

**MISSOURI**  
 DEPARTMENT OF  
 NATURAL RESOURCES  
 Air Pollution Control Program

# INTERMEDIATE STATE PERMIT TO OPERATE

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

**Intermediate Operating Permit Number: OP2017-095**  
**Expiration Date FEB 23 2023**  
**Installation ID: 510-0047**  
**Project Number: 2016-11-023**

**Installation Name and Address**

Fred Weber, Inc.-Kingshighway Asphalt  
 1337 S. Kingshighway  
 St. Louis, MO 63110  
 St. Louis City

**Parent Company's Name and Address**

Fred Weber, Inc.  
 2320 Creve Coeur Mill Road  
 Maryland Heights, MO 63043

**Installation Description:**

Fred Weber, Inc.-Kingshighway Asphalt is an asphalt batch plant. The facility supplies Hot Mix Asphalt (HMA) and Cold Mix Asphalt (CMA) by loading it into trucks for paving of streets, driveways, and parking lots. It is a synthetic minor source of carbon monoxide.

*saf*  
 Prepared by:  
 Bern Johnson  
 Operating Permit Unit

*[Signature]*  
 Director or Designee  
 Department of Natural Resources

**FEB 23 2018**

Effective Date

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

Emission Point #	Description
EP1	Cold Aggregate Handling, constructed 1968
EP2 Stack 1	Dryer, 180 tons per hour design, natural gas, H&B, replaced 1985
	Hot Elevator, H&B, constructed 1963
	Screens, Deister, replaced 1982
	Hot bins (4), H&B, constructed 1963
	Mixer, H&B, constructed 1963
EP4 Stack 2	Asphalt Heater, 0.0011 MMCF per hour design, natural gas, Infern-o-Therm, replaced 2014

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

Emission Point #	Description
	500 gallon #2 diesel tank
	500 gallon unleaded gasoline tank
	One 30,000 gallon AC-20 tank
	Haul Roads
EP3	Stockpiles (0.75 acres)
	Truck dumping into cold feed bins
	Loadout for mixer

## II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

### PERMIT CONDITION PW 1

10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

#### **Emission Limitation:**

The permittee shall emit less than 100 tons of carbon monoxide from the entire installation in any consecutive 12-month period.

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

The permittee shall maintain an accurate record of carbon monoxide emissions. The permittee shall use worksheet in Attachment J or equivalent.

#### **Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program's Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after the end of the month during which the permittee determines that the installation exceeded the emission limitation listed above.
- 2) Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

### Permit Condition PW 2

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.

**Operational Limitations:**

- 1) The permittee will operate water sprinklers in the unpaved stockpile area of the facility to reduce fugitive emissions generated by the road and stockpiles, unless weather or safety do not allow the application of water.
- 2) The permittee will ensure that all vehicle traffic in the facility area observe a 5 mile per hour speed limit.
- 3) The permittee will sweep the paved areas of the facility by a vacuum sweeper truck at least once per month to keep dust that has been tracked off the unpaved portion from building up and creating a condition that would allow particulate matter to become airborne.
- 4) The permittee will maintain the paved areas of the facility between sweepings by use of a water hose to clean built up dust.

**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.
- 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.
- 4) The renewal of an operating permit does not require the installation to revert to weekly monitoring; instead, it should continue with the monitoring regime it is under at the time of issuance of the renewal permit.

**Recordkeeping:**

- 1) The permittee shall document all fugitive particulate matter observations, using Attachment A, B, and C, or their equivalents, noting the following:
  - a) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
  - b) Whether equipment malfunctions contributed to an exceedance.
  - c) Any violations and any corrective actions under taken to correct the violation.
- 2) The permittee shall continue to record all actions taken under **Operational Limitations:** using Attachment H or equivalent.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program's Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after the end of the month during which the permittee determines that the installation exceeded the emission limitation listed above.
- 2) Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

### III. Emission Unit Specific Emission Limitations

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

<b>Permit Condition 1</b>			
10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning			
Emission Point	Emission Point Description	Equipment Number	Control Devices
	Safety Kleen parts washer		

**Emission Limitation:**

- 1) The permittee shall not operate a cold cleaner using a solvent with a vapor pressure greater than 1.0 mm Hg at 20 degrees Celsius. Exception: The permittee may use an alternative method for reducing cold cleaning emissions if the level of emission control is equivalent to or greater than the requirements listed above. The director must approve the alternative method.
- 2) Each cold cleaner shall have a cover which will prevent the escape of solvent vapors from the solvent bath while in the closed position, or an enclosed reservoir which limits the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner.
- 3) When one or more of the following conditions exist, the design of the cover shall be such that it can be easily operated with one hand such that minimal disturbing of the solvent vapors in the tank occurs. (For covers larger than ten square feet, this shall be accomplished by either mechanical assistance such as spring loading or counter weighing or by power systems):
  - a) The solvent vapor pressure is greater than 0.3 psi measure at 37.8 degrees Celsius (37.8°C) (100 degrees Fahrenheit (100°F)), such as in mineral spirits.
  - b) The solvent is agitated; or
  - c) The solvent is heated.
- 4) Each cold cleaner shall have a drainage facility which will be internal so that parts are enclosed under the cover while draining.
- 5) If an internal drainage facility cannot fit into the cleaning system and the solvent vapor pressure is less than 0.6 psi measured at 37.8°C (100°F), then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath.
- 6) Solvent sprays, if used, shall be a solid fluid stream (not a fine, atomized or shower-type spray) and at a pressure which does not cause splashing above or beyond the freeboard.
- 7) A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment.
- 8) Any cold cleaner which uses a solvent that has a solvent vapor pressure greater than 0.6 psi measured at 37.8°C (100°F) or is heated above 48.9°C (120°F), must use one of the following control devices:
  - a) A freeboard ratio of at least 0.75;
  - b) Water cover (solvent must be insoluble in and heavier than water); or
  - c) Other control systems with a mass balance demonstrated overall VOC emissions reduction efficiency greater than or equal to 65%. These control systems must receive approval from the Director prior to their use.

- 9) Each cold cleaner shall be operated as follows:
  - a) Cold cleaner covers shall be closed whenever parts are not being handled in the cleaners or the solvent must drain into an enclosed reservoir.
  - b) Clean parts shall be drained in the freeboard area for at least 15 seconds or until dripping ceases, whichever is longer.
  - c) Whenever a cold cleaner fails to perform within the operating parameters established for it by this regulation, the unit shall be shut down immediately and shall remain shut down until trained service personnel are able to restore operation within the established operating procedures.
  - d) Solvent leaks shall be repaired immediately or the cleaner shall be shut down and leaks secured until the leaks are repaired.
  - e) Any waste material removed from a cold cleaner shall be disposed of by one of the following methods in accordance with the Missouri Hazardous Waste Management Commission Rules codified as 10 CSR 25, as applicable:
    - i) Reduction of the waste material to less than 20 percent VOC solvent by distillation and proper disposal of the still bottom waste, or
    - ii) Stored in closed containers for transfer to a contract reclamation service or disposal facility approved by the director.
    - iii) Waste solvent shall be stored in covered containers only.
- 10) Operators must be trained as follows:
  - a) Only persons trained in at least the operation and equipment requirements specified in this rule for their particular solvent metal cleaning process to operate this equipment;
  - b) The supervisor of any person who operates a solvent metal cleaning process shall receive equivalent or greater operational training than the operators; and
  - c) Refresher training shall be given to all solvent metal cleaning equipment operators at least once every 12 month period.

**Monitoring/Recordkeeping:**

- 1) The permittee shall monitor the throughputs of the solvents monthly and maintain safety data sheets of the cleanup solvents used at the installation.
- 2) The permittee shall maintain records for each purchase of cold cleaner solvent (Attachment G) that contain the following:
  - a) Name and address of the solvent supplier.
  - b) Date of purchase.
  - c) Type of solvent purchased.
  - d) Vapor pressure of solvent in mm Hg at 20<sup>o</sup>C or 68<sup>o</sup>F.
- 3) The permittee shall keep monthly inventory records of solvent types and amounts purchased and solvent consumed. The records shall include all types and amounts of solvent containing waste material transferred to either a contract reclamation service or to a disposal installation and all amounts distilled on the premises. The record also shall include maintenance and repair logs that occurred on the cold cleaner (Attachments D and F).
- 4) The permittee shall keep training records of solvent metal cleaning for each employee on an annual basis (Attachment E).
- 5) The permittee shall maintain all records required by this permit for not less than five years and shall make such records available to any Department of Natural Resources' personnel upon request.

**Reporting:**

Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

<b>PERMIT CONDITION 2</b>	
10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)	
<b>Emission Point</b>	<b>Emission Point Description</b>
EP2	dryer to cyclone, elevator, screens, hot bins, mixer

**Operational Limitation:**

The permittee shall operate and maintain a fabric filter on EP2. This filter shall be in use at all times that EP2 is in operation, and shall be operated and maintained in accordance with the manufacturer's specifications. Replacement bags shall be kept on hand at all times.

**Monitoring/Recordkeeping:**

- 1) The permittee shall monitor and record the pressure drop across the filter at least once each operating day that the unit is operating. The operating pressure drop shall be maintained in accordance with the manufacturer's specifications. The permittee shall use Attachment I or equivalent.
- 2) The permittee shall continue to maintain an operating and maintenance log for each control device using Attachment D or equivalent. The log(s) shall include the following:
  - a) Incidents of malfunction, with impact on emissions, duration of the event, probable cause of the event, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 4) All records must be maintained for five years.
- 5) Records may be maintained electronically or in hard copy form.

**Reporting:**

Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.



<b>PERMIT CONDITION 3</b>	
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR 63 Subpart CCCCC Gasoline Dispensing Facilities	
Emission Unit	Description
	500 gallon unleaded gasoline tank

**Operational Limitation:**

- 1) The permittee shall adhere to the following requirements:
  - a) the permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
    - i) Minimize gasoline spills [§63.11116(a)(1)];
    - ii) Clean up spills as expeditiously as practicable [§63.11116(a)(2)];
    - iii) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use [§63.11116(a)(3)];
    - iv) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators [§63.11116(a)(4)].
  - b) Portable gasoline containers that meet the requirements of 40 CFR 59, Subpart F, are considered acceptable for compliance with operational limit 1.(a)(3) [§63.11116(d)].

**Monitoring:**

None-See Statement of Basis.

**Notifications/Recordkeeping/Reporting:**

- 1) The permittee is not required to submit notifications or reports as specified in §63.11125, §63.11126, or 40 CFR 63 Subpart A, but must have records available within 24 hours of a request by the Administrator to document gasoline throughput [§63.11116(b)].
- 2) The permittee shall, upon request by the Administrator, demonstrate that the monthly throughput is less than the 10,000 gallon threshold level. Records of fuel purchases will satisfy this requirement. [§63.11111(e)].

## IV. Core Permit Requirements

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

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

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

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

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

and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

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

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

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

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

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

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

The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

#### **10 CSR 10-6.100 Alternate Emission Limits**

Proposals for alternate emission limitations shall be submitted on Alternate Emission Limits Permit forms provided by the department. An installation owner or operator must obtain an Alternate Emission Limits Permit in accordance with 10 CSR 10-6.100 before alternate emission limits may become effective.

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

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

- 4) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.

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

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

**10 CSR 10-6.150 Circumvention**

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

**10 CSR 10-6.165 Restriction of Emission of Odors**

**This is a State Only permit requirement.**

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

**10 CSR 10-6.180 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 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**

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

#### **10 CSR 10-6.280 Compliance Monitoring Usage**

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

#### **10 CSR 10-5.040 Use of Fuel in Hand-Fired Equipment Prohibited**

No owner or operator shall operate applicable hand-fired fuel burning equipment unless the owner or operator meets the conditions set forth in 10 CSR 10-5.040. This regulation shall apply to all hand-fired fuel-burning equipment at commercial facilities including, but not limited to, furnaces, heating and cooking stoves and hot water furnaces. It shall not apply to wood-burning fireplaces and wood-burning stoves in dwellings, nor to fires used for recreational purpose, nor to fires used solely for the preparation of food by barbecuing or to other equipment exempted under 10 CSR 10-5.040. Hand-fired fuel-burning equipment is any stove, furnace, or other fuel-burning device in which fuel is manually introduced directly into the combustion chamber.

#### **10 CSR 10-5.060 Refuse Not to be Burned in Fuel Burning Installations (Rescinded on February 11, 1979, Contained in State Implementation Plan)**

No person shall burn or cause or permit the burning of refuse in any installation which is designed for the primary purpose of burning fuel.

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

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.

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

## V. General Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

None



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

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

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

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:

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

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

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

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

The application utilized in the preparation of this permit was signed by Roger L. Gagliano, President of Operations & COO. In addition, the following individuals were designated responsible officials with authority to bind the installation in environmental permitting affairs in the application:

- Douglas Weible – Chairman, CEO
- Dale Hoette – President & CFO
- Roger Gagliano – President of Operations & COO
- Konn Wilson – President Business Development
- Wendy Alexander – Senior Vice President Financial Management
- Julie Shields, Sr. VP Human Resources
- Debbie Puyear – Vice President Corporate Services & Treasurer
- Paul Robinson – Vice President Material Services

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

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

This permit may be reopened for cause if:

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

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

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

## VI. Attachments

Attachments follow.





**Attachment C**

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

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

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











**Attachment H**  
Dust Suppression Activity Log

**Dust Suppression Used**

enter a 1 in the correct  
column

Date	Washed		
	Lot	Sweeper	Rain
2/1/2012			
2/2/2012		1	
2/3/2012			1
2/4/2012			
2/5/2012			
2/6/2012			
2/7/2012			
2/8/2012			
2/9/2012			
2/10/2012			
2/11/2012			
2/12/2012			
2/13/2012			
2/14/2012			
2/15/2012			
2/16/2012			
2/17/2012			
2/18/2012			
2/19/2012			
2/20/2012			
2/21/2012			
2/22/2012			
2/23/2012			
2/24/2012			
2/25/2012			
2/26/2012			
2/27/2012			
2/28/2012			
2/29/2012			



**Attachment J**  
**Carbon Monoxide Compliance Worksheet**

<b>Emission Point</b>	<b>Month, Year</b>	<b>Usage Units</b>	<b>Monthly Usage Amount.</b>	<b>CO Emission Factor</b>	<b>CO (lbs.)</b>	<b>CO (ton)</b>	<b>Previous 11-month total (ton)</b>	<b>12-month rolling total</b>
Example STACK #1 (HOT ELEV. SCREENS, BINS & MIXER)	09, 2010	tons	12,974	0.4	5189.6	2.6		
Example STACK #2 (HEATER)	09, 2010	Millions of cubic feet	5.3	35	185.5	0.1		
Monthly Summary	09, 2010					2.7	0	2.7

Note: A 12-Month rolling CO emission total of less than or equal to 100 tons for the installation indicates compliance.

## STATEMENT OF BASIS

### Voluntary Limitations

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

### INSTALLATION DESCRIPTION

Fred Weber is an asphalt batch plant. The facility supplies Hot Mix Asphalt and Cold Mix Asphalt by loading it into trucks for paving of streets, driveways, and parking lots. It is a synthetic minor source of carbon monoxide. It is a named source and fugitive emissions are counted for potential-to-emit.

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) <sup>1</sup>	HAP	Potential to Emit (tons/yr) <sup>1</sup>
CO	315.53	ethylbenzene	1.73
NO <sub>x</sub>	20.37	toluene	0.79
PM <sub>10</sub>	35.24	xylene	2.13
PM <sub>2.5</sub>	26.39	HAPs	4.66
SO <sub>x</sub>	3.63		
VOC	6.48		

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

### Reported Air Pollutant Emissions, tons per year

Pollutants	2016	2015	2014	2013	2012
PM <sub>10</sub>	0.04	0.04	0.04	0.23	0.23
PM <sub>2.5</sub>	0.04	0.04	0.04	0.10	0.10
SO <sub>x</sub>	0.06	0.06	0.06	0.06	0.06
NO <sub>x</sub>	0.31	0.31	0.31	0.52	0.52
VOC	0.10	0.10	0.10	0.11	0.11
CO	4.94	4.94	4.94	5.29	5.29
*HAPs	0.07	0.07	0.07	0.07	0.07

\* - HAPs are not reported to MOEIS; the values in the tables are based on PTE ratio of HAP/VOC.

### **Permit Reference Documents**

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

- 1) Intermediate Operating Permit Application, received November 8, 2016;
- 2) 2016 Emissions Inventory Questionnaire, received March 25, 2017;
- 3) WebFIRE; and
- 4) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

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

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

10 CSR 10-6.260, Restriction of Emission of Sulfur Compounds/10 CSR 10-6.261 Control of Sulfur Dioxide Emissions – these rules do not apply because the asphalt heater (EP4) and the dryer (EP2) both use pipeline grade natural gas exclusively.

The following three state rules were applied in the previous operating permit as permit conditions. However, those conditions mentioned that the emission units were exempt. For this document, they have been placed in this section instead of Section II or III.

10 CSR 10-6.220, Restriction of Emission of Visible Air Contaminants – this rule does not apply because the all emission units are exempt under (1)(K) or (1)(L).

10 CSR 10-6.400, Control of Emission of Particulate Matter From Industrial Processes – EP1 and 3 are fugitive emissions and exempt under (1)(B)(7), EP4 is an indirect heating source and is exempt under (1)(B)(6), and EP2 is required to use a fabric filter and is exempt under (1)(B)(15).

10 CSR 10-6.405 Restriction of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating – this rule does apply, but because the asphalt heater (EP4) uses only natural gas, it is deemed in compliance.

### **Construction Permit History**

None

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

40 CFR 60 Subpart I—*Standards of Performance for Hot Mix Asphalt Facilities* does not apply because the facility was constructed prior to June 11,1973.

40 CFR 60 Subpart OOO—*Standards of Performance for Nonmetallic Mineral Processing Plants* does not apply because the installation does not have crushing or grinding mills.

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

40 CFR Part 63 Subpart CCCCCC – National Emissions Standards for Hazardous Air Pollutants for Gasoline Dispensing Facilities – this rule applies to gasoline dispensing facilities. Because the monthly throughput is less than 10,000 gallons, the only requirements are those listed in Permit Condition 3.

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

None

**Other Regulatory Determinations**

None

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

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

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

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



## Response to Public Comments

A draft of the Intermediate Operating Permit for Fred Weber, Inc.-Kingshighway Asphalt was placed on public notice on October 27, 2017, by the Missouri Department of Natural Resources (MDNR). Comments were received from Ms. Lina Klein of Fred Weber, Inc.-Kingshighway Asphalt. The ten comments are addressed in the order in which they appear within the letter.

**Comment #: 1**

**Installation Description:** The first sentence should reference the correct installation name "Fred Weber, Inc. - Kingshighway Asphalt...".

**Comment #: 2**

**Permit Condition PW 1, Monitoring/Recordkeeping: 1)a):** The condition should specify that the emission factor for EP4 is in "lbs/MMSCF **natural gas**".

**Comment #: 3**

**Permit Condition PW 2, Recordkeeping: 1):** The condition should specify "the permittee shall document all **fugitive particulate matter emissions** observations ... " as this is the pollutant regulated by 10 CSR 10-6.170.

**Comment #: 4**

**Permit Condition 2:** EP2 relies on a single fabric filter (baghouse). Each plural instance of "filters" or "fabric filters" should be removed and replaced by "**fabric filter**" or "**baghouse**", as defined in 10 CSR 10-6.020(F)2.

**Response to Comments 1-4:** The suggested corrections were made.

**Comment #: 5**

**Permit Condition 3, Operational Limitation(s) and Recordkeeping:** The current structure of the permit condition addresses recordkeeping and notification requirements under "Operational Limitation(s)" and contains imprecise language under "Recordkeeping". Knowing that the 10,000-gallon threshold could only be exceeded if Fred Weber, Inc. completely emptied and refilled the 500-gallon tank more than twenty times in a month, exceedance of the threshold is highly unlikely. Compliance management of this area source MACT rests with EPA Region 7. The following proposed changes will allow Fred Weber, Inc. to sufficiently demonstrate compliance with the regulation upon request by the Administrator, by incorporating clear language found in other recently-issued operating permits and without being overly burdensome to Fred Weber, Inc.

- a. Change draft "Recordkeeping" title to "Notifications/Recordkeeping".
- b. Move the draft "Operational Limitation: 1)b)" language to the newly named section "Notifications/Recordkeeping".
- c. Replace the current draft wording under "Recordkeeping" with the following: "The permittee shall, upon request by the Administrator, demonstrate that the monthly throughput is less than the 10,000 gallon threshold level. Records of fuel purchases will satisfy this requirement.

**Response to Comment:**

The suggested changes were made.

**Comment #: 6**

**Core Permit Requirements - 10 CSR 10-6.220 Restriction of Emission of Visible Air**

**Contaminants:** This regulation does not apply to any source at the installation. This regulation should be listed in the "Other Air Regulations Determined Not to Apply to the Operating Permit" section of the Statement of Basis.

Should MDNR determine that the regulation remain under IV. Core Permit Requirements, the permit condition should specify for what length of time the USEPA Test Method 22 should be conducted and provide an example recordkeeping form that mirrors that found in USEPA Test Method 22.

In lieu of USEPA Test Method 22, should MDNR authorize "Method 22-like" observations, the required observation time should be stated and recordkeeping forms should clearly provide for what is required to document compliance.

**Response to Comment:**

Fred Weber, Inc. – Kingshighway Asphalt is not subject to 10 CSR 10-6.220. The Statement of Basis was updated.

**Comment #: 7**

**General Permit Requirements - 10 CSR 10-6.020(2)(R)34 Responsible Official:** The permit application contained a listing of persons at Fred Weber, Inc. that meet the definition of Responsible Official. Due to the dynamic environment in which Fred Weber, Inc. operates, the listing of a single individual places an undue burden on the installation to obtain certifications in a timely manner to comply with reporting requirements. The listing of all persons identified in the application dated November 7, 2016 should be listed in this section, as has been done with other Fred Weber, Inc. operating permits.

**Response to Comment:**

The list of additional individuals with authority to bind the installation in environmental permitting affairs was added to Section V.

**Comment #: 8**

**Attachment A, Recordkeeping Provisions (multiple sections):** The permit contains references to custom spreadsheets and/or guidance in Attachment A under each condition's recordkeeping provisions, including permit conditions: PW 1, PW 2, 1, 2, and  
As the permitting authority, MDNR has customarily provided examples of acceptable recordkeeping forms for public review and comment. Placing a statement in Attachment A that the Air Program staff has reviewed and approves of the installation's custom spreadsheets does not allow for public or EPA Region 7 review and comment. Inclusion of the recordkeeping forms in the draft minimizes the potential for future perceived inconsistencies between permit requirements, recordkeeping forms, and electronic records utilized by a permitted installation. Example spreadsheets drafted by MDNR or printed versions of the custom spreadsheets should have been included in the publicly noticed draft permit. Fred Weber, Inc. requests that the

permit be placed on notice again, with applicable recordkeeping attached and subsequently, as part of the final permit. Attachment A, as it is currently drafted, should be removed from the permit.

**Response to Comment:**

Recordkeeping pages have been added, as requested.

**Comment #: 9**

**Statement of Basis - Other Air Regulations Determined Not to Apply to the Operating Permit:**

10 CSR 10-6.260 is listed but was rescinded November 30, 2015. The rescinded regulation should not be included in the permit.

10 CSR 10-6.220 should be listed in this section as it does not apply to any unit at the installation.

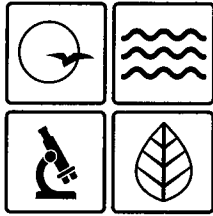
**Response to Comment:**

Current Air Program policy is to include 10 CSR 10-6.260 because it is still part of the State Implementation Plan. 10 CSR 10-6.220 does not apply to fugitive emissions or natural gas combustion. The rule was removed from Section IV and the Statement of Basis was updated.

**Comment #: 10**

**Statement of Basis - Other Regulatory Determinations:** The permit states that EP4 is exempt from 10 CSR 10-6.400 since it combusts only natural gas. The unit is exempt from the regulation per 10 CSR 10-6.400(1)(8)(6) not because it combusts natural gas but because it is an indirect heating source. The exemption criteria should be corrected.

**Response to Comment:** The correction was made.



Missouri Department of [dnr.mo.gov](http://dnr.mo.gov)

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

**FEB 23 2018**

Mr. Roger L. Gagliano  
Fred Weber, Inc.-Kingshighway Asphalt  
2320 Creve Coeur Mill Road  
Maryland Heights, MO 63043

Re: Fred Weber, Inc.-Kingshighway Asphalt, 510-0047  
Permit Number: OP2017-095

Dear Mr. Gagliano

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

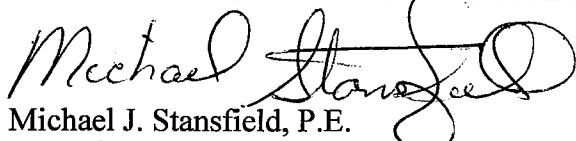
This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:bjj

Enclosures

c: PAMS File: 2016-11-023

