



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: OP2011-009
Expiration Date: FEB 29 2016
Installation ID: 187-0075
Project Number: 2010-03-071

Installation Name and Address

Farmington Light & Power
110 West Columbia Street
Farmington, MO 63640-1792
St. Francois County

Parent Company's Name and Address

City of Farmington
110 West Columbia Street
Farmington MO, 63640

Installation Description:

Farmington Light and Power consists of 14 sets of Cummins/Onan Model 2000.2.DQKC internal combustion diesel engine generators, and a 1,250-gallon above ground diesel fuel oil storage tank. The diesel engine generators are intended for standby electric power production in the event of a power transmission failure affecting the city of Farmington. They will also be used proactively for peak-shaving purposes and for sales to parties outside the Farmington Light and Power system.

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Effective Date

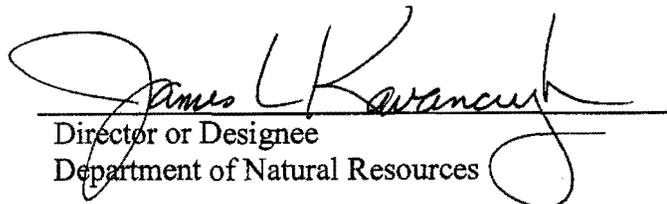

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Farmington Light and Power consists of 14 sets of Cummins/Onan Model 2000.2.DQKC internal combustion diesel engine generators, and a 1,250-gallon above ground diesel fuel oil storage tank. The diesel engine generators are intended for standby electric power production in the event of a power transmission failure affecting the city of Farmington. They will also be used proactively for peak-shaving purposes and for sales to parties outside the Farmington Light and Power system.

All sets are located in St. Francois County. Four sets are located at the Elm Street Substation, which has a legal description of NE ¼ of SW ¼, S31, T36N, R6E. Three sets are located at the Walton Street Substation, which has a legal description of SW ¼ of NW ¼, S36, T36N, R6E. Three sets are located at the Jefferson Street Substation, which has a legal description of NW ¼ of SE ¼, S1, T35N, R5E. Four sets are located at the Overall Road Substation, which has a legal description of SW ¼ of NW ¼, S11, T35N, R5E. For the purposes of this permit, all four substations are considered one installation.

The City of Farmington is responsible for all air emissions, for demonstrating compliance with all construction permit and operating permit conditions, for the EIQs, and for the annual emission fees.

Reported Air Pollutant Emissions, tons per year*								
Year	Particulate Matter ≤ Ten Microns (PM-10)	Particulate Matter ≤ 2.5 Microns (PM-2.5)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2009	0.01	0.01	0.94	2.07	0.06	0.32	0.00	0.00
2008	0.00	0.00	0.31	0.68	0.02	0.10	0.00	0.00
2007	0.01	0.01	0.05	2.13	0.06	0.33	0.00	0.00
2006	0.02	0.02	0.00	3.00	0.08	0.47	0.00	0.01
2005	0.07	0.07	0.24	10.81	0.30	1.68	0.00	0.01

*Tons per year rounded to two decimal places

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	EIQ Reference #	Description of Emission Unit	Make/Model	Year Engine Installed
Elm Street Substation Units				
EU0010	EP-01	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313601	2002
EU0020	EP-02	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # K010307761	2002
EU0030	EP-03	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313599	2002
EU0040	EP-04	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313594	2002
Walton Street Substation Units				
EU0050	EP-05	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313602	2002
EU0060	EP-06	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313600	2002
EU0070	EP-07	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313595	2002
Jefferson Street Substation Units				
EU0080	EP-08	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313596	2002
EU0090	EP-09	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313598	2002
EU0100	EP-10	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # L010313597.	2002

Overall Road Substation Units

Emission Unit #	EIQ Reference #	Description of Emission Unit	Make/Model	Year Engine Installed
EU0110	EP-11	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # K010307763	2002
EU0120	EP-12	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # K010307762	2002
EU0130	EP-13	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # K010307765	2002
EU0140	EP-14	Internal Combustion Diesel Engine Generator	Cummins/Onan Model 2000.2.DQKC, Serial # K010307764	2002

EMISSION UNITS WITHOUT LIMITATIONS

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

Emission Unit #	Description of Emission Unit
EU0150 - EU0180	Four (4) Above Ground Diesel Fuel Storage Tanks, 1,250 Gallon Capacity (each), Located at Elm Street Substation
EU0190 – EU0210	Three (3) Above Ground Diesel Fuel Storage Tanks, 1,250 Gallon Capacity (each), Located at Walton Street Substation
EU0220 – EU0240	Three (3) Above Ground Diesel Fuel Storage Tanks, 1,250 Gallon Capacity (each), Located at Jefferson Street Substation
EU0250 - EU0280	Four (4) Above Ground Diesel Fuel Storage Tanks, 1,250 Gallon Capacity (each), Located at Overall Road Substation

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit:

Construction Permit 042002-011.

II. Plant Wide Emission Limitations

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

Permit Condition PW001

10 CSR 10-6.060 Construction Permits Required
Construction Permit 042002-011

Emission Limitation:

Farmington Light and Power shall not discharge into the atmosphere 250.00 or more tons of nitrogen oxides (NO_x) from the entire installation (All 14 internal combustion diesel engine generators EU0010 through EU0140 as specified in this permit) in any consecutive 12-month period. [Construction Permit 042002-011, Special Condition 1A.]

Monitoring/Record Keeping:

Farmington Light and Power shall maintain the monthly and the sum of the most recent consecutive 12-month records of the NO_x emissions from the fourteen internal combustion diesel engine generators (EU0010 through EU0140.). Attachment A (Monthly NO_x Emissions Tracking Record), or equivalent forms, shall be used to demonstrate compliance with this requirement. [Construction Permit 042002-011, Special Condition 1B.]

Reporting:

Farmington Light and Power shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, no later than ten (10) days after the end of each month if the 12-month cumulative total (Special Condition 1B of Construction Permit 042002-011) records show that the source exceeded the limitation of Special Condition 1A of Construction Permit 042002-011. [Construction Permit 042002-011, Special Condition 1.C.]

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.

EU0010 through EU0140 - Internal Combustion Diesel Engine Generators			
(Equipment Put in Service: May 01, 2002)			
Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0010	Serial # L010313601, at Elm Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP01
EU0020	Serial # K010307761, at Elm Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP02
EU0030	Serial # L010313599, at Elm Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP03
EU0040	Serial # L010313594, at Elm Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP04
EU0050	Serial # L010313602, at Walton Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP05
EU0060	Serial # L010313600, at Walton Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP06
EU0070	Serial # L010313595, at Walton Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP07
EU0080	Serial # L010313596, at Jefferson Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP08
EU0090	Serial # L010313598, at Jefferson Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP09
EU0100	Serial # L010313597, at Jefferson Street Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP10

EU0110	Serial # K010307763, at Overall Road Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP11
EU0120	Serial # K010307762, at Overall Road Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP12
EU0130	Serial # K010307765, at Overall Road Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP13
EU0140	Serial # K010307764, at Overall Road Substation 137.3 gal/hr, 17.80 MMBTU/hr, 2.0 MW Fuel type: diesel fuel oil	Cummins / Onan Model 2000.2.DQKC	EP14

Permit Condition EU0010-001 through EU0140-001

10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds
 10 CSR 10-6.060 Construction Permits Required
 Construction Permit 042002-011

Emission Limitation:

- 1) Emissions from this source operation shall not contain more than 500 parts per million by volume (ppmv) of sulfur dioxide or more than 35 milligrams per cubic meter (mg/m³) of sulfuric acid or sulfur trioxide or any combination of those gases 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. [10 CSR 10-6.260(3)(B)¹ & 10 CSR 10-6.010 Ambient Air Quality Standards]

Operational Limitation:²

The diesel fuel oil combusted in the 14 engine generators shall have a sulfur content of 0.2 percent by weight or less. Farmington Light and Power shall maintain records of the fuel supplier certifications or analytical testing documentation on site for not less than five (5) years for Missouri Department of Natural Resources' review. [Construction Permit 042002-011, Special Condition 2.]

Monitoring/Record Keeping:

The permittee shall maintain records of the fuel type used verifying a sulfur content less than 0.2 percent by weight. Purchase receipts, analyzed samples or certifications that verify the fuel type as a grade level with a sulfur content less than 0.2 percent by weight will be acceptable.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

¹ 10 CSR 10-6.260(3)(B) is a state-only requirement

²Under 40 CFR Part 63, Subpart ZZZZ, the sulfur content limitation of Permit Condition EU0010-003 through EU0140-003 will come into effect on May 3, 2013. The more stringent sulfur limitations apply on and after May 3, 2013.

Permit Condition EU0010-002 through EU0140-002

10 CSR 10-6.390

Control of NO_x Emissions From Large Stationary Internal Combustion Engines

Note: The engines are exempt from the requirements of 10 CSR 10-6.390(3)(B)(3) and (4). Actual emission data since the first unit started operation shows that each of the units emitted much less than the 25 tons exemption level. If the exemption limit is exceeded, for any reason, the engine will be required to meet the applicable limits in 10 CSR 10-6.390(3)(B) each year thereafter. [10 CSR 10-6.390(1)(D)]

Recordkeeping:

Any owner or operator of a unit subject to this rule or to the exemption in Subsection (1)(D) of 10 CSR 10-6.390 shall maintain all records necessary to demonstrate compliance with this rule for a period of five (5) years at the plant at which the subject unit is located. The records shall be made available to the Director upon request. The owner or operator shall maintain records of the following information for each day of the control period the unit is operated: [10 CSR 10-6.390(4)(B)]

- 1) The identification number of each unit and the name and address of the plant where the unit is located for each unit subject to the requirements of this rule or to the exemption in Subsection (1)(D) of 10 CSR 10-6.390;
- 2) The calendar date of record;
- 3) The number of hours the unit is operated during each day including start-ups, shutdowns, malfunctions, and the type and duration of maintenance and repair;
- 4) The date and results of each emissions inspection;
- 5) A summary of any emissions corrective maintenance taken; and
- 6) The results of all compliance tests; and description of corrective actions taken.

Reporting:

The owner or operator subject to this rule or to the exemption in Subsection (1)(D) of 10 CSR 10-6.390 shall comply with the following requirements: [10 CSR 10-6.390(4)(A)]

- 1) The owner or operator shall submit to the Director the identification number and type of each unit subject to this rule or to the exemption in Subsection (1)(D) of 10 CSR 106-390, the name and address of the plant where the unit is located, and the name and telephone number of the person responsible for demonstrating compliance with this rule before May 1, 2007; and
- 2) The owner or operator shall submit an annual report documenting for each controlled unit or each unit subject to Subsection (1)(D) of 10 CSR 10-6.390 the total NO_x emissions from May 1 through September 30 of each year to the Director by November 1 of that year, beginning in 2007.

Permit Condition EU0010-003 through EU0140-003

10 CSR 10-6.075

Maximum Achievable Control Technology Regulations

40 CFR Part 63, Subpart ZZZZ

National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Note: You must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. [§63.6595(a)]

Emission Limitation:

- 1) The permittee must comply with the requirements in Table 2d to Subpart ZZZZ of Part 63 which apply to you. [§63.6595(a) & §63.6603(a)]
 - a) Limit concentration of CO in the stationary RICE exhaust to 23 parts per million, volumetric dry (ppmvd) at 15 percent O₂; or [Item 3a of Table 2d to Subpart ZZZZ]
 - b) Reduce CO emissions by 70 percent or more. [Item 3b of Table 2d to Subpart ZZZZ]
- 2) If you own or operate an existing non-emergency CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for non-road diesel fuel. [§63.6604]
 - a) Beginning May 3, 2013, except as otherwise specifically provided in 40 CFR 80 Subpart I, all non-road (NR) diesel fuel is subject to the following per-gallon standards: [40 CFR 80.510(b)]
 - i) Sulfur content of 15 ppm maximum for NR diesel fuel. [40 CFR 80.510(b)(1)(i)]
 - ii) A minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [40 CFR 80.510(b)(2)(i) & (ii)]

Operating Limitations:

For each stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst, you must meet the following operating limitation:

- 1) Maintain your catalyst so that the pressure drop across the catalyst does not change by more than two inches of water at 100 percent load plus or minus ten percent from the pressure drop across the catalyst that was measured during the initial performance test; and or [Item 1a of Table 2b to Subpart ZZZZ]
- 2) Maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.³ [Item 1b of Table 2b to Subpart ZZZZ]

General Compliance Requirements:

- 1) You must be in compliance with the emission limitations and operating limitations in Subpart ZZZZ of 40 CFR Part 63 that apply to you at all times. [§63.6605(a)]
- 2) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you 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)]

Testing and Initial Compliance Requirements:

- 1) Initial performance test:
 - a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to Subpart ZZZZ of 40 CFR Part 63 that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2). [§63.6612(a)]

³ Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.

- b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in §63.6612(b)(1) through (4). [§63.6612(b)]
 - i) The test must have been conducted using the same methods specified in Subpart ZZZZ of 40 CFR Part 63, and these methods must have been followed correctly. [§63.6612(b)(1)]
 - ii) The test must not be older than two years. [§63.6612(b)(2)]
 - iii) The test must be reviewed and accepted by the Administrator. [§63.6612(b)(3)]
 - iv) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes. [§63.6612(b)(4)]
- c) For each existing non-emergency, non-black start CI stationary RICE with a brake horsepower greater than 500 that are not limited use stationary RICE, you must conduct subsequent performance tests every 8,760 hours or three years, whichever comes first as specified in Table 3 of Subpart ZZZZ of 40 CFR Part 63 to limit or reduce CO or formaldehyde emissions. [§63.6615 & Item 4 of Table 3 to Subpart ZZZZ]
- d) You must conduct each performance test in Tables 3 and 4 of Subpart ZZZZ of 40 CFR Part 63 that applies to you in accordance with §63.6620.
- 2) Initial compliance with the emission limitations and operating limitations:
 - a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 5 of Subpart ZZZZ of 40 CFR Part 63. [§63.6630(a)]
 - b) During the initial performance test, you must establish each operating limitation in 2b of Subpart ZZZZ of 40 CFR Part 63 that applies to you. [§63.6630(b)]
 - c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645. [§63.6630(c)].

Continuous Compliance Requirements:

- 1) If you must comply with emission and operating limitations, you must monitor and collect data according to this section. [§63.6635(a)]
- 2) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously at all times that the stationary RICE is operating. [§63.6635(b)]
- 3) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods. [§63.6635(c)]
- 4) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 2b and 2d to Subpart ZZZZ of 40 CFR Part 63 that apply to you according to methods specified below (from Table 6 to Subpart ZZZZ of 40 CFR Part 63). [§63.6640(a)]

For Each...	Complying with the requirements to ...	You must demonstrate continuous compliance by ...
Existing stationary RICE greater than 500 HP that are not limited use stationary RICE	<ul style="list-style-type: none"> a. Reduce CO or formaldehyde emissions; or b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust. 	Conducting performance tests every 8,760 hours or three years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit.

Monitoring:

- 1) If you own or operate an existing non-emergency CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either §63.6625(g)(1) or §63.6625(g)(2). Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. [§63.6625(g)]
 - a) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or [§63.6625(g)(1)]
 - b) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [§63.6625(g)(2)]
- 2) You must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to Subpart ZZZZ apply. [§63.6625(h)]

Recordkeeping:

- 1) If you must comply with the emission and operating limitations, you must keep the records described in Paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of §63.6655. [§63.6655(a)]
 - a) A copy of each notification and report that you submitted to comply with Subpart ZZZZ of 40 CFR Part 63, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv). [§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 performance tests and performance evaluations as required in §63.10(b)(2)(viii). [§63.6655(a)(3)]
 - d) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]
 - e) 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) For each CEMS or CPMS, you must keep the records listed in Paragraphs (b)(1) through (3) of §63.6655. [§63.6655(b)]
 - a) Records described in §63.10(b)(2)(vi) through (xi). [§63.6655(b)(1)]
 - b) Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3). [§63.6655(b)(2)]
 - c) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable. [§63.6655(b)(3)]
- 3) You must keep the records required in Table 6 of Subpart ZZZZ of 40 CFR Part 63 to show continuous compliance with each emission or operating limitation that applies to you. [§63.6655(d)]
- 4) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1). [§63.6660(a)]
- 5) As specified in §63.10(b)(1), you must keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]

- 6) You must keep 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) You must report each instance in which you did not meet each emission limitation or operating limitation in Table 2b and Table 2d to Subpart ZZZZ of 40 CFR Part 63 that apply to you. These instances are deviations from the emission and operating limitations in Subpart ZZZZ of 40 CFR Part 63. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you re-establish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE. [§63.6640(b)]
- 2) You must also report each instance in which you did not meet the requirements in Table 8 to Subpart ZZZZ of 40 CFR Part 63 that apply to you. [§63.6640(e)]
- 3) Notification requirements. [§63.6645]
 - a) You 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 to you by the dates specified. [§63.6645(a)]
 - b) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1). [§63.6645(g)]
 - c) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to Subpart ZZZZ of 40 CFR Part 63, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii). [§63.6645(h)]
 - i) For each initial compliance demonstration required in Table 5 to Subpart ZZZZ of 40 CFR Part 63 that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration. [§63.6645(h)(1)]
 - ii) For each initial compliance demonstration required in Table 5 to Subpart ZZZZ of 40 CFR Part 63 that includes a performance test conducted according to the requirements in Table 3 to Subpart ZZZZ of 40 CFR Part 63, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2). [§63.6645(h)(2)]
- 4) Reporting requirements [§63.6650]
 - a) You must submit each report in Table 7 of Subpart ZZZZ of 40 CFR Part 63 that applies to you. [§63.6650(a)]
 - b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of Subpart ZZZZ of 40 CFR Part 63 and according to the requirements in Paragraphs (b)(1) through (b)(9) of §63.6650. [§63.6650(b)]
 - i) For semi-annual Compliance Reports, the first Compliance Report must cover the period beginning on the compliance date that is specified for your 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 your source in §63.6595. [§63.6650(b)(1)]

- ii) For semi-annual 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 your affected source in §63.6595. [§63.6650(b)(2)]
- iii) For semi-annual Compliance Reports, each subsequent Compliance Report must cover the semi-annual reporting period from January 1 through June 30 or the semi-annual reporting period from July 1 through December 31. [§63.6650(b)(3)]
- iv) For semi-annual 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 semi-annual reporting period. [§63.6650(b)(4)]
- v) 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 semi-annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance Reports according to the dates the permitting authority has established instead of according to the dates in Paragraphs (b)(1) through (b)(4) of §63.6650. [§63.6650(b)(5)]
- vi) For annual Compliance Reports, the first Compliance Report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on December 31. [§63.6650(b)(6)]
- vii) 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 your affected source in §63.6595. [§63.6650(b)(7)]
- viii) For annual Compliance Reports, each subsequent Compliance Report must cover the annual reporting period from January 1 through December 31. [§63.6650(b)(8)]
- ix) For annual Compliance Reports, each subsequent Compliance Report must be postmarked or delivered no later than January 31. [§63.6650(b)(9)]
- c) The Compliance Report must contain the information in Paragraphs (c)(1) through (6) of §63.6650. [§63.6650(c)]
 - i) Company name and address. [§63.6650(c)(1)]
 - ii) 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)]
 - iii) Date of report and beginning and ending dates of the reporting period. [§63.6650(c)(3)]
 - iv) If you 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)]
 - v) 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)]
 - vi) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period. [§63.6650(c)(6)]

- d) 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 emission or operating limitations in Subpart ZZZZ of 40 CFR Part 63, the Compliance Report must contain the information in Paragraphs (c)(1) through (4) of §63.6650 and the information in Paragraphs (d)(1) and (2) of §63.6650. [§63.6650(d)]
- i) The total operating time of the stationary RICE at which the deviation occurred during the reporting period. [§63.6650(d)(1)]
 - ii) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [§63.6650(c)(2)]
- e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in Subpart ZZZZ of 40 CFR Part 63, you must include information in Paragraphs (c)(1) through (4) and (e)(1) through (12) of §63.6650. [§63.6650(e)]
- i) The date and time that each malfunction started and stopped. [§63.6650(e)(1)]
 - ii) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks. [§63.6650(e)(2)]
 - iii) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8). [§63.6650(e)(3)]
 - iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period. [§63.6650(e)(4)]
 - v) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period. [§63.6650(e)(5)]
 - vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes. [§63.6650(e)(6)]
 - vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period. [§63.6650(e)(7)]
 - viii) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE. [§63.6650(e)(8)]
 - ix) A brief description of the stationary RICE. [§63.6650(e)(9)]
 - x) A brief description of the CMS. [§63.6650(e)(10)]
 - xi) The date of the latest CMS certification or audit. [§63.6650(e)(11)]
 - xii) A description of any changes in CMS, processes, or controls since the last reporting period. [§63.6650(e)(12)]
- f) 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 Subpart ZZZZ of 40 CFR Part 63 in the semi-annual 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 Subpart ZZZZ of 40 CFR Part 63 along with, or as part of, the semi-annual 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 Subpart ZZZZ of 40 CFR Part 63, submission of the Compliance Report shall be deemed to satisfy any obligation to report the same deviations in the semi-annual monitoring report. However, submission of a Compliance Report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.6650(f)]

Permit Condition EU0010-004 through EU0140-004

10 CSR 10-6.075

Maximum Achievable Control Technology Regulations

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

— §63.6665 General Provisions

40 CFR Part 63 Subpart A, General Provisions

Table 8 to 40 CFR Part 63 Subpart ZZZZ shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

IV. Core Permit Requirements

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

10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the Department Director; and

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

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

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

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

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall submit full emissions report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the Director.
- 2) The permittee may be required by the Director to file additional reports.

- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the an emissions report.
- 6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the Director. The reports shall be submitted to the Director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

10 CSR 10-6.150 Circumvention

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

10 CSR 10-6.170

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

Emission Limitation:

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

- c) Application of dust-free surfaces;
- d) Application of water; and
- e) Planting and maintenance of vegetative ground cover.

Monitoring:

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

The permittee shall maintain the following monitoring schedule:

- 1) The permittee shall conduct 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 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 B, or its equivalent, noting the following:

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

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-6.165 Restriction of Emission of Odors

This requirement is not federally enforceable.

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

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

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

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 by a permittee:
- a) Monitoring methods outlined in 40 CFR Part 64;
 - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
 - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
- a) Applicable monitoring or testing methods, cited in:
 - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
 - ii) 10 CSR 10-6.040, "Reference Methods";
 - iii) 10 CSR 10-6.070, "New Source Performance Standards";
 - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
 - b) Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

V. General Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None.

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

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

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

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

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

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

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

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

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

under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

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

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

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

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

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

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

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

This permit may be reopened for cause if:

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

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

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

VI. Attachments

Attachments follow.

STATEMENT OF BASIS

Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received March 22, 2010;
- 2) 2009 Emissions Inventory Questionnaire, and
- 3) 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 has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

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*

According to Air Pollution Control Program 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.

10 CSR 10-6.100, *Alternate Emission Limits*

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

Construction Permit Revisions

This operating permit makes no revisions to construction permits for this installation.

New Source Performance Standards (NSPS) Applicability

None of the New Source Performance Standards (NSPS) apply to this installation.

- 1) 40 CFR 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels*, does not apply to the storage tanks, because their capacity is less than forty cubic meters apiece.
- 2) 40 CFR 60 Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*, is not applicable because the stationary compression ignition engines were installed in 2002 which is prior to the applicability date of July 11, 2005.

Maximum Achievable Control Technology (MACT) Applicability

40 CFR Part 63, Subpart ZZZZ - *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)*.

On March 3, 2010, EPA promulgated NESHAP for existing stationary CI RICE with a site rating of less than or equal to 500 brake horsepower (HP) and are located at major sources of hazardous air pollutant emissions, existing non-emergency CI engines with a site rating greater than 500 HP at major sources, and existing stationary CI RICE of any power rating located at area sources.

Farmington Light & Power is an area source of hazardous air pollutants (HAPs). The installation operates stationary compression ignition reciprocating internal combustion engines (CI RICE) constructed/reconstructed before June 12, 2006 (existing). These CI engines are subject to the provision of this rule for existing non-emergency CI engines, located at area source of HAPs,

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

See "Other Air Regulations Determined Not to Apply to the Operating Permit" section of the Statement of Basis

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.

The pollutant specific emission units that use a control device to achieve compliance with 40 CFR Part 63, Subpart ZZZZ, one of the 112 standards promulgated after November 15, 1990, are excluded from the CAM rule. Therefore the installation is not subject to 40 CFR Part 64.

Greenhouse Gas Emissions

This installation is a major source for greenhouse gases. Major stationary sources are required by the Clean Air Act (CAA) to obtain Part 70 operating permits. While Part 70 permits generally do not establish new emissions limits, they consolidate applicable requirements, as defined in Missouri State Regulations 10 CSR 10-6.020(2)(A)23, into a comprehensive air permit. At the time of permit issuance, there were no applicable GHG requirements for this source.

Note that this source is 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 carbon dioxide (CO₂) emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO₂ emissions were not included within this permit. The applicant is required to report

the data directly to EPA. The public may obtain CO₂ emissions data for this installation by visiting EPA's Clean Air Markets website at: <http://camddataandmaps.epa.gov/gdm/index.cfm>

Other Regulatory Determinations

- 1) 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*
The Air Pollution Control Program has determined that fuel oils with a sulfur content of 0.2 percent or less by weight will not exceed the federally enforceable emission limits set forth in this regulation. The sulfur concentration in the fuel limitation is such that the Ambient Air Quality Standards in 10 CSR 10-6.260(4) will not be exceeded.
- 2) Other regulations such as 10 CSR 10-6.400, *Restriction of Particulate Matter from Industrial Processes*, 10 CSR 10-3.060, *Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating* and 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants* were not included in the proposed Part 70 Operating Permit for the following reasons:
 - a) 10 CSR 10-6.400(2) explains that process weight means the total weight of all materials introduced into a source operation, including solid fuels, but excluding liquids and gases used solely as fuels and excluding air introduced for purposes of combustion. Therefore, this regulation was not included in the operating permit.
 - b) 10 CSR 10-3.060 applies only to indirect heating units and these internal combustion engines are not considered indirect heating units therefore, this regulation was not included in the operating permit.
 - c) 10 CSR 10-6.220(1)(A) exempts this regulation from applying to internal combustion engines.

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:

Berhanu A. Getahun
Environmental Engineer

CERTIFIED MAIL: 70073020000315695844
RETURN RECEIPT REQUESTED

Mr. Gregory Beavers
Farmington Light & Power
110 West Columbia Street
Farmington, MO 63640-1792

Re: Farmington Light & Power, 187-0075
Permit Number: **OP2011-009**

Dear Mr. Beavers:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 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 regarding this permit, please do not hesitate to contact Berhanu Getahun at the St. Louis Regional Office, 7545 S. Lindbergh, Suite 210, St. Louis, MO 63125, or by telephone at (314) 416-2960. You may also contact me at the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:bgk

Enclosures

c: Southeast Regional Office
PAMS File: 2010-03-071