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: OP2012-021A
Expiration Date: May 13, 2017
Installation ID: 027-0007
Project Number: 2013-03-050

Installation Name and Address
Fulton Municipal Utilities
2101 Power Drive
Fulton, MO 65251
Callaway County

Parent Company's Name and Address
City of Fulton
P.O. Box 130
Fulton, MO 65251

Installation Description:
Fulton Municipal Utilities is an electric generating peaking station consisting of one 284.75 million British thermal unit per hour (MMBtu/hr) heat input simple cycle combustion turbine, two 48.25 MMBtu/hr heat input each, reciprocating internal combustion engines (RICE), one 67.8 MMBtu/hr heat input RICE, and a 1.0 MMBtu/hr heat input space heater boiler. The turbine and RICE are fired by No. 2 fuel oil (diesel) and natural gas. The boiler is fired by natural gas. The installation also includes two 250,000 gallon, one 9,000 gallon, two 8,000 gallon diesel storage tanks and smaller diesel storage tanks. This significant modification is due to a request by the facility to change the rating of the Cl RICE units to emergency use only. The facility will remain a major source of nitrogen oxides (NOx), carbon monoxide (CO), Hazardous Air Pollutants (HAPS) and greenhouse gases (CO2e).

Effective Date: NOV 06 2013
Director or Designee
Department of Natural Resources
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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION
Fulton Municipal Utilities is an electric generating peaking station consisting of one 284.75 million British thermal unit per hour (MMBtu/hr) heat input simple cycle combustion turbine, two 48.25 MMBtu/hr heat input each, reciprocating internal combustion engines (RICE), one 67.8 MMBtu/hr heat input RICE, and a 1.0 MMBtu/hr heat input space heater boiler. The turbine and RICE are fired by No.2 fuel oil (diesel) and natural gas. The boiler is fired by natural gas. The installation also includes two 250,000 gallon, one 9,000 gallon, two 8,000 gallon diesel storage tanks and smaller diesel storage tanks. This significant modification is due to a request by the facility to change the rating of the CI RICE units to emergency use only. The facility will remain a major source of nitrogen oxides (NOx), carbon monoxide (CO), Hazardous Air Pollutants (HAPS) and greenhouse gases (CO2e).

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Particulate Matter ≤ Ten Microns (PM10)</td>
<td>0.13</td>
<td>0.05</td>
<td>0.04</td>
<td>0.04</td>
<td>0.17</td>
</tr>
<tr>
<td>Particulate Matter ≤ 2.5 Microns (PM2.5)</td>
<td>0.11</td>
<td>0.03</td>
<td>0.01</td>
<td>0.04</td>
<td>0.19</td>
</tr>
<tr>
<td>Sulfur Oxides (SOx)</td>
<td>0.10</td>
<td>0.03</td>
<td>0.01</td>
<td>0.01</td>
<td>0.09</td>
</tr>
<tr>
<td>Nitrogen Oxides (NOx)</td>
<td>2.47</td>
<td>1.38</td>
<td>1.68</td>
<td>1.68</td>
<td>5.30</td>
</tr>
<tr>
<td>Volatile Organic Compounds (VOC)</td>
<td>0.15</td>
<td>0.06</td>
<td>0.03</td>
<td>0.03</td>
<td>0.15</td>
</tr>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>0.54</td>
<td>0.31</td>
<td>0.41</td>
<td>0.41</td>
<td>1.29</td>
</tr>
<tr>
<td>Lead (Pb)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hazardous Air Pollutants (HAPs)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ammonia (NH3)</td>
<td>0.10</td>
<td>0.10</td>
<td>0.14</td>
<td>0.14</td>
<td>0.28</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Emission Unit #</th>
<th>Description of Emission Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU-0010</td>
<td>Emergency Generator 1 (EP-01)</td>
</tr>
<tr>
<td>EU-0020</td>
<td>Emergency Generator 2 (EP-02)</td>
</tr>
<tr>
<td>EU-0030</td>
<td>Emergency Generator 3 (EP-03)</td>
</tr>
<tr>
<td>EU-0040</td>
<td>Turbine (EP-04)</td>
</tr>
</tbody>
</table>
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.

Description of Emission Source
1.0 MMBtu/hr heat input natural gas fired space heating (installed 1998) (EP-05)
250,000 gallon diesel tank 1 (installed 1972) (EP-06)
250,000 gallon diesel tank 2 (installed 1972) (EP-07)
9,000 gallon diesel tank (EP-08)
8,000 gallon diesel tank (EP-09)
8,000 gallon diesel tank (EP-10)
288 gallon diesel day tank 1
288 gallon diesel day tank 2
288 gallon diesel day tank 3
 Bulk diesel loading station (EP-11)
 Bulk diesel unloading station (EP-12)

DOCUMENTS INCORPORATED BY REFERENCE
These documents have been incorporated by reference into this permit.

None
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.

None.
III. Emission Unit Specific Emission Limitations

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

<table>
<thead>
<tr>
<th>Emission Unit</th>
<th>Description</th>
<th>Manufacturer/Model #</th>
<th>2003 EIQ Reference #</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU0010</td>
<td>48.25 MMBtu/hr input 4SLB diesel/natural gas fired generator, installed 1963, 5.25 MW, 184.4 Liters displacement per cylinder</td>
<td>Nordberg TSGL 218-SC</td>
<td>EP01</td>
</tr>
<tr>
<td>EU0020</td>
<td>48.25 MMBtu/hr input 4SLB diesel/natural gas fired generator, installed 1963, 5.25 MW, 184.4 Liters displacement per cylinder</td>
<td>Nordberg TSGL 218-SC</td>
<td>EP02</td>
</tr>
<tr>
<td>EU0030</td>
<td>67.80 MMBtu/hr input 4SLB diesel/natural gas fired generator, installed 1969, 6.5 MW, 184.4 Liters displacement per cylinder</td>
<td>Nordberg TSGL 2112-SC</td>
<td>EP03</td>
</tr>
<tr>
<td>EU0040</td>
<td>284.75 MMBtu/hr input diesel/natural gas fired turbine, installed 1971, 18 MW</td>
<td>Pratt &amp; Whitney GG4</td>
<td>EP04</td>
</tr>
</tbody>
</table>

PERMIT CONDITION 001 (EU0010-EU0040)

10 CSR 10-6.260
Restriction of Emission of Sulfur Compounds

Emission Limitation:
No person shall cause or permit the emission into the atmosphere gases from an existing source containing more than two thousand parts per million by volume (2,000 ppmv) of sulfur dioxide or more than seventy milligrams per cubic meter (70mg/cubic meter) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three (3)-hour time period.

Operational Limitation/Equipment Specifications:
EU0010, EU0020, EU0030, and EU0040 shall be limited to burning natural gas, No. 1 fuel oil, and No. 2 fuel oil, where the fuel oil sulfur content does not exceed 500 parts per million (0.05% weight).

Monitoring/Recordkeeping:
1. The permittee shall maintain an accurate record of the sulfur content of fuel used. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be maintained for five years.

**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).

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**PERMIT CONDITION 002 (EU0010-EU0030)**

40 CFR 63 Subpart ZZZZ

National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Note: This unit is located at an major source of HAP, and was constructed before June 12, 2006, therefore is classified as an existing source for the purpose of 40 CFR 63, subpart ZZZZ. These engine types are exempt from MACT ZZZZ if they meet the usage limitations of 40 CFR 63.6640(f). No other requirements apply from this rule.

**Annual Usage Limitations:**
1. The permittee shall operate the emergency stationary RICE according to the requirements in paragraphs §63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs §63.6640(f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs §63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines. [§63.6640(f)]
   a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
   b) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs §63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by this paragraph §63.6640(f)(2). [§63.6640(f)(2)]
      i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
      ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 63.14), or other authorized
entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]

iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]

c) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph §63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(3)]

**Reporting:**
The permittee shall report any deviations of this permit condition to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after exceeding the usage limitation described in 40 CFR 63.6640(f)(2).
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) Fulton Municipal Utilities 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 Fulton Municipal Utilities 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 Recordkeeping. 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.

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]


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

2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

**10 CSR 10-6.100 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 Submission of Emission Data, Emission Fees and Process Information**

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

2) The permittee may be required by the Director to file additional reports.

3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.

4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.

5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.

6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the Director. The reports shall be submitted to the Director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.

7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.

8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.
**10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential**

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

**10 CSR 10-6.150 Circumvention**

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

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

**Emission Limitation:**

1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the Director.

2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.

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

**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 A, or its equivalent, noting the following:
1) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
2) Whether 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. This odor evaluation shall be taken at a location outside of the installation’s property boundary.

**10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**
The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos
abatement occupations must first obtain accreditation from the department. Certain business
tentities that meet the requirements for state-approved exemption status must allow the
department to monitor training classes provided to employees who perform asbestos abatement.

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

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

2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
   a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
   b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
   c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
   d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping 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 Recordkeeping and Reporting Requirements

1) Recordkeeping

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, recordkeeping, 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, 11201 Renner Blvd., Lenexa, KS 66219, 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 applicable requirements are included and specifically identified in this permit, or
   b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.

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

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

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

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

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

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

1) Section 502(b)(10) changes. Changes that, under Section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, 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, 11201 Renner Boulevard, Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the 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, 11201 Renner Boulevard, Lenexa, KS 66219, 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 William Johnson, Director of Administration. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

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

2) 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.
## Attachment A
Fugitive Emission Observations

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<tr>
<th>Date</th>
<th>Time</th>
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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 6, 2009.
2) 2010 Emissions Inventory Questionnaire.
4) 40 CFR 89 Subpart C, Stationary Fuel Combustion Sources, Table C-3.
5) U.S. EPA document, PSD and Title V Permitting Guidance for Greenhouse Gases Appendix I, March 2011; and
6) Letter from Fulton Municipal Utilities requesting reclassification of CI RICE units to emergency use only, received December 24, 2012.

Applicable Requirements Included in the Operating Permit but Not in the Application or Previous Operating Permits
In the operating permit application, the installation indicated they were not subject to the following regulation(s). However, in the review of the application, the agency has determined that the installation is subject to the following regulation(s) for the reasons stated.

None.

Other Air Regulations Determined Not to Apply to the Operating Permit
The Air Pollution Control Program (APCP) has determined the following requirements to not be applicable to this installation at this time for the reasons stated.

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

10 CSR 10-6.345 Control of NO\textsubscript{x} Emissions From Upwind Sources is not applicable to the installation. The installation is located in Callaway County which is not one of the counties listed in 10 CSR 10-6.345(1)(A).

10 CSR 10-6.350 Emission Limitations and Emissions Trading of Oxides of Nitrogen is not applicable to the installation. The installation does not serve a generator with a nameplate capacity of greater than twenty-five megawatts (25 MW) per 10 CSR 10-6.350(1)(A).1

10 CSR 10-6.360 Control of NO\textsubscript{x} Emissions From Electric Generating Units and Non-Electric Generating Boilers is not applicable to the installation. The installation is located in Callaway County which is not one of the counties listed in 10 CSR 10-6.360(1)(A).

10 CSR 10-6.362 Clean Air Interstate Rule Annual NO\textsubscript{x} Trading Program is not applicable to the installation. The installation does not serve a generator with a nameplate capacity of greater than 25 MW per 10 CSR 10-6.362(1)(A).1
10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO\textsubscript{x} Trading Program* is not applicable to the installation. The installation does not serve a generator with a nameplate capacity of greater than 25 MW per 10 CSR 10-6.364(1)(A)1.

10 CSR 10-6.366 *Clean Air Interstate Rule SO\textsubscript{2} Trading Program* is not applicable to the installation. The installation does not serve a generator with a nameplate capacity of greater than 25 MW per 10 CSR 10-6.366(1)(A)1.

10 CSR 10-6.390 *Control of NO\textsubscript{x} Emissions From Large Stationary Internal Combustion Engines* is not applicable to the installation. The installation is located in Callaway County, which is not one of the counties listed in 10 CSR 10-6.390(1).

10 CSR 10-6.400 *Restriction of Emission of Particulate Matter From Industrial Processes* is not applicable to the installation. Generators 1, 2, and 3 and the turbine are restricted to combusting No. 1 fuel oil, No. 2 fuel oil, or natural gas. These fuels do not meet the definition of process weight within 10 CSR 10-6.400(2)(A).

10 CSR 10-6.405 *Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used For Indirect Heating* is not applicable to the installation. The only applicable unit is the boiler (EP-05). It fires natural gas and is exempt per 10 CSR 10-6.405(1)(E).

**Construction Permit Revisions**
No construction permits have been issued to this installation.

**New Source Performance Standards (NSPS) Applicability**
No 40 CFR 60 Subparts apply to this installation.


40 CFR 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984* does not apply to the storage tanks as they are either less than 40 cubic meters in volume or were installed before July 23, 1984.

40 CFR 60 Subpart GG, *Standards of Performance for Stationary Gas Turbines* does not apply to the turbine as it was installed before October 3, 1977.

40 CFR 60 Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* does not apply to the generators as they were installed before July 11, 2005.
40 CFR 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines does not apply to the generators as they were installed before June 12, 2006, and based upon annual fuel usage have been defined as compression engines.

40 CFR 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines does not apply to the turbine as it was installed before February 18, 2005.

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

40 CFR 63 Subpart YYYYY, National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines applies to the turbine. The turbine is an existing stationary combustion turbine as it was installed before January 14, 2003. Existing stationary combustion turbines at major sources of HAPs are nominally subject to the subpart, but at this time not subject to any of the requirements of the subpart. If the turbine were reconstructed, it would be subject to certain requirements in the subpart.

40 CFR Subpart ZZZZZ, National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines does not apply to the existing emergency stationary CI RICE that are over 500 horse power at and is a major source of HAPs. Permit Condition 2 explains that as long as the engines are operated as emergency engines as defined by Subpart ZZZZZ they are exempt from the rule.

40 CFR Subpart DDDDDD, National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters:

There are no boilers or process heaters at this installation that are subject to this Subpart.

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

None.

**Compliance Assurance Monitoring (CAM) Applicability**

40 CFR Part 64, Compliance Assurance Monitoring (CAM)

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

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

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

**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 operating permits at this time. In addition, Missouri regulations do not require the installation to report
CO\textsubscript{2}e emissions in their Missouri Emissions Inventory Questionnaire. However, an estimate of CO\textsubscript{2}e emissions is included in the statement of basis. The applicant is required to report the data directly to EPA. The public may obtain CO\textsubscript{2}e emissions data for this installation by visiting EPA’s Clean Air Markets website at: http://camddataandmaps.epa.gov/gdm/index.cfm.

### Updated Potential to Emit for the Installation

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<th>Pollutant</th>
<th>Potential to Emit (tons/yr)\textsuperscript{1}</th>
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<td>NO\textsubscript{X}</td>
<td>4,034.08</td>
</tr>
<tr>
<td>VOC</td>
<td>87.77</td>
</tr>
<tr>
<td>CO</td>
<td>714.32</td>
</tr>
<tr>
<td>Formaldehyde</td>
<td>38.88</td>
</tr>
<tr>
<td>HAPs</td>
<td>53.57</td>
</tr>
<tr>
<td>CO\textsubscript{2}e</td>
<td>317,113.98</td>
</tr>
</tbody>
</table>

\textsuperscript{1}Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation except the generators which were evaluated at 500 hours due to their rating as emergency use only. Potential emissions for the turbine and RICE generators were based upon the greater potential emissions per pollutant, per fuel. For the turbine, PM, PM\textsubscript{10}, PM\textsubscript{2.5}, SO\textsubscript{X}, NO\textsubscript{X}, HAPs, and CO\textsubscript{2}e were greater using No. 2 fuel oil. VOC, formaldehyde, and CO were greater using natural gas. For the RICE generators, PM, PM\textsubscript{10}, PM\textsubscript{2.5}, SO\textsubscript{X}, CO, and CO\textsubscript{2}e were greater using No. 2 fuel oil. NO\textsubscript{X}, VOC, formaldehyde, and HAPs were greater using natural gas.

### 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 Air Pollution Control Program a schedule for achieving compliance for that regulation(s).
Prepared by:

Jill Wade, P.E.
Environmental Engineer
Mr. William Johnson  
Fulton Municipal Utilities  
2101 Power Drive  
Fulton, MO 65251

Re: Fulton Municipal Utilities, 027-0007  
    Permit Number: OP2012-021A

Dear Mr. Johnson:

Enclosed with this letter is your Part 70 operating permit significant modification. The permit was modified to reclassify the CI RICE units at Fulton Municipal Utilities to emergency use only. The permit has been modified accordingly, specifically regarding requirements of 40 CFR Part 63 Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines*. As long as the CI RICE units are operated less than 100 hours per year they are exempt from this subpart as is explained under the revised permit Condition 002 for emission units EU-0010 through EU-0030. 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 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Jill Wade at the Department of Natural Resources, 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:jwk

Enclosures

c: Northeast Regional Office  
PAMS File: 2013-03-050
MEMORANDUM

DATE: August 10, 2013
TO: Darrell Dunlap – City of Fulton, MO
FROM: Jill Wade, Environmental Engineer
SUBJECT: Response to Public Comments

The draft Part 70 Significant Modification for Fulton Municipal Utilities (027-0007) was placed on public notice as of July 19, 2013 for a 30-day comment period. The public notice was published on the Department of Natural Resources’ Air Pollution Control Program’s web page at: http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm. On August 6, 2013 the Air Pollution Control Program received comments from Mark Smith, EPA Region 7. The comments are addressed below in the order in which they appear within the letter(s). Some comments have been summarized, abbreviated, or paraphrased for clarity and brevity.

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Comments received EPA:

Comment #1: §63.6590(b)(3)(iii) says that existing emergency stationary RICE with a site rating of more than 500 brake horsepower located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) do not have to meet the requirements of subpart ZZZZ and of 40 CFR Part 63, subpart A. Therefore, Permit Condition 002 (EU0010-EU0030) may not correctly represent the operating scenario being requested by Fulton Municipal Utilities.

Response to Comment: The facility does not have any contractual obligations operate the units for the purposes specified in §63.6640(f)(2)(ii) and (iii) and they are existing emergency stationary RICE with more than 500 break horsepower located at a major source of HAP emissions, therefore Permit Condition 002 (EU0010-EU0030) has been rewritten as follows:
PERMIT CONDITION 002 (EU0010-EU0030)
40 CFR 63 Subpart ZZZZ
National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Note: These units are located at a major source of HAP, and were constructed before June 12, 2006, therefore are classified as existing source for the purpose of 40 CFR 63, subpart ZZZZ. These engine types are exempt from MACT ZZZZ if they meet the usage limitations of 40 CFR 63.6640(f). No other requirements apply from this rule.

**Annual Usage Limitations:**

1.) The permittee shall operate the emergency stationary RICE according to the requirements in paragraphs §63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs §63.6640(f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs §63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines. [§63.6640(f)]

a.) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]

b.) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs §63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by this paragraph §63.6640(f)(2). [§63.6640(f)(2)]

i.) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]

ii.) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]

iii.) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]

c.) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in
non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph §63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(3)]

**Reporting:**
The permittee shall report any deviations of this permit condition to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after exceeding the usage limitation described in 40 CFR 63.6640(f)(2).

**Comment #2:** 10 CSR 10-6.065(6)(c)3 Compliance Requirements, 10 CSR 10-6.065(6)(C)8 Operational Flexibility and 10 CSR 10-6.065(6)(C)9 Off Permit Changes; all in section V General Permit Requirements; require the permittee to make submittal to the EPA Region VIII. The draft Part 70 operating permit includes an incorrect address for EPA Region VII. Therefore, EPA recommends that MDNR correct the EPA Region VII address to reflect the EPA’s current office location of 11201 Renner Boulevard, Lenexa, KS 66219.

**Response to Comment:** The address has been corrected.