural Gas	C-14

**Emission Limitation:**

The permittee shall not emit particulate matter in excess of 0.34 pounds per million BTU of heat input.

**Operational Limitation:**

The permittee shall calibrate, maintain and operate the emission units according to the manufacturer's specifications and recommendations.

**Monitoring/Recordkeeping:**

- Maintain a maintenance log noting all inspections, malfunctions, and repairs using Attachment B or an equivalent form generated by the permittee.
- Records may be kept in either written or electronic form.
- These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- All records must be maintained for five (5) years.
- Attachment C contains calculations which demonstrate that these emission units will never exceed the emission limitation while burning the specified fuel.

**Reporting:**

- The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than fifteen (15) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

- The permittee shall report any deviations from the emission limitation, operational limitation, monitoring/recordkeeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 004</b>			
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants			
Emission Unit	Description	Construction Date	Stack No.
C-03	Heating – Hot Water Boiler No. 2	1998	C-03
C-04	Hot Water Boiler No. 1	1998	C-04
C-08	Heating & Humidification – Steam Boiler	1998	C-08
C-12	Domestic Hot Water Heater	1972	C-12
C-14	Heating & Humidification – Steam Boiler	1981	C-14
D-02	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 3	-	D-02, D2
D-03	Cathode Mix Transfer - Mix Transfer Motivator Collector No. 4	-	D-03, D-3
D-06	Cathode Mix Reclaim	-	-
D-08	North Batch Room Dust Collector No. 4	-	D-08
D-11	Cathode Mix Dust South Batch Room Dust Collector No. 5	-	D-11
D-15	Indium Hydroxide Feeder – Anode Room Penthouse	-	D-15
D-20	Nail Machine Brass Dust Collector No. 9	-	D-20
D-22	Pneumatic Transfer System For Cathode Mix	-	D-22
D-23	By-Pass For Air Recirculation To Penthouse No. 6	-	D-23

**Emission Limitation:**

- No owner or other person shall cause or permit to be discharged into the atmosphere from these emission units any visible emissions with an opacity greater than 20%.
- Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any sixty (60) minutes air contaminants with an opacity up to 60%.

**Monitoring:**

- The permittee shall conduct opacity readings on these emission units using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant 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 would then conduct a Method 9 observation.
- The following monitoring schedule must be maintained:
  - Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
  - Observations must be made once every two weeks for a period of eight (8) weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
  - Observations must be made once per month. If a violation is noted, monitoring reverts to weekly.
- If the source reverts to daily 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 E & F, 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, and
  - c) Whether the visible emissions were normal for the process.
2. The permittee shall maintain records of any equipment malfunctions which could possibly contribute to or cause and exceedance of the opacity limit.
3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition.
4. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
5. All records must be maintained for five (5) years.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than fifteen (15) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
2. The permittee shall report any deviations from the monitoring/recordkeeping and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 005</b>			
<b>10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds</b>			
Emission Unit	Description	MHDR (MMBtu/hr)	Fuel
C-08	Heating & Humidification – Steam Boiler	10.4	Fuel Oil No. 2

**Emission Limitation:**

1. No person shall cause or allow emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of eight (8) pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three hour time period.
2. No person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards:

Pollutant	Concentration	Remarks
Sulfur Dioxide	0.03 ppm (80 µg/m <sup>3</sup> )	annual arithmetic mean
	0.14 ppm (365 µg/m <sup>3</sup> )	24 hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m <sup>3</sup> )	3 hour average not to be exceeded more than once per year
Hydrogen Sulfide	0.05 ppm (70 µg/m <sup>3</sup> )	1/2 hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m <sup>3</sup> )	1/2 hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid	10 µg/m <sup>3</sup>	24 hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m <sup>3</sup>	1 hour average not to be exceeded more than once in any 2 consecutive days

**Monitoring/Record Keeping**

1. The permittee shall retain the potential to emit calculations in Attachment A which demonstrate that the above emission limitation will never be exceeded. No further record keeping shall be required to demonstrate compliance with the emission limitations.
2. The calculation shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be kept for a period of five (5) years.

**Reporting:**

The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than fifteen (15) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

<b>PERMIT CONDITION 006</b>			
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations			
40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines			
Emission Unit	Description	MHDR (hp/hr)	Fuel
C-19	BTL Emergency Generator		Diesel
C-20	BTL Emergency Generator		Diesel
C-21	AC Emergency Generator For West Equipment Room		Diesel
C-22	AC Emergency Generator For East Equipment Room		Diesel

Note: An existing stationary CI RICE located at an area source of HAP emissions must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. [§63.6595(a)(1)]

*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). Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. All other emergency stationary RICE must comply with the requirements specified in §63.6640(f).

**Operational Limitations:**

1. Owners or operators of an existing stationary CI RICE located at an area source of HAP emissions must comply with the requirements in Table 2d to this subpart which apply. [§63.6603(a)]

2. The permittee must be in compliance with the emission limitations and operating limitations in this subpart that apply at all times. [§63.6605(a)]
3. At all times the permittee must 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. Owners or operators of an existing stationary emergency RICE must operate and maintain the 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 must 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. Owners or operators of an existing emergency stationary RICE located at an area source of HAP emissions must install a non-resettable hour meter if one is not already installed. [§63.6625(f)]
6. Owners or operators of a stationary engine that is subject to the work, operation or management practices in item 4 of Table 2d to this subpart have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to this subpart. The analysis program must 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 engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil before continuing to use the engine. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. [§63.6625(i)]
7. The permittee must demonstrate continuous compliance with each operating limitation in Table 2d to this subpart that apply according to methods specified in Table 6 to this subpart. [§63.6640(a)]
8. Owners or operators of an existing emergency stationary RICE located at an area source of HAP emissions must operate the engine according to the conditions described in paragraphs (f)(1) through (4) of this section. [§63.6640(f)]
  - a) For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited. [§63.6640(f)(1)]
  - b) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(2)]
  - c) The permittee may operate the emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The

owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year. [§63.6640(f)(3)]

- d) The permittee may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving 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; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(4), as long as the power provided by the financial arrangement is limited to emergency power. [§63.6640(f)(4)]

**Table 2d to Subpart ZZZZ of Part 63. Requirements for Existing Compression Ignition Stationary RICE Located at Area Sources of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following emission and operating limitations for existing compression ignition stationary RICE:

For each . . .	You must meet the following requirement, except during periods of startup
4. Emergency CI and black start CI. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup>
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary

<sup>1</sup>Sources 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 2d of this subpart.

<sup>2</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management 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 must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

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

As stated in §63.6640, you must continuously comply with the emissions and operating limitations as required by the following:

For each . . .	Complying with. . .	The permittee must demonstrate continuous compliance by . . .
9. Existing stationary CI RICE not subject to any numerical emission limitations	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow their own maintenance plan which must 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.

**Initial Notification**

1. The permittee must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified if they own or operate any of the following; [§63.6645(a)]
  - a) This requirement does not apply if the permittee owns or operates an existing stationary emergency CI RICE that is not subject to any numerical emission standards. [§63.6645(a)(5)]

**Recordkeeping:**

1. If the permittee must comply with the operating limitations, the permittee must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section. [§63.6655(a)]
  - a) 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)]
  - b) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]
  - c) 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 must keep the records required in Table 6 of this subpart to show continuous compliance with each operating limitation that applies. [§63.6655(d)]
3. The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to their own maintenance plan if they own or operate any of the following stationary RICE; [§63.6655(e)]
  - a) An existing stationary emergency CI RICE. [§63.6655(e)(2)]
4. The owner or operator any of the stationary RICE in paragraphs (f)(1) or (2) of this section must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response. [§63.6655(f)]

- a) An existing emergency stationary CI RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines. [§63.6655(f)(2)]
- 5. Records must 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 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]
- 7. The permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]

**Table 7 to Subpart ZZZZ of Part 63. Requirements for Reports**

As stated in §63.6650, you must comply with the following requirements for reports:

The permittee must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Compliance report	a. 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.	ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary CI RICE.
	b. If you had a deviation from any operating limitation during the reporting period, the information in §63.6650(d).	i. Semiannually according to the requirements in §63.6650(b).
	c. If you had a malfunction during the reporting period which caused or may have caused an exceedance of a limitation, the information in §63.6650(c)(4).	i. Semiannually according to the requirements in §63.6650(b).
2. Report	b. The operating limits provided in your Federally enforceable permit, and any deviations from these limits; and	i. Annually, according to the requirements in §63.6650.
	c. Any problems or errors suspected with the meters	

**Reporting:**

- 1. The permittee must report each instance in which the permittee did not meet each operating limitation in Table 2d to this subpart that apply. These instances are deviations from the operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. [§63.6640(b)]
- 2. The permittee shall submit each report in Table 7 of this subpart that applies. [§63.6650(a)]
- 3. Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section. [§63.6650(b)]
  - a) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the source in §63.6595. [§63.6650(b)(1)]
  - b) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for the affected source in §63.6595. [§63.6650(b)(2)]

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- c) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. [§63.6650(b)(3)]
  - d) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. [§63.6650(b)(4)]
  - e) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR Part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), the permittee may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section. [§63.6650(b)(5)]
  - f) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in §63.6595 and ending on December 31. [§63.6650(b)(6)]
  - g) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for the affected source in §63.6595. [§63.6650(b)(7)]
  - h) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31. [§63.6650(b)(8)]
  - i) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31. [§63.6650(b)(9)]
4. The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section. [§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 the affected source had a malfunction during the reporting period, the compliance report must 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 must also include a description of actions taken by an owner or operator during a malfunction of an affected source 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 emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period. [§63.6650(c)(5)]
  5. For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section. [§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)]

6. Each affected source that has obtained a title V operating permit pursuant to 40 CFR Part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.6650(f)]

## IV. Core Permit Requirements

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the Director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the Director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under Section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the Director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under Section 643.080 or 643.151, RSMo.
- 4) Nothing in this rule shall be construed to limit the authority of the Director or commission to take appropriate action, under Sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

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

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

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

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(5)(B)1.A(III)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)3.B]

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) 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.
- 3) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the Director.

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

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

### **10 CSR 10-6.150 Circumvention**

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

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

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the Director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.

- 3) Should it be determined that noncompliance has occurred, the Director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
  - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
  - b) Paving or frequent cleaning of roads, driveways and parking lots;
  - c) Application of dust-free surfaces;
  - d) Application of water; and
  - e) Planting and maintenance of vegetative ground cover.

#### **10 CSR 10-6.180 Measurement of Emissions of Air Contaminants**

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

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

- (1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- (2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
  - (A) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
    1. Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
  - (B) Yard waste, with the following exceptions:
    1. Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
- (3) Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- (4) Energizer Battery Manufacturing, Inc. may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the

occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Energizer Battery Manufacturing, Inc. fails to comply with the provisions or any condition of the open burning permit.

- (A) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the Director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the Director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- (5) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005, shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the Director.
- (6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

#### **10 CSR 10-3.090 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

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

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

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

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

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the Department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the Department.

Each person who offers training for asbestos abatement occupations must first obtain accreditation from the Department. Certain business entities that meet the requirements for state-approved exemption status must allow the Department to monitor training classes provided to employees who perform asbestos abatement.

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

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
  - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

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

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

## V. General Permit Requirements

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

### **10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.B Permit Duration**

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

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

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

- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's annual report shall be reported on the schedule specified in this permit, 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 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)**

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

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

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

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

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

None.

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

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

**10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions

limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:

- a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

The application utilized in the preparation of this permit was signed by Ms. Kandice Plagens, Plant Manager. On May 5, 2010, the Air Pollution Control Program was informed that Mr. Hugh Belgarde, Plant Manager is now the responsible official. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants

made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;  
or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) The Missouri Department of Natural Resources or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

## **VI. Attachments**

Attachments follow.

**ATTACHMENT A**  
10 CSR 10-6.260 Compliance Demonstration

This attachment may be used to demonstrate that the listed emission units are in compliance with 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*.

Allowable SO<sub>x</sub> emission limitation for indirect heating sources is 8 lb/MMBtu.

<b>Emission Unit</b>	<b>Description</b>	<b>Fuel</b>	<b>Emission Factor</b>	<b>Emission Factor (lb/MMBtu)</b>	<b>Emission Limit (lb/MMBtu)</b>	<b>Is the Emission Unit in compliance?</b>
C-08	Heating & Humidification – Steam Boiler	Fuel Oil No. 2	31.4 lb/1000 gallons	0.22	8	YES

The emission units meet the emission limitation without the use of a control device, therefore, CAM is not applicable.



**ATTACHMENT C**  
 10 CSR 10-3.060 Compliance Demonstration

This attachment may be used to demonstrate that the listed emission units are in compliance with 10 CSR 10-3.060, *Restriction of Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating*. Installation's Total Heat Input (Q) in MMBtu/hr:

Emission Unit	Description	MHDR (MMBtu/hr)
C-03	Heating – Hot Water Boiler No. 2	16.7
C-04	Hot Water Boiler No. 1	16.7
C-08	Heating & Humidification – Steam Boiler	10.4
C-12	Domestic Hot Water Heater	1.2
C-14	Heating & Humidification – Steam Boiler	8.4
<b>Total Q</b>		53.4

Allowable PM emission limitation for new indirect heating source having an intermediate capacity between 10 MMBtu and 2,000 MMBtu:

$$E = 1.31(Q)^{-0.338}$$

$$E = 1.31(53.4)^{-0.338} = 0.34 \text{ lb/MMBtu}$$

Emission Unit	Description	Emission Factor	Emission Factor (lb/MMBtu)	Emission Limit (lb/MMBtu)	Is the Emission unit in compliance?
C-03	Heating – Hot Water Boiler No. 2	7.6 lb/MMscf	0.007	0.34	YES
C-04	Hot Water Boiler No. 1	7.6 lb/MMscf	0.007	0.34	YES
C-08	Heating & Humidification – Steam Boiler	2.3 lb/1000 gallons	0.02	0.34	YES
C-12	Domestic Hot Water Heater	7.6 lb/MMscf	0.007	0.34	YES
C-14	Heating & Humidification – Steam Boiler	7.6 lb/MMscf	0.007	0.34	YES

Emission factors were taken from FIRE. The facility employs no control devices on these boilers. The calculations show that no further monitoring or record keeping is necessary because the emission units worst-case emissions are substantially lower than the applicable limit.





**ATTACHMENT F**

Method 9 Opacity Emissions Observations								
Company					Observer			
Location					Observer Certification Date			
Date					Emission Unit			
Time					Control Device			
Hour	Minute	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							
SUMMARY OF AVERAGE OPACITY								
Set Number	Time				Opacity			
	Start	End		Sum	Average			

Readings ranged from \_\_\_\_\_ to \_\_\_\_\_ % opacity.

Was the emission unit in compliance at the time of evaluation? \_\_\_\_\_  
 YES NO Signature of Observer





# STATEMENT OF BASIS

## **Voluntary Limitations**

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

## **Permit Reference Documents**

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

- 1) Intermediate Operating Permit Application, received July 16, 2009;
- 2) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None.

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

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

10 CSR 10-6.100, *Alternate Emission Limits* is not applicable because the installation is in an ozone attainment area.

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Processes* is not applicable because all of the PM emission sources at this installation were either indirect heating sources, had fugitive emissions, or emitted less than 0.5 lbs PM/hr.

## **Construction Permit Revisions**

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

Construction Permit No. 0693-002, Issued June 3, 1993:

This permit was revised by Construction Permit No. 0197-020, issued January 5, 1997. It is unclear if Construction Permit 0693-002 is superceded entirely or if just the production limitation was superceded. Construction Permit 0693-002 contains Special Conditions 1-4 which deal with the production limitation

and are assumed to be superceded. Special Condition 5, which requires adequate replacement bags be kept on site for the baghouses, has been incorporated into this permit as it is good operating practice.

Construction Permit No. 0197-020, Issued January 5, 1997:

This permit was revised by Construction Permit No. 0299-009, issued January 19, 1999. It is unclear if Construction Permit 0197-020 is superceded entirely or if just the production limitation was superceded. Construction Permit 0197-020 contains Special Condition 1, which simply states that if there are complaints regarding PM emissions from the facility a corrective action plan may be required, has been incorporated into this permit as a corrective action plan may be required by Air Pollution Control Program's Enforcement Section should there be complaints/violations issued to the facility for any pollutant. Special Conditions 2-4 contain production limitation provisions and are assumed to be superceded.

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

40 CFR Part 60, Subpart Dc - *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* is not applicable because the boilers at this facility do not burn coal or fuel oil.

40 CFR Part 60, Subpart IIII - *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* is not applicable because the emergency generators were constructed prior to the earliest compliance date listed within the subpart.

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

40 CFR Part 63, Subpart ZZZZ - *National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* is applicable to Emergency Generators C-19, C-20, C-21, and C-22 and has been applied within this permit. The compliance date is not until May 3, 2013.

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

None.

### **Other Regulatory Determinations**

A current Potential to Emit for the facility is calculated in the following table:

<b>Pollutant</b>	<b>Potential to Emit (tons/yr)</b>
CO	28.67
NO <sub>x</sub>	69.57
PM <sub>10</sub>	6.23
SO <sub>x</sub>	3.08
VOC	134.89*
HAPs	6.38

\*In order to obtain this Intermediate Operating Permit the installation has agreed to a voluntary condition to limit their VOC emissions below the major source threshold of 100 tons/year (see Permit Condition PW003).

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

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

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

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

Prepared by:

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Alana L. Rugen  
Environmental Engineer