STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

APR 0 6 2015

Mr. Leon Daggett
Director
Independence Power & Light – Missouri City Station
P.O. Box 1019
Independence, MO 64072

Re: Independence Power & Light – Missouri City Station (047-0096)
Permit Number: OP2015-015

Dear Mr. Daggett:

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

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

If you have any questions or need additional information regarding this permit, please contact the Air Pollution Control Program at (573) 751-4817, or you may write to the 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:ahl

Enclosures

c: Robert Cheever, US EPA Region VII
PAMS File: 2014-08-038

**Missouri Department of Natural Resources**
Air Pollution Control Program

# 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:** OP2015-015
**Expiration Date:** APR 0 6 2020
**Installation ID:** 047-0096
**Project Number:** 2014-08-038

**Installation Name and Address**
Independence Power & Light – Missouri City Station
22225 East Hwy 210
Missouri City, MO 64072
Clay County

**Parent Company's Name and Address**
City of Independence
P.O. Box 1019
Independence, MO 64051

**Installation Description:**
Independence Power & Light's Missouri City Station produces electricity from two dual fuel boilers. The installation will permanently cease combusting coal January 30, 2016 and will be exclusively oil-fired. The installation is currently a major source of $NO_x$, $PM_{10}$, $PM_{2.5}$, $SO_x$, HAP, and Hydrogen Chloride. After January 30, 2016, the installation will be a major source of $NO_x$ and $SO_x$.

Alana L. Hess

Prepared by
Alana L. Hess
Environmental Engineer III
Operating Permits Unit

Kyra L Moore

Director or Designee
Department of Natural Resources
APR 0 6 2015

Effective Date

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# I. Installation Description and Equipment Listing

## INSTALLATION DESCRIPTION

Independence Power & Light's Missouri City Station produces electricity from two dual fuel boilers. The installation will permanently cease combusting coal January 30, 2016 and will be exclusively oil-fired. The installation is currently a major source of $NO_x$, $PM_{10}$, $PM_{2.5}$, $SO_x$, HAP, and Hydrogen Chloride. After January 30, 2016, the installation will be a major source of $NO_x$ and $SO_x$.

The installation is a named source; therefore, fugitive emissions are counted towards major source applicability.

| Reported Air Pollutant Emissions (tons per year) | | | | | |
|---|---|---|---|---|---|
| **Pollutants** | **2013** | **2012** | **2011** | **2010** | **2009** |
| $PM_{10}$ | 45.10 | 41.94 | 130.19 | 122.35 | 60.42 |
| $PM_{2.5}$ | 42.20 | 39.58 | 123.37 | 115.06 | 57.80 |
| $SO_x$ | 740.97 | 683.86 | 2,136.06 | 1,908.33 | 919.65 |
| $NO_x$ | 210.91 | 197.18 | 588.33 | 426.48 | 201.33 |
| VOC | 0.28 | 0.26 | 0.77 | 0.56 | 0.27 |
| CO | 3.62 | 3.34 | 9.73 | 7.11 | 3.62 |
| HAP | 9.14 | 8.55 | 17.06 | 12.36 | 5.79 |
| Hydrogen Chloride (7647-01-0) | 8.12 | 7.60 | 14.72 | 10.66 | 5.00 |
| Hydrogen Fluoride (7664-39-3) | 1.02 | 0.95 | 2.33 | 1.69 | 0.79 |

## 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. These emission units are also subject to plant wide emission limitations.

| Emission Unit | Description | Applicable Requirements |
|---|---|---|
| EP1 | Coal Pile, 1.9 acres | 10 CSR 10-6.220 |
| EP5 | Boilers 1 & 2, 265 MMBtu/hr each, dual fuel (coal or oil) | MACT JJJJJJ, 10 CSR 10-6.220, 6.260, 6.405 & CAM |
| EP6 | Heating Boiler, 8.37 MMBtu/hr oil | MACT JJJJJJ & 10 CSR 10-6.260 |
| EP53 | Diesel Fire Pump, 121 HP | MACT ZZZZ & 10 CSR 10-6.260 |
| EP20 | Fly Ash Separator | 10 CSR 10-6.220 |
| EP21 | Fly Ash Silo, 2.188 tph | NSR Permit 022012-011 |
| EP24 | Ash Haul Roads | 10 CSR 10-6.220 |
| EP22 | Bottom Ash Basin | |
| EP23 | Ash Transfer | |
| - | Coal Haul Roads | |
| - | Oil Haul Roads | |

## 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. Although these emission units have no emission unit specific limitations, they are subject to plant wide emission limitations.

| Emission Unit | Description |
|---|---|
| EP11 | Fuel Oil Tank, 250,000 gallons |
| EP102 | (2) Diesel Tanks, 500 gallons each |

# II. Plant Wide Emission Limitations

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

**PERMIT CONDITION PW001**
10 CSR 10-6.065(6)(C)2 Voluntary Limitation(s)

***Operational Limitations:***
The permittee shall permanently cease combusting coal at the installation after January 30, 2016.

***Reporting:***
The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

# III. Emission Unit Specific Emission Limitations

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

| **PERMIT CONDITION 001**<br>10 CSR 10-6.075 Maximum Achievable Control Technology Regulations<br>40 CFR Part 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines | |
|---|---|
| **Emission Unit** | **Description** |
| EP53 | Diesel Fire Pump, 121 HP |

***Work Practice Standards:***

1. The permittee shall comply with the following requirements[1]: [§63.6602]
   a) Change oil and filter every 500 hours of operation or annually, whichever comes first.[2]
   b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
   c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]

***Fuel Requirements:***

Beginning January 1, 2015, if the fire pump operates or is 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), the permittee shall use diesel fuel that meets the requirements in §80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [§63.6604(b)]

***Operational Limitations:***

1. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions: [§63.6625(e)]
2. The permittee shall install a non-resettable hour meter if one is not already installed. [§63.6625(f)]
3. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil

[1] If the fire pump is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. The permittee shall report any failure to perform the work practice on the schedule required and the federal, state, or local law under which the risk was deemed unacceptable.

[2] The permittee has the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement.

[3] The permittee may petition the Director pursuant to the requirements of §63.6(g) for alternative work practices.

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

***Continuous Compliance Requirements:***

1. The permittee shall be in compliance with the work practice standards, fuel requirements, and operational limitations at all times. [§63.6605(a)]
2. At all times the permittee shall operate and maintain the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]
3. The permittee shall report each instance in which the permittee did not meet the applicable requirements in MACT A. [§63.6640(e)]
4. The permittee shall operate the emergency fire pump according to the requirements in §63.6640(f)(1) through (3). In order for the engine to be considered an emergency stationary RICE under MACT ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in nonemergency situations for 50 hours per year, as described in §63.6640(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in §63.6640(f)(1) through (3), the engine will not be considered an emergency engine under MACT ZZZZ and shall 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 §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 §63.6640(f)(3) counts as part of the 100 hours per calendar year allowed by this paragraph. [§63.6640(f)(2)]
        i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Director for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee

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 five 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 §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)]

***Recordkeeping:***

1. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to a maintenance plan. [§63.6655(e)]
2. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii), the permittee shall keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [§63.6655(f)]

***Reporting:***

1. If the fire pump operates or is 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), the permittee shall submit an annual report according to the following requirements: [§63.6650(h)]
   a) The report shall contain the following information: [§63.6650(h)(1)]
      i) Company name and address where the engine is located. [§63.6650(h)(1)(i)]
      ii) Date of the report and beginning and ending dates of the reporting period. [§63.6650(h)(1)(ii)]
      iii) Engine site rating and model year. [§63.6650(h)(1)(iii)]
      iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [§63.6650(h)(1)(iv)]
      v) Hours operated for the purposes specified in §63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(v)]
      vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(vi)]
      vii) If there were no deviations from the fuel requirements in §63.6604 that apply to the engine

(if any), a statement that there were no deviations from the fuel requirements during the reporting period. [§63.6650(h)(1)(viii)]

viii) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken. [§63.6650(h)(1)(ix)]

b) The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [§63.6650(h)(2)]

c) The annual report shall be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to MACT ZZZZ is not available in CEDRI at the time that the report is due, the written report shall be submitted to the Administrator at the appropriate address listed in § 63.13. [§63.6650(h)(3)]

## PERMIT CONDITION 002

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations
40 CFR Part 63, Subpart JJJJJJ – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

| Emission Unit | Description |
|---|---|
| EP5 | Boilers 1 & 2, 265 MMBtu/hr each, oil-fired[4] |
| EP6 | Heating Boiler, 8.37 MMBtu/hr, oil-fired[4] |

***Work Practice Standards:***

1. The permittee shall conduct an initial tune-up of all the boilers as specified in §63.11214 and conduct a tune-up of all the boilers biennially as specified in §63.11223. The permittee shall conduct a one-time energy assessment on Boilers 1 & 2. The energy assessment shall be performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements listed below satisfies the energy assessment requirement. Energy assessor approval and qualification requirements are waived in instances where past or amended energy assessments are used to meet the energy assessment requirements. A facility that operates under an energy management program compatible with ISO 50001, that includes the affected units, also satisfies the energy assessment requirement. The energy assessment shall include the following with extent of the evaluation for a) through d) appropriate for the on-site technical hours listed in §63.11237: [§63.11201(b)]
   a) A visual inspection of the boiler system,
   b) An evaluation of operating characteristics of the affected boiler systems, specifications of energy use systems, operating and maintenance procedures, and unusual operating constraints,
   c) An inventory of major energy use systems consuming energy from affected boiler(s) and which are under control of the permittee,

[4] Until January 30, 2016 the installation is a major source and not subject to MACT JJJJJJ. On January 30, 2016, the installation is required to cease combusting coal, this requirement limits the installation's HAP PTE to area source levels; therefore, the dual-fired boilers are oil-fired (as they can no longer combust coal) and are required to comply with MACT JJJJJJ by no later than July 28, 2016 per §63.11210(h).

d) A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage,
e) A list of major energy conservation measures that are within the facility's controls,
f) A list of the energy savings potential of the energy conservation measures identified, and
g) A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

***General Compliance Requirements:***

At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Director that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.11205(a)]

***Initial Compliance Requirements:***

1. For existing affected boilers that have applicable work practice standards, management practices, or emission reduction measures, the permittee shall demonstrate initial compliance no later than the compliance date specified in §63.11210(h) and according to the applicable provisions in §63.7(a)(2). [§63.11210(c)]
2. For affected boilers that switch fuels that result in the boilers becoming subject to MACT JJJJJJ, the permittee shall demonstrate compliance within 180 days of the effective date of the fuel switch. Notification of such changes shall be submitted according to §63.11225(g). [§63.11210(h)]
3. The permittee shall conduct a performance tune-up according to §63.11223(b) and the permittee shall submit a signed statement in the Notification of Compliance Status report that indicates that the permittee conducted a tune-up of the boilers. [§63.11214(b)]
4. The permittee shall submit a signed certification in the Notification of Compliance Status report that an energy assessment of Boilers 1 & 2 and their energy use systems was completed and is an accurate depiction of the facility. [§63.11214(c)]

***Continuous Compliance Requirements:***

1. The permittee shall conduct a performance tune-up according to §63.11223(b) and keep records as required in §63.11225(c) to demonstrate continuous compliance. The permittee shall conduct the tune-up while burning fuel oil #2. [§63.11223(a)]
2. The permittee shall conduct a tune-up of all the boilers biennially to demonstrate continuous compliance as specified in §63.11223(b)(1) through (7). Each biennial tune-up shall be conducted no more than 25 months after the previous tune-up. [§63.11223(b)]
   a) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. [§63.11223(b)(1)]
   b) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available. [§63.11223(b)(2)]

c) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection. [§63.11223(b)(3)]
d) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any $NO_x$ requirement to which the unit is subject. [§63.11223(b)(4)]
e) Measure the concentrations in the effluent stream of CO in ppmv and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [§63.11223(b)(5)]
f) Maintain on-site and submit, if requested by the Director, a report containing the following information:[§63.11223(b)(6)]
    i) The concentrations of CO in the effluent stream in ppmv and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler. [§63.11223(b)(6)(i)]
    ii) A description of any corrective actions taken as a part of the tune-up of the boiler. [§63.11223(b)(6)(ii)]
    iii) The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [§63.11223(b)(6)(iii)]
g) If the unit is not operating on the required date for a tune-up, the tune-up shall be conducted within 30 days of startup. [§63.11223(b)(7)]

***General Provisions:***

The permittee shall comply with the applicable General Provisions as listed in Table 8 to MACT JJJJJJ.

***Notifications, Reporting, and Recordkeeping:***

1. The permittee shall submit the following notifications to EPA Region 7 and the Air Pollution Control Program: [§63.11225(a)]
    a) The permittee shall submit all of the notifications in §§63.7(b); 63.8(e) and (f); and 63.9(b) through (e), (g), and (h) that apply by the dates specified in those sections except as specified in §63.11225(a)(2) and (4). [§63.11225(a)(1)]
    b) An Initial Notification shall be submitted within 120 days after January 30, 2016. [§63.11225(a)(2)]
    c) The permittee shall submit the Notification of Compliance Status no later than 120 days after July 28, 2016. The permittee shall submit the Notification of Compliance Status in accordance with §63.11225(a)(4)(i) and (vi). The Notification of Compliance Status shall include the information and certification(s) of compliance in §63.11225(a)(4)(i) through (v), as applicable, and signed by a responsible official. [§63.11225(a)(4)]
        i) The permittee shall submit the information required in §63.9(h)(2), except the information listed in §63.9(h)(2)(i)(B), (D), (E), and (F). [§63.11225(a)(4)(i)]
        ii) "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boilers." [§63.11225(a)(4)(ii)]

iii) "This facility has had an energy assessment performed on Boilers 1 & 2 according to §63.11214(c)." [§63.11225(a)(4)(iii)]
iv) For units that do not qualify for a statutory exemption as provided in §129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." [§63.11225(a)(4)(v)]
v) The notification shall be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to MACT JJJJJJ is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status shall be submitted to EPA Region 7. [§63.11225(a)(4)(vi)]

2. The permittee shall prepare, by March 1 of each year, and submit to EPA Region 7 and the Air Pollution Control Program upon request, an annual compliance certification report for the previous calendar year containing the information specified in §63.11225(b)(1) through (4). The permittee shall submit the report by March 15 if the permittee had any instance described by §63.11225(b)(3). For boilers that are subject only to a requirement to conduct a biennial tune-up according to §63.11223(a) and not subject to emission limits or operating limits, the permittee may prepare only a biennial compliance report as specified in §63.11225(b)(1) and (2). [§63.11225(b)]
   a) Company name and address. [§63.11225(b)(1)]
   b) Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of MACT JJJJJJ. The notification shall include the following certification(s) of compliance, as applicable, and signed by a responsible official: [§63.11225(b)(2)]
      i) "This facility complies with the requirements in §63.11223 to conduct a biennial tune-up of each boiler." [§63.11225(b)(2)(i)]
      ii) For units that do not qualify for a statutory exemption as provided in §129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." [§63.11225(b)(2)(ii)]
3. The permittee shall maintain the following records: [§63.11225(c)]
   a) As required in §63.10(b)(2)(xiv), the permittee shall keep a copy of each notification and report that the permittee submitted to comply with MACT JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted. [§63.11225(c)(1)]
   b) The permittee shall keep records to document conformance with the work practices, emission reduction measures, and management practices required by §63.11214 and §63.11223 as follows: [§63.11225(c)(2)]
      i) Records shall identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned. [§63.11225(c)(2)(i)]
      ii) For Boilers 1 & 2, the permittee shall keep a copy of the energy assessment report. [§63.11225(c)(2)(iii)]
      iii) Records of the occurrence and duration of each malfunction of each boiler, or of the associated air pollution control and monitoring equipment. [§63.11225(c)(4)]
      iv) Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in §63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation. [§63.11225(c)(5)]

4. Records shall be in a form suitable and readily available for expeditious review. The permittee shall keep each record for five years following the date of each recorded action. The permittee shall keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least two years after the date of each recorded action. The permittee may keep the records off site for the remaining three years. [§63.11225(d)]
5. If the permittee switched fuels and the fuel switch resulted in the boilers becoming subject to MACT JJJJJJ, the permittee shall provide notice of the date upon which the permittee switched fuels within 30 days of the change. The notification shall identify: [§63.11225(g)]
   a) The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels and the date of the notice. [§63.11225(g)(1)]
   b) The date upon which the fuel switch occurred. [§63.11225(g)(2)]

## PERMIT CONDITION 003

10 CSR 10-6.060 Construction Permits Required
Construction Permit 022012-011, Issued February 21, 2012

| Emission Unit | Description |
|---|---|
| EP21 | Fly Ash Silo, 2.188 tph |

***Operational Limitation:***

1. Special Condition 1.A: The permittee shall control emissions from EP21 Fly Ash Silo using a cartridge type pulse jet fabric filter.
2. Special Condition 1.B: The cartridge filter shall be operated and maintained in accordance with the manufacturer's specifications. The cartridge filters shall have no visible emissions while EP21 Fly Ash Silo is in operation.
3. Special Condition 1.C: Replacement cartridge filters shall be kept on hand at all times. The cartridge filters shall be made of fibers appropriate for operating conditions expected to occur (i.e. temperature limits, acidic and alkali resistance, and abrasion resistance).

***Monitoring:***

1. Special Condition 1.D: The permittee shall conduct opacity readings on the cartridge filter using EPA Method 22. Readings shall be taken when EP21 Fly Ash Silo is being loaded and when weather conditions allow, at least once monthly.
   a) If no visible emissions are observed, no further action is required.
   b) If visible emissions are observed, then the permittee shall conduct an opacity reading using EPA Method 9. Weekly observations shall be conducted for a minimum of eight consecutive weeks.
      i) If no visible emissions are detected during this period, then readings shall be taken once every two weeks for a period of eight consecutive weeks.
      ii) If visible emissions are detected during this period, then the readings shall be conducted weekly.
         (1) If no visible emissions are detected during this period, then readings shall be taken once per month.
         (2) If visible emissions are detected during this period, then readings shall be conducted weekly.
      iii) If weekly readings are required, frequency shall progress as described in Monitoring 1.b.
2. Special Condition 1.E: The permittee shall maintain an operating and maintenance log for the cartridge filter which shall include the following:

a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.

***Recordkeeping and Reporting:***

1. The permittee shall retain records of all observation results (see Attachments B and C or equivalent forms approved by the Air Pollution Control Program), noting whether any air emissions (except for water vapor) were visible from the emission unit.
2. Special Condition 2.A: The permittee shall maintain all records required by this permit for not less than five years and shall make them available to Missouri Department of Natural Resources' personnel upon request.
3. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

## PERMIT CONDITION 004

10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants

| Emission Unit | Description |
|---|---|
| EP5 | Boilers 1 & 2, 265 MMBtu/hr each, coal/oil-fired |

***Emission Limitation:***

1. The permittee shall not cause or permit to be discharged into the atmosphere any visible emissions greater than 20 percent opacity. [10 CSR 10-6.220(3)(A)]
   a) Exception: The permittee may discharge into the atmosphere for a period aggregating not more than six minutes in any 60 minutes, visible emissions with an opacity up to 60 percent. [10 CSR 10-6.220(3)(B)]

***Operational Limitation:***

1. For Boilers 1 & 2, the permittee shall have COMS installed, calibrated, maintained, and operated in accordance with NSPS Appendix B Performance Specification 1. [10 CSR 10-6.220(3)(E)]
   a) Source operating time includes any time fuel is being combusted and/or a fan is being operated. [10 CSR 10-6.220(3)(H)1]
   b) Cycling times include the total time a monitoring system requires to sample, analyze, and record an emission measurement. COMS shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive ten second period. [10 CSR 10-6.220(3)(H)2]
   c) All COMS shall be certified by the Director after review and acceptance of conformance with NSPS Appendix B Performance Specification 1. [10 CSR 10-6.220(3)(H)3]
   d) All COMS shall be subject to audits conducted by the department, and all COMS records shall be made available upon request to department personnel. [10 CSR 10-6.220(3)(H)4]

***Reporting and Recordkeeping:***

1. The permittee shall submit a quarterly written report to the Director. All quarterly reports shall be postmarked no later than the 30th day following the end of each calendar quarter and shall include the following emissions data: [10 CSR 10-6.220(4)(A)]
   a) A summary including total time for each cause of excess emissions and/or monitor downtime;
   b) Nature and cause of excess emissions, if know;

c) The six-minute average opacity values greater than 20 percent (the average of the values shall be obtained by using the procedures specified in the Reference Method used to determine the opacity of the visible emissions);
d) The date and time identifying each period during which the COMS was inoperative (except for zero and span checks), including the nature and frequency of system repairs or adjustments that were made during these times; and
e) If no excess emissions have occurred during the reporting period and the COMS has not be inoperative, repaired, or adjusted, this information shall be stated in the report.

2. The permittee shall maintain a file (hard copy or electronic version) of the following information for a minimum of five years from the date the data was collected: [10 CSR 10-6.220(4)(B)]
   a) All information reported in the quarterly summaries; and
   b) All six-minute opacity averages and daily Quality Assurance/Quality Control records.
3. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

| **PERMIT CONDITION 005**<br>10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants | |
|---|---|
| **Emission Unit** | **Description** |
| EP1 | Coal Pile, 1.9 acres |
| EP20 | Fly Ash Separator |
| EP22 | Bottom Ash Basin |
| EP23 | Ash Transfer |
| EP24 | Ash Haul Roads |
| - | Coal Haul Roads |
| - | Oil Haul Roads |

***Emission Limitation:***

1. The permittee shall not cause or permit to be discharged into the atmosphere any visible emissions greater than 20 percent opacity. [10 CSR 10-6.220(3)(A)]
   a) Exception: The permittee may discharge into the atmosphere for a period aggregating not more than six minutes in any 60 minutes, visible emissions with an opacity up to 60 percent. [10 CSR 10-6.220(3)(B)]

***Operational Limitations:***

1. The permittee shall conduct opacity readings on the fugitive emission sources using the procedures contained in EPA Method 22. Readings are only required when the emission sources are operating and when the weather conditions allow. If visible emissions are observed, the permittee shall control visible emissions by performing at least one of the following BMPs:
   a) Pavement of Road Surfaces and Storage Pile Vehicle Activity Surfaces –
      i) The permittee may pave all or any portion of the haul roads and vehicle activity areas around the storage piles with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement shall be applied in accordance with industry standards for such pavement so as to achieve control of visible emissions while the plant is operating.

ii) Maintenance and/or repair of the paved surfaces shall be conducted as necessary according to ASTM standards to ensure that the physical integrity of the pavement is adequate to achieve control of visible emissions from these areas while the plant is operating. The permittee shall document which ASTM standards the installation is complying with.
iii) The permittee shall periodically water, wash and/or otherwise clean all of the paved surfaces as necessary to achieve control of visible emissions from these areas while the plant is operating.

b) Usage of Chemical Dust Suppressants –
i) The permittee shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the unpaved portions of the haul roads and storage pile vehicle activity areas. The suppressant shall be applied in accordance with the manufacturer's suggested application rate (if available) and re-applied as necessary to achieve control of visible emissions from these areas while the plant is operating.
ii) The permittee shall retain the manufacturer's specifications for the chemical dust suppressant from which the application rate amount and frequency was taken.
iii) The permittee shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas.

c) Usage of Documented Watering –
i) The permittee shall control visible emissions from all the unpaved portions of the haul roads and storage pile vehicle activity areas at the installation by consistently and correctly using the application of a water spray. Documented watering shall be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 $ft^2$ of unpaved/untreated surface area as necessary to achieve control of visible emissions from these areas while the plant is operating. For example, the permittee shall calculate the total square feet of unpaved area requiring control on any particular day, divide that product by 1,000, and multiply the quotient by 100 gallons for that day.
ii) The permittee shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operation (e.g., meteorological situations, precipitation events, freezing, etc.)
iii) Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of visible emissions from these areas while the plant is operating is sufficient reason to suspend water spray applications on the date of the meteorological precipitation occurrence.
iv) Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. The permittee shall record a brief description of such events in the same log as the documented watering.
v) The permittee shall record the date and the amount of water applied for each application on the above areas. The permittee shall retain these records with the plant for not less than five years, and the permittee shall make these records available to Department of Natural Resources' personnel upon request.

***Recordkeeping:***

1. The permittee shall retain records of any BMPs performed in accordance with this permit condition.

2. These records shall be made available 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 from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

| **PERMIT CONDITION 006**<br>10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants | |
|---|---|
| **Emission Unit** | **Description** |
| EP6 | Heating Boiler, 8.37 MMBtu/hr oil |

***Emission Limitation:***
1. The permittee shall not cause or permit to be discharged into the atmosphere any visible emissions greater than 20 percent opacity. [10 CSR 10-6.220(3)(A)]
   a) Exception: The permittee may discharge into the atmosphere for a period aggregating not more than six minutes in any 60 minutes, visible emissions with an opacity up to 60 percent. [10 CSR 10-6.220(3)(B)]

***Monitoring:***
1. The permittee shall conduct opacity readings on the boiler using the procedures contained in EPA Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If visible emissions are observed, the permittee shall conduct a Method 9 to quantify the percent opacity.
2. The following monitoring schedule shall be maintained:
   a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
   b) Observations shall be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
   c) Observations shall be made once per month. If a violation is noted, monitoring reverts to weekly.
   d) If at the time of permit issuance the installation as progressed to monthly monitoring, the permittee may continue to perform monthly observations. If a violation is note, monitoring reverts to weekly.
3. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

***Recordkeeping:***
1. The permittee shall retain records of all observation results (see Attachments B and C or equivalent forms generated by the permittee), noting whether any air emissions (except for water vapor) were visible from the emission unit.
2. All records shall be maintained for five years.

***Reporting:***
1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the

terms imposed by this regulation, or any malfunction, which could possibly cause an exceedance of this regulation.
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

| **PERMIT CONDITION 007**<br>10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds | |
|---|---|
| **Emission Unit** | **Description** |
| EP5 | Boilers 1 & 2, 265 MMBtu/hr each coal or oil |
| EP6 | Heating Boiler, 8.37 MMBtu/hr oil |

***Emission Limitation:***
The permittee shall not cause or allow emissions of $SO_2$ into the atmosphere from any indirect heating source in excess of eight pounds of $SO_2$ per MMBtu actual heat input average on any consecutive three-hour time period. [10 CSR 10-6.260(3)(B)2.A]

***Operational Limitation:***
1. The permittee shall not combust coal containing sulfur in excess of 4.68 percent by weight.
2. The permittee shall not combust fuel oil #2 containing sulfur greater than or equal to 1.2 percent by weight.

***Monitoring/Record Keeping***
1. The permittee shall retain fuel purchase receipts indicating the sulfur content of the fuel oil and coal purchased meet the operational limitations.
2. Records shall be made available for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be kept for a period of five years.

***Reporting:***
The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

| **PERMIT CONDITION 008**<br>10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds | |
|---|---|
| **Emission Unit** | **Description** |
| EP53 | Diesel Fire Pump, 121 HP |

***Emission Limitation:***
The permittee shall not cause or permit the emission into the atmosphere of gases containing more than 500 ppmv of $SO_2$ or more than 35 $mg/m^3$ of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three-hour time period. [10 CSR 10-6.260(3)(B)2.A]

***Demonstration of Compliance:***
FIRE provides an emission factor of 39.7 lb/Mgal for Process SCC 20200102. AP-42 Appendix A provides a heating value for diesel of 137 MMBtu/Mgal. NSPS Appendix A Method 19 Table 19-1 provides an F factor (the ratio of gas volume of products of combustion to the heat content of the fuel) for fuel oil of 10,320 wscf/MMBtu. NSPS Appendix A Method 19 provides a conversion factor of 1.66

x $10^{-7}$ lb/scf per ppmv. 39.7 lb/Mgal $SO_2$ / 137 MMBtu/Mgal / 10,320 wscf/MMBtu / 1.66 x $10^{-7}$ lb/scf/ppmv = 169.15 ppmv $SO_2$.
No emission factor for $SO_3$ is available for this source. Sulfur emissions in the form of $SO_3$ result from the conversion of $SO_2$ to $SO_3$. Given the amount of $SO_2$ emissions from this source it is highly unlikely that $SO_3$ emissions will exceed 35 mg/$m^3$.

## PERMIT CONDITION 009

10 CSR 10-6.405 Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating
40 CFR Part 64 Compliance Assurance Monitoring

| Emission Unit | Description | Control Device |
|---|---|---|
| EP5 | Boilers 1 & 2, 265 MMBtu/hr each, dual fuel (coal or oil) | Eight compartment, reverse-air cleaning baghouse and a common stack |

***Emission Limitations:***
The permittee shall not emit PM in excess of 0.21 lb/MMBtu of heat input from EP5 Boilers 1 & 2. [10 CSR 10-6.405(3)(D)]

***Operational Limitation:***
The permittee shall control particulate emissions from EP5 Boilers 1 & 2 using a baghouse.

***Monitoring:***
1. The permittee shall install, certify, operate and maintain a certified COMS with an automated data acquisition and handling system for measuring and recording the opacity of emissions (in percent opacity) discharged to the atmosphere in order to provide a reasonable assurance of the performance of the ESP. Previously installed and certified monitoring systems that conform to provisions of the Performance Specification for COMS meet the monitoring requirements.
2. The performance requirements for the COMS and an excursion with its associated averaging time for each emission unit shall be as specified in the following table:

| Independence Power & Light Missouri City Station - CAM Monitoring Approach for Boilers 1 & 2 | |
|---|---|
| **PM Compliance Indicator** | |
| **Indicator** | Opacity |
| **Measurement Approach** | COMS |
| **Indicator Range** | The excursion level for Boilers 1 & 2 is defined as a six minute average opacity greater than 20%. Excursions trigger an inspection, corrective action, and a reporting requirement.<br><br>Based on the most recent stack test data submitted by the permittee, there will be credible evidence of a PM exceedance if the three-hour block average opacity for Boilers 1 & 2 exceeds 20%. |
| **Performance Criteria** | |
| **Data Representativeness** | Both boiler discharge to a common dedicated stack with no bypass capabilities. Each stack is equipped with a COMS located downstream of the baghouse. The COMS complies with the applicable version of NSPS Appendix B, Performance Specification 1 (PS-1). |
| **Verification of Operational Status** | Not applicable since the selected monitoring approach utilizes existing COMS that were initially installed and evaluated per the applicable version of PS-1. |
| **QA/QC Practices and Criteria** | Perform a daily zero and calibration drift check, periodic cleaning of optical surfaces and other periodic QA/QC checks as specified in applicable version of PS-1. |
| **Monitoring Frequency** | Continuous [i.e., the COMS is to complete a min. of one cycle (i.e., sampling, analyzing, and data recording) for each successive 10-second period]. |
| **Data Collection Procedure** | |
| **Averaging Period**[5] | The data acquisition system is to reduce the 10-second data points to six-minute, one-hour, and three-hour block averages. |
| **Reporting** | Summary information on the number, duration, and cause for any excursions and COMS downtime will be reported on a semi-annual basis. |

3. Proper maintenance. At all times, the permittee shall maintain the monitoring equipment, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [§64.7(b)]
4. Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions units are operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [§64.7(c)]
5. Response to excursions or exceedances: [§64.7(d)]

[5] A valid averaging period shall not include instances of COMS quality assurance maintenance/calibration or system malfunction.

a) Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. [§64.7(d)(1)]
b) Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process. [§64.7(d)(2)]

6. Documentation of need for improved monitoring. After approval of monitoring under this part, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the Part 70 permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, re-establishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters. [§64.7(e)]

***Quality improvement plan (QIP):***

1. The Air Pollution Control Program may require the permittee to develop and implement a QIP if either boiler has accumulated excursions exceeding five percent duration of the operating time during the reporting period.
2. The permittee shall refer to §64.8(b), (c), (d), and (e) for specific QIP requirements.

***Recordkeeping:***

1. The permittee shall submit monitoring reports to the permitting authority in accordance with §70.6(a)(3)(iii). [§64.9(a)(1)]
2. A report for monitoring under this part shall include, at a minimum, the information required under §70.6(a)(3)(iii) and the following information, as applicable: [§64.9(a)(2)]
   a) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken; [§64.9(a)(2)(i)]
   b) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and [§64.9(a)(2)(ii)]
   c) A description of the actions taken to implement a QIP during the reporting period as specified in §64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring. [§64.9(a)(2)(iii)]

3. Instead of paper records, the permittee may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements. [§64.9(b)(2)]
4. All records shall be kept for no less than five years and be made available immediately to any Missouri Department of Natural Resources' personnel upon request.

***Reporting:***

1. The permittee shall comply with the recordkeeping requirements specified in §70.6(a)(3)(ii). The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions). [§64.9(b)(1)]
2. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction, which could possibly cause an exceedance of this regulation.
3. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

# IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the CFR, the 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 an exception to the allowances:
   a) 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.
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 permittee fails to comply with the conditions or any provisions of the permit.
4. The permittee 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 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 the permittee 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(2)(N)10, the director shall not issue an open burning permit unless the permittee 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. NSPS CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in §60.2245 - §60.2260. The provisions of NSPS 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 CCCC, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
6. Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by NSPS Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of NSPS Appendix A, Method 9 promulgated as of December 23, 1971 are incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

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

1. In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
   a) Name and location of installation;
   b) Name and telephone number of person responsible for the installation;
   c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
   d) Identity of the equipment causing the excess emissions;
   e) Time and duration of the period of excess emissions;
   f) Cause of the excess emissions;
   g) Air pollutants involved;
   h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
   i) Measures taken to mitigate the extent and duration of the excess emissions; and
   j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
2. The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
3. Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under §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 §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 §§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 18 months. [10 CSR 10-

6.065(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request. [10 CSR 10-6.065(6)(C)3.B]

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

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

**10 CSR 10-6.110 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 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 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 PM 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 PM 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 PM 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 PM 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:***

1. 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.
2. The permittee shall maintain the following monitoring schedule:
   a) The permittee shall conduct weekly observations for a minimum of eight consecutive weeks after permit issuance.
   b) Should no violation of this regulation be observed during this period then-
      i) The permittee may observe once every two weeks for a period of eight weeks.
      ii) If a violation is noted, monitoring reverts to weekly.
      iii) Should no violation of this regulation be observed during this period then-
         (1) The permittee may observe once per month.
         (2) If a violation is noted, monitoring reverts to weekly.
   c) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

***Recordkeeping:***

1. The permittee shall document all readings on Attachment A, or an equivalent form approved by the Air Pollution Control Program, 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 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 Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

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

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

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in 40 CFR Part 82, Subpart B:
   a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
   b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
   c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
   d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
   e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
   f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A - Production and Consumption Controls.
4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B - Servicing of MVACs. The term "motor vehicle" as used in 40 CFR Part 82, Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in 40 CFR Part 82, 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. *40 CFR Part 82 is federally enforceable only.*

**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 CFR and CSR for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued,

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

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

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

1. Record Keeping
   a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
   b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
2. Reporting
   a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
   b) The permittee shall submit a report of all required monitoring by:
      i) October 1st for monitoring which covers the January through June time period, and
      ii) April 1st for monitoring which covers the July through December time period.
      iii) Exception. Monitoring requirements which require reporting more frequently than semi annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
   c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or 40 CFR 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 10 CSR 10-6.065(6)(C)7.A (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
      ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit, and no later than ten days after any exceedance of any applicable rule, regulation, or other restriction.

e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.

f) The permittee may request confidential treatment of information submitted in any report of deviation.

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

1. 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 §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:
   a) June 21, 1999;
   b) Three years after the date on which a regulated substance is first listed under §68.130; or
   c) 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 semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
   a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
   b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
4. The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and 40 CFR 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 §303 of the Act or §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 EPA and the Air Pollution Control Program 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**

1. 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 Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable

permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

2. Changes that, under §502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
   a) Before making a change under this provision, the permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the 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 contemporaneous written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3 of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
   c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
   d) The permit shield shall not apply to these changes.

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

The application utilized in the preparation of this permit was signed by Leon Daggett, Director. 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

permittee 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 permittee 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**

1. This permit may be reopened for cause if:
   a) The Missouri Department of Natural Resources receives notice from EPA that a petition for disapproval of a permit pursuant to §70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
   b) 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,
   c) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
      i) The permit has a remaining term of less than three years;
      ii) The effective date of the requirement is later than the date on which the permit is due to expire; or
      iii) 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,
   d) 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
   e) 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 D contains a list of abbreviations and acronyms used throughout this permit.

**Attachment A**
Fugitive Emission Observations

| Date | Time | Visible Emissions Beyond Property Boundary | | Excess Emissions | | |
|---|---|---|---|---|---|---|
| | | No | Yes[1] | Cause | Corrective Action | Initial |
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[1]If there are visible emissions beyond the property boundary the permittee shall complete the excess emissions columns.

**Attachment B**
Opacity Emission Observations

| Date | Time | Emission Source | Visible Emissions | | Excess Emissions | | |
|---|---|---|---|---|---|---|---|
| | | | No | Yes[1] | Cause | Corrective Action | Initial |
| | | | | | | | |
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[1]If there are visible emissions, the permittee shall perform corrective action to halt the emissions or the permittee shall conduct a Method 9 using Attachment C.

## 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 _____ % opacity.

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

## Attachment D

Abbreviations and Acronyms

**°C**.....degrees Celsius
**°F**..... degrees Fahrenheit
**AAQIA** ..... ambient air quality impact analysis
**acfm**..... actual cubic feet per minute
**BACT** ..... Best Available Control Technology
**BMPs**..... Best Management Practices
**Btu** ..... British thermal unit
**CAM**..... Compliance Assurance Monitoring
**CAS** ..... Chemical Abstracts Service
**CEMS**..... Continuous Emission Monitor System
**CFR** ..... Code of Federal Regulations
**CO** ..... carbon monoxide
**$CO_2$** ..... carbon dioxide
**COMS**..... Continuous Opacity Monitoring System
**CSR** ..... Code of State Regulations
**dscf**..... dry standard cubic feet
**dscm**.....dry standard cubic meter
**EIQ** ..... Emission Inventory Questionnaire
**EP** ..... Emission Point
**EPA** ..... Environmental Protection Agency
**ESP** ..... Electrostatic Precipitator
**EU**..... Emission Unit
**FGD** ..... flue gas desulfurization
**FIRE**.....EPA's Factor Information Retrieval System
**ft**..... feet
**GACT**..... Generally Available Control Technology
**gpm**..... gallons per minute
**gr**..... grains
**HAP** ..... Hazardous Air Pollutant
**hr** ..... hour
**HP**..... horsepower
**lb** ..... pound
**lb/hr**..... pounds per hour
**MACT** ..... Maximum Achievable Control Technology
**µg/$m^3$** ..... micrograms per cubic meter
**m/s** ..... meters per second
**mg**.....milligrams
**Mgal** ..... 1,000 gallons
**MW** ..... megawatt
**MHDR**..... maximum hourly design rate
**MMBtu** .... Million British thermal units
**mmHg**.....millimeters mercury
**MMscf**..... Million standard cubic feet
**MSDS**..... Material Safety Data Sheet
**NAAQS** .... National Ambient Air Quality Standards
**NESHAPs** National Emissions Standards for HAP
**$NO_x$**..... nitrogen oxides
**NSPS** ..... New Source Performance Standards
**NSR**..... New Source Review
**PM**..... particulate matter
**$PM_{2.5}$**..... particulate matter less than 2.5 microns in aerodynamic diameter
**$PM_{10}$** ..... particulate matter less than 10 microns in aerodynamic diameter
**ppm** ..... parts per million
**PSD**..... Prevention of Significant Deterioration
**psi**.....pounds per square inch
**PTE** ..... potential to emit
**RACT**..... Reasonable Available Control Technology
**RAL**..... Risk Assessment Level
**RTO** ..... Regenerative Thermal Oxidizer
**SCC** ..... Source Classification Code
**scfm** ..... standard cubic feet per minute
**SCR** ..... selective catalytic reduction
**SIC** ..... Standard Industrial Classification
**SIP**..... State Implementation Plan
**SMAL**..... Screening Model Action Levels
**$SO_x$**..... sulfur oxides
**$SO_2$**..... sulfur dioxide
**tph** ..... tons per hour
**tpy**..... tons per year
**VMT**..... vehicle miles traveled
**VOC** Volatile Organic Compounds

# 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 August 19, 2014
2. 2013, 2012, 2011, 2010, and 2009 Emissions Inventory Questionnaires
3. U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition
4. EPA's FIRE Data System 6.25
5. Construction Permit 022012-011

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

10 CSR 10-6.100 *Alternate Emission Limits* is not applicable to the installation and has not been applied within this permit. The installation is located in an ozone attainment area; therefore, the installation does not meet the applicability requirements of 10 CSR 10-6.100(1)(A).

10 CSR 10-2.260 *Control of Petroleum Liquid Storage, Loading, and Transfer* is not applicable to the installation and has not been applied within this permit. EP11 Fuel Oil Tank is larger than 40,000 gallons; however, fuel oil #2 has a maximum true vapor pressure of 0.016 psi at 90°F which is below the applicability threshold of 1.5 psi in 10 CSR 10-2.260(3)(A).

10 CSR 10-6.270 *Acid Rain Source Permits Required* is not applicable to the installation and has not been applied within this permit. EP5 Boilers 1 & 2 serve a generator with a capacity of 19 MWe which is below the 25 MWe applicability threshold of 40 CFR Parts 72, 73, 75, 76, 77, and 78.

10 CSR 10-6.350 *Emission Limitations and Emissions Trading of Oxides of Nitrogen* is not applicable to the installation and has not been applied within this permit. EP5 Boilers 1 & 2 serve a generator with a capacity of 19 MWe which is below the 25 MWe applicability threshold of 10 CSR 10-6.350(1)(A).

10 CSR 10-6.360 *Control of $NO_x$ Emissions From Electric Generating Units and Non-Electric Generating Boilers* is not applicable to the installation and has not been applied within this permit. The installation is located in Clay county which is not one of the counties for which this rulemaking applies per 10 CSR 10-6.360(1)(A).

10 CSR 10-6.362 *Clean Air Interstate Rule (CAIR) Annual $NO_x$ Trading Program* is not applicable to the installation and has not been applied within this permit. EP5 Boilers 1 & 2 serve a generator with a capacity of 19 MWe which is below the 25 MWe applicability threshold of 10 CSR 10-6.362(1)(A)1.

10 CSR 10-6.364 *CAIR Seasonal $NO_x$ Trading Program* is not applicable to the installation and has not been applied within this permit. EP5 Boilers 1 & 2 serve a generator with a capacity of 19 MWe which is below the 25 MWe applicability threshold of 10 CSR 10-6.364(1)(A)1.

10 CSR 10-6.366 *CAIR $SO_2$ Trading Program* is not applicable to the installation and has not been applied within this permit. EP5 Boilers 1 & 2 serve a generator with a capacity of 19 MWe which is below the 25 MWe applicability threshold of 10 CSR 10-6.366(1)(A)1.

10 CSR 10-6.390 *Control of $NO_x$ Emissions From Large Stationary Internal Combustion Engines* is not applicable to the installation and has not been applied within this permit. The installation is located in Clay county which is not one of the counties for which this rule applies per 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 and has not been applied within this permit. 10 CSR 10-6.400(1)(B)13 exempts grinding, crushing, and conveying operations at a power plant.

**Construction Permits**

Construction Permit 022012-011, Issued February 21, 2012:
- This Section (5) NSR permit is for the installation of fly ash and bottom ash handling equipment.
- Special Conditions 1 and 2 have been applied within this permit (see Permit Condition 003).

**NSPS Applicability**

40 CFR Part 60, Subparts D and Da – *Standards of Performance for Steam Generators* are not applicable to the installation and have not been applied within this permit. EP5 Boilers 1 & 2 were constructed in 1954 prior to the applicability dates of August 17, 1971 in §60.40(c) and September 18, 1978 in §60.40a(a)(2). EP6 Heating Boiler has an MHDR of 8.37 MMBtu/hr which is below the applicability threshold of 250 MMBtu/hr in §60.40(a)(1) and §60.40a(a)(1).

40 CFR Part 60, Subparts Db and Dc – *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units* are not applicable to the installation and have not been applied within this permit. EP5 Boilers 1 & 2 were constructed in 1954 prior to the applicability dates of June 19, 1984 in §60.40b(a) and June 9, 1989 in §60.40c(a). EP6 Heating Boiler was constructed in 1978 prior to the applicability dates of June 19, 1984 in §60.40b(a) and June 9, 1989 in §60.40c(a).

40 CFR Part 60, Subparts K and Ka – *Standards of Performance for Storage Vessels for Petroleum Liquids* are not applicable to the installation and have not been applied within this permit. EP11 Fuel Oil Tank and EP102 Diesel Tanks contain fuel oil #2 which is not included in the definition of petroleum liquids in §60.111(b) and §60.111a(b).

40 CFR Part 60, Subpart Kb – *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984* is not applicable to the installation and has not been applied within this permit. EP11 Fuel Oil Tank and EP102 Diesel Tanks contain fuel oil #2 which has a maximum true vapor pressure of 0.083 kPa at 80°F; therefore, the tanks are exempt from this regulation as they are below the maximum true vapor pressure threshold of 3.5 kPa at §60.110b(b).

40 CFR Part 60, Subpart Y – *Standards of Performance for Coal Preparation and Processing Plants* is not applicable to the installation and has not been applied within this permit. The installation coal

preparation and processing equipment was constructed in 1954 prior to the applicability date of October 27, 1974 in §60.250(b).

40 CFR Part 60, Subpart IIII – *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* is not applicable to EP53 Diesel Fire Pump as the emergency fire pump was constructed prior to the applicability date of July 11, 2005 in §60.4200(a)(2).

**MACT Applicability**

40 CFR Part 63, Subpart ZZZZ – *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* is applicable to EP53 Diesel Fire Pump and has been applied within this permit (see Permit Condition 001). Although the installation will become an area source of HAP after January 30, 2016 (when the installation is required to cease combusting coal by Permit Condition PW001), the installation was a major source on the compliance date for MACT ZZZZ and; therefore, must continue to comply with the major source provisions of MACT ZZZZ (once in, always in policy).

40 CFR Part 63, Subpart DDDDD - *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters* has not been applied within this permit. Although the installation is currently a major source of HAP, Permit Condition 001 makes the installation an area source of HAP on January 30, 2016. The compliance date for this regulation is January 31, 2016; therefore, this regulation is not applicable as the installation will be an area source on the date of compliance.

40 CFR Part 63, Subpart UUUUU – *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units* is not applicable to the installation and has not been applied within this permit. Although EP5 Boilers 1 & 2 are used to produce electricity, they do not meet the definition of *electric utility steam generating unit* at §63.10042 as each boiler serves a generator of only 19 MWe.

40 CFR Part 63, Subpart JJJJJJ – *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* is applicable to the installation and has been applied within this permit.

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

40 CFR Part 61, Subpart M – *National Emission Standards for Asbestos* is applicable to the installation and has been applied within this permit (see Section IV. Core Permit Requirements).

**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.

EP5 Boilers 1 & 2 are subject to the requirements of CAM to demonstrate compliance with 10 CSR 10-6.405 until January 30, 2016. After January 30, 2016, EP5 Boilers 1 & 2 will no longer combust coal and the installation will be exempt from 10 CSR 10-6.405 and CAM requirements as the installation will exclusively combust fuel oil with a sulfur content of less than 1.2% (see Permit Condition 007).

**Updated Potential to Emit for the Installation**

| Pollutant | Potential to Emit (tpy)[1] | |
|---|---|---|
| | Prior to January 30, 2016 | After January 30, 2016 |
| CO | 84.42 | 84.42 |
| $NO_x$ | 1,624.25 | 405.17 |
| $PM_{10}$ | 796.35 | 40.40 |
| $PM_{25}$ | 782.01 | 35.37 |
| $SO_x$ | 2,985.37 | 2,985.37 |
| VOC | 3.83 | 3.83 |
| HAP | 70.55 | 1.18 |
| Hydrogen Chloride | 62.59 | - |

[1]Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.

- EP53 Emergency Diesel Fire Pump was evaluated at 500 hours of annual operation per EPA guidance document "Calculating Potential to Emit for Emergency Generators" (September 1995).

**Other Regulatory Determinations**

10 CSR 10-6.220 *Restriction of Emission of Visible Air Contaminants* is applicable to the installation and has been applied within this permit (see Permit Conditions 004, 005, and 006). This regulation is applicable to EP21 Fly Ash Silo, but was not applied within the permit as 022012-011 contains a more stringent requirement (no visible emissions). This regulation is not applicable to EP53 Diesel Fire Pump as 10 CSR 10-6.220(1)(A) exempts internal combustion engines.

10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds* is applicable to the installation and has been applied within this permit (see Permit Conditions 007 and 008). The operational limitations demonstrate compliance with the emission limitation as follows:

- AP-42 Table 1.1-3 provides an emission factor of 38S lb/ton for Process SCC 10100202, where S is the sulfur content of the coal. The heating value of the installation's coal was obtained from the installation's 2013 EIQ to be 22.252 MMBtu/ton. 8 lb/MMBtu (10 CSR 10-6.260 limit) x 22.252 MMBtu/ton / 38 lb/ton = S = 4.68% sulfur by weight.
- AP-42 Table 1.3-1 provides an emission factor of 142S lb/Mgal for Process SCC 10100501, where S is the sulfur content of the oil. The heating value of the installation's oil was obtained from AP-42 Appendix A to be 137 MMBtu/Mgal. The fuel oil combusted by the boilers is limited to 1.2 weight percent sulfur to meet the exemption in 10 CSR 10-6.405(1)(E). 142 lb/Mgal x 1.2 /137 MMBtu/Mgal = 1.24 lb/MMBtu $SO_2$.

10 CSR 10-6.405 *Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used For Indirect Heating* is applicable to the installation and has been applied within this permit (see Permit Condition 009).

- EP6 Heating Boiler is deemed in compliance with this regulation per 10 CSR 10-6.405(1)(C) as the boiler is fueled only by fuel oil with a sulfur content of less than 1.2 percent sulfur by weight; therefore, a permit condition was not included for this boiler.

- After January 30, 2016 the installation will be exempt from this regulation as after January 30, 2016 the installation will be fueled by only fuel oil with a sulfur content of less than 1.2 percent by weight.

**Response to Public Comments**

The draft Part 70 Operating Permit, Project 2014-08-038, for Independence Power & Light – Missouri City Station (047-0096) was placed on public notice as of January 23, 2015, 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 Friday, January 23, 2015. The Missouri Air Pollution Control Program did not receive any comments on this permit during its public notice period.

**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).