



## 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:** OP2016-045  
**Expiration Date:** JAN 31 2022  
**Installation ID:** 095-0023  
**Project Number:** 2015-08-038

**Installation Name and Address**

Kansas City Power & Light Co. - Northeast  
Station  
920 North Olive  
Kansas City, MO 64120  
Jackson County

**Parent Company's Name and Address**

Great Plains Energy  
P.O. Box 418679  
Kansas City MO, 64141

**Installation Description:**

The Northeast Station is an electrical generation facility utilizing eight (8) distillate oil fired combustion turbines, with the fuel supplied by a five million-gallon distillate oil storage tank. The facility also has a distillate oil fired emergency generator for backup power. This facility is major for PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, and CO.

Prepared by  
Jill Wade, P.E.  
Operating Permit Unit

Director of Designee  
Department of Natural Resources

JAN 31 2017

Effective Date

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>
EU 2-1	Unit #11, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1975)
EU 2-2	Unit #12, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1975)
EU 2-3	Unit #13, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1976)
EU 2-4	Unit #14, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1976)
EU 2-5	Unit #15, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1976)
EU 2-6	Unit #16, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1976)
EU 2-7	Unit #17, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1977)
EU 2-8	Unit #18, 50 Megawatt (1000 MMBtu/hr) Gas Turbine (1977)
EU 5	Diesel-Fueled Emergency Generator (1975)
EU 1	5,000,000 Gallon Distillate Fuel Oil Storage Tank (1975)
EU 7	Cold Solvent Parts Washer

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

#### Description of Emission Source

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Portable Space Heaters

Mobile diesel-powered air compressor (0.2 MMBtu/hr)

Emergency generator day tank

## **II. Plant Wide Emission Limitations**

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

None.

### III. Emission Unit Specific Emission Limitations

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

**PERMIT CONDITION 001**  
 10 CSR 10-6.261 Control of Sulfur Dioxide Emissions

<b>Combustion Turbines &amp; Emergency Generator</b>	
Emission Unit	Description
EU 2-1	Combustion Turbine #11, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217719
EU 2-2	Combustion Turbine #12, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217718
EU 2-3	Combustion Turbine #13, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238059
EU 2-4	Combustion Turbine #14, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#248850
EU 2-5	Combustion Turbine #15, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238029
EU 2-6	Combustion Turbine #16, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238028
EU 2-7	Combustion Turbine #17, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248870
EU 2-8	Combustion Turbine #18, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248871
EU 5	Diesel I/C Emergency Generator (6.7 MMBtu/hr)

**Emission Limitation:**

- 1) Emissions from any new source operation shall not contain more than 8,812 parts per million (ppm<sub>v</sub>) of sulfur dioxide for distillate fuel.
- 2) No later than January 1, 2017, the permittee must accept for delivery only ultra-low sulfur distillate fuel oil with a maximum fuel sulfur content of fifteen (15) ppm.

**Monitoring/Recordkeeping:**

- 1) The permittee shall determine compliance using fuel delivery records, fuel sampling and analysis, performance tests, continuous emission monitoring, or other compliance methods approved by the staff director and the U.S. Environmental Protection agency and incorporated into the state implementation plan.
- 2) The permittee must report any excess emissions other than startup, shutdown and malfunction excess emissions to the staff director for each calendar quarter within thirty (30) days following the end of the quarter. In all cases, the notification must be a written report and must include, at a minimum, the following:

- a) Name and location of source;
  - b) Name and telephone number of person responsible for the source;
  - c) Identity and description of the equipment involved;
  - d) Time and duration of the period of excess emissions;
  - e) Type of activity;
  - f) Estimate of the magnitude of the excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
  - g) Measures taken to mitigate the extent and duration of the excess emissions; and
  - h) Measures taken to remedy the situation which cause the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 3) The permittee must maintain a list of modifications to the source's operating procedures or other routine procedures instituted to prevent or minimize the occurrence of any excess emissions.
  - 4) The permittee must maintain a record of data, calculations, results, records and reports from any performance test, continuous emission monitoring, fuel deliveries, and/or fuel sampling tests.
  - 5) The permittee must maintain a record of any applicable monitoring data, performance evaluations, calibration checks, monitoring system and device performance tests, and any adjustments and maintenance performed on these systems or devices.
  - 6) The permittee of sources using fuel delivery records for compliance must also maintain the fuel supplier information to certify all fuel deliveries. Bills of lading and/or other fuel deliver documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule:
    - a) The name, address, and contact information of the fuel supplier;
    - b) The type of fuel; and
    - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur.
  - 7) The permittee of sources using fuel sampling and analysis for compliance must also follow the requirements in 10 CSR 10-6.261(5)(D).
  - 8) The permittee of sources using performance testing for compliance must also follow the requirements in 10 CSR 10-6.261(5)(A)
  - 9) All required reports and records must be retained on-site for a minimum of five (5) years and made available within five (5) business days upon written or electronic request by the director.
  - 10) The permittee must furnish the director all data necessary to determine compliance status.

**Reporting:**

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

**PERMIT CONDITION 002**  
 10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

<b>Combustion Turbines &amp; Emergency Generator</b>	
Emission Unit	Description
EU 2-1	Combustion Turbine #11, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217719
EU 2-2	Combustion Turbine #12, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217718
EU 2-3	Combustion Turbine #13, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238059
EU 2-4	Combustion Turbine #14, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#248850
EU 2-5	Combustion Turbine #15, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238029
EU 2-6	Combustion Turbine #16, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238028
EU 2-7	Combustion Turbine #17, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248870
EU 2-8	Combustion Turbine #18, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248871
EU 5	Diesel I/C Emergency Generator (6.7 MMBtu/hr)

**Emission Limitations:**

Emissions from any new source operation (installed or under construction in the Kansas City Metropolitan area after September 25, 1968) shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide or more than thirty-five milligrams per cubic meter (35 mg/cubic meter) of sulfuric acid or sulfur trioxide or any combination of those three gases averaged on any non-consecutive three (3)-hour period.

**Monitoring/Recordkeeping/Reporting:**

Compliance with the Monitoring, Recordkeeping and Reporting requirements of Permit Condition 001 are sufficient to ensure compliance.

**PERMIT CONDITION 003**  
 10 CSR 10-6.362 Clean Air Interstate Rule Annual NOx Trading Program  
 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NOx Trading Program  
 10 CSR 10-6.366 Clean Air Interstate Rule SOx Trading Program

<b>Combustion Turbines &amp; Emergency Generator</b>	
Emission Unit	Description
EU 2-1	Combustion Turbine #11, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217719
EU 2-2	Combustion Turbine #12, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217718

EU 2-3	Combustion Turbine #13, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238059
EU 2-4	Combustion Turbine #14, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#248850
EU 2-5	Combustion Turbine #15, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238029
EU 2-6	Combustion Turbine #16, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238028
EU 2-7	Combustion Turbine #17, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248870
EU 2-8	Combustion Turbine #18, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248871

**Emission Limitation:**

The permittee shall obtain a Clean Air Interstate Rule (CAIR) Source Permit for the combustion turbine generators EU 2-1 through EU 2-8.

A CAIR Permit (ORIS Code 2081) is being issued to KCP&L Northeast Station in conjunction with this Title V permit. (See Attachment A)

**Monitoring/Recordkeeping:**

The permittee shall retain the most current CAIR permit issued to this installation on-site and shall make such permit available to any Missouri Department of Natural Resources’ personnel upon request.

**Reporting:**

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

<p><b>PERMIT CONDITION 004</b>                  40 CFR Part 70 and 97 Cross State Air Pollution Rule                  10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO<sub>x</sub> Trading Allowance Allocations                  10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO<sub>x</sub> Trading Allowance Allocations                  10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO<sub>2</sub> Trading Allowance Allocations</p>
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<b>Combustion Turbines &amp; Emergency Generator</b>	
Emission Unit	Description
EU 2-1	Combustion Turbine #11, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217719
EU 2-2	Combustion Turbine #12, 50 Megawatt (1000 MMBtu/hr ); Installed 1975; General Electric/#217718
EU 2-3	Combustion Turbine #13, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238059
EU 2-4	Combustion Turbine #14, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#248850



EU 2-5	Combustion Turbine #15, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238029
EU 2-6	Combustion Turbine #16, 50 Megawatt (1000 MMBtu/hr ); Installed 1976; General Electric/#238028
EU 2-7	Combustion Turbine #17, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248870
EU 2-8	Combustion Turbine #18, 50 Megawatt (1000 MMBtu/hr ); Installed 1977; General Electric/#248871

The TR subject unit(s), and the unit-specific monitoring provisions, at this source are identified in the following table(s). These unit(s) are subject to the requirements for the TR NO<sub>x</sub> Annual Trading Program, TR NO<sub>x</sub> Ozone Season Trading Program, and TR SO<sub>2</sub> Group 1 Trading Program.

Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO <sub>2</sub> monitoring) and 40 CFR part 75, subpart H (for NO <sub>x</sub> monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO <sub>2</sub>				EU 2-1 through EU 2-8	
NO <sub>x</sub>				EU 2-1 through EU 2-8	
Heat Input		EU 2-1 through EU 2-8			

- 1) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and 97.630 through 97.635 (TR SO<sub>2</sub> Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.
- 2) The permittee must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at <http://www.epa.gov/airmarkets/emissions/monitoringplans.html>.
- 3) The permittee that wants to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR part 75, subpart E and 40 CFR 75.66 and 97.435 (TR NO<sub>x</sub> Annual Trading Program), 97.535 (TR NO<sub>x</sub>

- Ozone Season Trading Program), and/or 97.635 (TR SO<sub>2</sub> Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- 4) The permittee that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or 97.630 through 97.634 (TR SO<sub>2</sub> Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (TR NO<sub>x</sub> Annual Trading Program), 97.535 (TR NO<sub>x</sub> Ozone Season Trading Program), and/or 97.635 (TR SO<sub>2</sub> Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
  - 5) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (TR NO<sub>x</sub> Annual Trading Program), 97.530 through 97.534 (TR NO<sub>x</sub> Ozone Season Trading Program), and 97.630 through 97.634 (TR SO<sub>2</sub> Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) may be used to add or change this unit's monitoring system description.

#### **TR NO<sub>x</sub> Annual Trading Program requirements (40 CFR 97.406)**

##### **(a) Designated representative requirements.**

The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.413 through 97.418.

##### **(b) Emissions monitoring, reporting, and recordkeeping requirements.**

- (1) The permittee, and the designated representative, of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of TR NO<sub>x</sub> Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NO<sub>x</sub> Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

##### **(c) NO<sub>x</sub> emissions requirements.**

- (1) TR NO<sub>x</sub> Annual emissions limitation.
  - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall hold, in the source's compliance account, TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the

tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Annual units at the source.

- (ii). If total NO<sub>x</sub> emissions during a control period in a given year from the TR NO<sub>x</sub> Annual units at a TR NO<sub>x</sub> Annual source are in excess of the TR NO<sub>x</sub> Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:
  - (A). The permittee of the source and each TR NO<sub>x</sub> Annual unit at the source shall hold the TR NO<sub>x</sub> Annual allowances required for deduction under 40 CFR 97.424(d); and
  - (B). The permittee of the source and each TR NO<sub>x</sub> Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.
- (2) TR NO<sub>x</sub> Annual assurance provisions.
  - (i). If total NO<sub>x</sub> emissions during a control period in a given year from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO<sub>x</sub> Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state for such control period exceed the state assurance level.
  - (ii). The permittee shall hold the TR NO<sub>x</sub> Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
  - (iii). Total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the state NO<sub>x</sub> Annual trading budget under 40 CFR 97.410(a) and the state's variability limit under 40 CFR 97.410(b).
  - (iv). It shall not be a violation of 40 CFR part 97, subpart AAAAA or of the Clean Air Act if total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in the state during a control period exceeds the common designated representative's assurance level.
  - (v). To the extent the permittee fails to hold TR NO<sub>x</sub> Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

- (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
- (B). Each TR NO<sub>x</sub> Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.

(3) Compliance periods.

- (i). A TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
- (ii). A TR NO<sub>x</sub> Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

- (i). A TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO<sub>x</sub> Annual allowance that was allocated for such control period or a control period in a prior year.
- (ii). A TR NO<sub>x</sub> Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO<sub>x</sub> Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NO<sub>x</sub> Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart AAAAA.

(6) Limited authorization. A TR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the TR NO<sub>x</sub> Annual Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NO<sub>x</sub> Annual allowance does not constitute a property right.

**(d) Title V permit revision requirements.**

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO<sub>x</sub> Annual allowances in accordance with 40 CFR part 97, subpart AAAAA.
- (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V

permit using minor permit modification procedures in accordance with 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B).

**(e) Additional recordkeeping and reporting requirements.**

- (1) Unless otherwise provided, the owners and operators of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (i). The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each TR NO<sub>x</sub> Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.
  - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart AAAAA.
  - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NO<sub>x</sub> Annual Trading Program.
- (2) The designated representative of a TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall make all submissions required under the TR NO<sub>x</sub> Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70.

**(f) Liability.**

- (1) Any provision of the TR NO<sub>x</sub> Annual Trading Program that applies to a TR NO<sub>x</sub> Annual source or the designated representative of a TR NO<sub>x</sub> Annual source shall also apply to the owners and operators of such source and of the TR NO<sub>x</sub> Annual units at the source.
- (2) Any provision of the TR NO<sub>x</sub> Annual Trading Program that applies to a TR NO<sub>x</sub> Annual unit or the designated representative of a TR NO<sub>x</sub> Annual unit shall also apply to the owners and operators of such unit.

**(g) Effect on other authorities.**

No provision of the TR NO<sub>x</sub> Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO<sub>x</sub> Annual source or TR NO<sub>x</sub> Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**TR NO<sub>x</sub> Ozone Season Trading Program Requirements (40 CFR 97.506)**

**Designated representative requirements.**

The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.513 through 97.518.

**(a) Emissions monitoring, reporting, and recordkeeping requirements.**

- (1) The permittee, and the designated representative, of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.530 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-

term cold storage), 97.531 (initial monitoring system certification and recertification procedures), 97.532 (monitoring system out-of-control periods), 97.533 (notifications concerning monitoring), 97.534 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (2) The emissions data determined in accordance with 40 CFR 97.530 through 97.535 shall be used to calculate allocations of TR NO<sub>x</sub> Ozone Season allowances under 40 CFR 97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NO<sub>x</sub> Ozone Season emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**(b) NO<sub>x</sub> emissions requirements.**

- (1) TR NO<sub>x</sub> Ozone Season emissions limitation.

- (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR 97.524(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Ozone Season units at the source.
- (ii). If total NO<sub>x</sub> emissions during a control period in a given year from the TR NO<sub>x</sub> Ozone Season units at a TR NO<sub>x</sub> Ozone Season source are in excess of the TR NO<sub>x</sub> Ozone Season emissions limitation set forth in paragraph (c)(1)(i) above, then:
  - (A). The permittee of the source and each TR NO<sub>x</sub> Ozone Season unit at the source shall hold the TR NO<sub>x</sub> Ozone Season allowances required for deduction under 40 CFR 97.524(d); and
  - (B). The permittee of the source and each TR NO<sub>x</sub> Ozone Season unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBB and the Clean Air Act.

- (2) TR NO<sub>x</sub> Ozone Season assurance provisions.

- (i). If total NO<sub>x</sub> emissions during a control period in a given year from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state exceed the state assurance level, then The permittee of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NO<sub>x</sub> Ozone Season allowances available for deduction for such control period under 40 CFR 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.525(b), of multiplying—
  - (A). The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated

- representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and
- (B). The amount by which total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state for such control period exceed the state assurance level.
- (ii). The permittee shall hold the TR NO<sub>x</sub> Ozone Season allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
- (iii). Total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the State NO<sub>x</sub> Ozone Season trading budget under 40 CFR 97.510(a) and the state's variability limit under 40 CFR 97.510(b).
- (iv). It shall not be a violation of 40 CFR part 97, subpart BBBBBB or of the Clean Air Act if total NO<sub>x</sub> emissions from all TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the TR NO<sub>x</sub> Ozone Season units at TR NO<sub>x</sub> Ozone Season sources in the state during a control period exceeds the common designated representative's assurance level.
- (v). To the extent the permittee fails to hold TR NO<sub>x</sub> Ozone Season allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
- (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
- (B). Each TR NO<sub>x</sub> Ozone Season allowance that the permittee fails to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBBB and the Clean Air Act.
- (3) Compliance periods.
- (i). A TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.
- (ii). A TR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.
- (i). A TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO<sub>x</sub> Ozone Season allowance that was allocated for such control period or a control period in a prior year.
- (ii). A TR NO<sub>x</sub> Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO<sub>x</sub> Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

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- (5) Allowance Management System requirements. Each TR NO<sub>x</sub> Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart BBBBB.
- (6) Limited authorization. A TR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:
- (i). Such authorization shall only be used in accordance with the TR NO<sub>x</sub> Ozone Season Trading Program; and
  - (ii). Notwithstanding any other provision of 40 CFR part 97, subpart BBBBB, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (7) Property right. A TR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.
- (c) Title V permit revision requirements.**
- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO<sub>x</sub> Ozone Season allowances in accordance with 40 CFR part 97, subpart BBBBB.
  - (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.530 through 97.535, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.506(d)(2) and 70.7(e)(2)(i)(B).
- (d) Additional recordkeeping and reporting requirements.**
- (1) Unless otherwise provided, the permittee of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
    - (i). The certificate of representation under 40 CFR 97.516 for the designated representative for the source and each TR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.516 changing the designated representative.
    - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart BBBBB.
    - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NO<sub>x</sub> Ozone Season Trading Program.
  - (2) The designated representative of a TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall make all submissions required under the TR NO<sub>x</sub> Ozone Season Trading Program, except as provided in 40 CFR 97.518. This requirement does not change,



create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR part 70.

**(e) Liability.**

- (1) Any provision of the TR NO<sub>x</sub> Ozone Season Trading Program that applies to a TR NO<sub>x</sub> Ozone Season source or the designated representative of a TR NO<sub>x</sub> Ozone Season source shall also apply to the owners and operators of such source and of the TR NO<sub>x</sub> Ozone Season units at the source.
- (2) Any provision of the TR NO<sub>x</sub> Ozone Season Trading Program that applies to a TR NO<sub>x</sub> Ozone Season unit or the designated representative of a TR NO<sub>x</sub> Ozone Season unit shall also apply to the owners and operators of such unit.

**(f) Effect on other authorities.**

No provision of the TR NO<sub>x</sub> Ozone Season Trading Program or exemption under 40 CFR 97.505 shall be construed as exempting or excluding the permittee, and the designated representative, of a TR NO<sub>x</sub> Ozone Season source or TR NO<sub>x</sub> Ozone Season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**TR SO<sub>2</sub> Group 1 Trading Program requirements (40 CFR 97.606)**

**(a) Designated representative requirements.**

The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.613 through 97.618.

**(b) Emissions monitoring, reporting, and recordkeeping requirements.**

- (1) The permittee, and the designated representative, of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (2) The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of TR SO<sub>2</sub> Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**(c) SO<sub>2</sub> emissions requirements.**

- (1) TR SO<sub>2</sub> Group 1 emissions limitation.
  - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall hold, in the source's compliance account, TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all TR SO<sub>2</sub> Group 1 units at the source.

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- (ii). If total SO<sub>2</sub> emissions during a control period in a given year from the TR SO<sub>2</sub> Group 1 units at a TR SO<sub>2</sub> Group 1 source are in excess of the TR SO<sub>2</sub> Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:
    - (A). The permittee of the source and each TR SO<sub>2</sub> Group 1 unit at the source shall hold the TR SO<sub>2</sub> Group 1 allowances required for deduction under 40 CFR 97.624(d); and
    - (B). The permittee of the source and each TR SO<sub>2</sub> Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR part 97, subpart CCCCC and the Clean Air Act.
  - (2) TR SO<sub>2</sub> Group 1 assurance provisions.
    - (i). If total SO<sub>2</sub> emissions during a control period in a given year from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state exceed the state assurance level, then the permittee of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the permittee of such group) TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under 40 CFR 97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.625(b), of multiplying—
      - (A). The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and
      - (B). The amount by which total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state for such control period exceed the state assurance level.
    - (ii). The permittee shall hold the TR SO<sub>2</sub> Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
    - (iii). Total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO<sub>2</sub> emissions exceed the sum, for such control period, of the state SO<sub>2</sub> Group 1 trading budget under 40 CFR 97.610(a) and the state's variability limit under 40 CFR 97.610(b).
    - (iv). It shall not be a violation of 40 CFR part 97, subpart CCCCC or of the Clean Air Act if total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO<sub>2</sub> emissions from the TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the during a control period exceeds the common designated representative's assurance level.
    - (v). To the extent the permittee fails to hold TR SO<sub>2</sub> Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

- (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
- (B). Each TR SO<sub>2</sub> Group 1 allowance that the permittee fails to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(3) Compliance periods.

- (i). A TR SO<sub>2</sub> Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.
- (ii). A TR SO<sub>2</sub> Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

- (i). A TR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR SO<sub>2</sub> Group 1 allowance that was allocated for such control period or a control period in a prior year.
- (ii). A TR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR SO<sub>2</sub> Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR SO<sub>2</sub> Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart CCCCC.

(6) Limited authorization. A TR SO<sub>2</sub> Group 1 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the TR SO<sub>2</sub> Group 1 Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR part 97, subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR SO<sub>2</sub> Group 1 allowance does not constitute a property right.

**(d) Title V permit revision requirements.**

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR SO<sub>2</sub> Group 1 allowances in accordance with 40 CFR part 97, subpart CCCCC.
- (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.630 through 97.635, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR part 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in

this title V permit using minor permit modification procedures in accordance with 40 CFR 97.606(d)(2) and 70.7(e)(2)(i)(B).

**(e) Additional recordkeeping and reporting requirements.**

- (1) Unless otherwise provided, the permittee of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (i). The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each TR SO<sub>2</sub> Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.
  - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart CCCCC.
  - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR SO<sub>2</sub> Group 1 Trading Program.
- (2) The designated representative of a TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall make all submissions required under the TR SO<sub>2</sub> Group 1 Trading Program, except as provided in 40 CFR 97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR part 70.

**(f) Liability.**

- (1) Any provision of the TR SO<sub>2</sub> Group 1 Trading Program that applies to a TR SO<sub>2</sub> Group 1 source or the designated representative of a TR SO<sub>2</sub> Group 1 source shall also apply to the owners and operators of such source and of the TR SO<sub>2</sub> Group 1 units at the source.
- (2) Any provision of the TR SO<sub>2</sub> Group 1 Trading Program that applies to a TR SO<sub>2</sub> Group 1 unit or the designated representative of a TR SO<sub>2</sub> Group 1 unit shall also apply to the owners and operators of such unit.

**(g) Effect on other authorities.**

No provision of the TR SO<sub>2</sub> Group 1 Trading Program or exemption under 40 CFR 97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR SO<sub>2</sub> Group 1 source or TR SO<sub>2</sub> Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**TR SO<sub>2</sub> Group 2 Trading Program requirements (40 CFR 97.706)**

**(a) Designated representative requirements.**

The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.713 through 97.718.

**(b) Emissions monitoring, reporting, and recordkeeping requirements.**

- (1) The permittee, and the designated representative, of each TR SO<sub>2</sub> Group 2 source and each TR SO<sub>2</sub> Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.730 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage),

97.731 (initial monitoring system certification and recertification procedures), 97.732 (monitoring system out-of-control periods), 97.733 (notifications concerning monitoring), 97.734 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.735 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (2) The emissions data determined in accordance with 40 CFR 97.730 through 97.735 shall be used to calculate allocations of TR SO<sub>2</sub> Group 2 allowances under 40 CFR 97.711(a)(2) and (b) and 97.712 and to determine compliance with the TR SO<sub>2</sub> Group 2 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.730 through 97.735 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**(c) SO<sub>2</sub> emissions requirements.**

- (1) TR SO<sub>2</sub> Group 2 emissions limitation.

- (i). As of the allowance transfer deadline for a control period in a given year, the permittee of each TR SO<sub>2</sub> Group 2 source and each TR SO<sub>2</sub> Group 2 unit at the source shall hold, in the source's compliance account, TR SO<sub>2</sub> Group 2 allowances available for deduction for such control period under 40 CFR 97.724(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all TR SO<sub>2</sub> Group 2 units at the source.
- (ii). If total SO<sub>2</sub> emissions during a control period in a given year from the TR SO<sub>2</sub> Group 2 units at a TR SO<sub>2</sub> Group 2 source are in excess of the TR SO<sub>2</sub> Group 2 emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The permittee of the source and each TR SO<sub>2</sub> Group 2 unit at the source shall hold the TR SO<sub>2</sub> Group 2 allowances required for deduction under 40 CFR 97.724(d); and
- (B). The permittee of the source and each TR SO<sub>2</sub> Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart DDDDD and the Clean Air Act.

- (2) TR SO<sub>2</sub> Group 2 assurance provisions.

- (i). If total SO<sub>2</sub> emissions during a control period in a given year from all TR SO<sub>2</sub> Group 2 units at TR SO<sub>2</sub> Group 2 sources in the exceed the state assurance level, then the permittee of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR SO<sub>2</sub> Group 2 allowances available for deduction for such control period under 40 CFR 97.725(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.725(b), of multiplying—
- (A). The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by

- which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and
- (B). The amount by which total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 2 units at TR SO<sub>2</sub> Group 2 sources in the state for such control period exceed the state assurance level.
- (ii). The permittee shall hold the TR SO<sub>2</sub> Group 2 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
- (iii). Total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 2 units at TR SO<sub>2</sub> Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total SO<sub>2</sub> emissions exceed the sum, for such control period, of the state SO<sub>2</sub> Group 2 trading budget under 40 CFR 97.710(a) and the state's variability limit under 40 CFR 97.710(b).
- (iv). It shall not be a violation of 40 CFR part 97, subpart DDDDD or of the Clean Air Act if total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 2 units at TR SO<sub>2</sub> Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO<sub>2</sub> emissions from the TR SO<sub>2</sub> Group 2 units at TR SO<sub>2</sub> Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.
- (v). To the extent the permittee fails to hold TR SO<sub>2</sub> Group 2 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
- (A). The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
- (B). Each TR SO<sub>2</sub> Group 2 allowance that the permittee fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart DDDDD and the Clean Air Act.
- (3) Compliance periods.
- (i). A TR SO<sub>2</sub> Group 2 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.730(b) and for each control period thereafter.
- (ii). A TR SO<sub>2</sub> Group 2 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.730(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.
- (i). A TR SO<sub>2</sub> Group 2 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR SO<sub>2</sub> Group 2 allowance that was allocated for such control period or a control period in a prior year.
- (ii). A TR SO<sub>2</sub> Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR SO<sub>2</sub> Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (5) Allowance Management System requirements. Each TR SO<sub>2</sub> Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart DDDDD.

(6) Limited authorization. A TR SO<sub>2</sub> Group 2 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the TR SO<sub>2</sub> Group 2 Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR part 97, subpart DDDDD, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR SO<sub>2</sub> Group 2 allowance does not constitute a property right.

**(d) Title V permit revision requirements.**

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR SO<sub>2</sub> Group 2 allowances in accordance with 40 CFR part 97, subpart DDDDD.
- (2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.730 through 97.735, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.706(d)(2) and 70.7(e)(2)(i)(B).

**(e) Additional recordkeeping and reporting requirements.**

- (1) Unless otherwise provided, the owners and operators of each TR SO<sub>2</sub> Group 2 source and each TR SO<sub>2</sub> Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (i). The certificate of representation under 40 CFR 97.716 for the designated representative for the source and each TR SO<sub>2</sub> Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.716 changing the designated representative.
  - (ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart DDDDD.
  - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR SO<sub>2</sub> Group 2 Trading Program.
- (2) The designated representative of a TR SO<sub>2</sub> Group 2 source and each TR SO<sub>2</sub> Group 2 unit at the source shall make all submissions required under the TR SO<sub>2</sub> Group 2 Trading Program, except as provided in 40 CFR 97.718. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in part 70.

**(f) Liability.**

- (1) Any provision of the TR SO<sub>2</sub> Group 2 Trading Program that applies to a TR SO<sub>2</sub> Group 2 source or the designated representative of a TR SO<sub>2</sub> Group 2 source shall also apply to the owners and operators of such source and of the TR SO<sub>2</sub> Group 2 units at the source.
- (2) Any provision of the TR SO<sub>2</sub> Group 2 Trading Program that applies to a TR SO<sub>2</sub> Group 2 unit or the designated representative of a TR SO<sub>2</sub> Group 2 unit shall also apply to the owners and operators of such unit.

**(g) Effect on other authorities.**

No provision of the TR SO<sub>2</sub> Group 2 Trading Program or exemption under 40 CFR 97.705 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR SO<sub>2</sub> Group 2 source or TR SO<sub>2</sub> Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**PERMIT CONDITION 005**  
 10 CSR 10-2.210 Control of Emissions from Solvent Metal Cleaners

<b>Parts Washer</b>	
Emission Unit	Description
EU 7	Parts Washer; Manufacturer - ZEP

**Operational Limitations:**

- 1) A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment. Only persons trained in at least the operational and equipment requirements specified in this rule for their particular solvent metal cleaning process shall be permitted to operate the equipment. The supervisor of any person who operates a solvent metal cleaning process shall receive equal or greater operational training than the operator. Refresher training shall be given to all solvent metal cleaning equipment operators at least once each twelve (12) months.
- 2) The supervisor of any person who operates a solvent metal cleaning process shall receive equal or greater operational training than the operator.
- 3) Each cold cleaner shall have a cover which will prevent the escape of solvent vapors from the solvent bath while in the closed position or an enclosed reservoir which will limit the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner.
- 4) Each cold cleaner shall have a drainage facility which will be internal so that parts are enclosed under the cover while draining.
- 5) If an internal drainage facility cannot fit into the cleaning system and the solvent volatility is less than six-tenth pounds per square inch (psi) measure at 100 degrees F, then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath.
- 6) Cleaned parts shall be drained in the freeboard area for at least 15 seconds or until the dripping ceases, whichever is longer.
- 7) Whenever a cold cleaner fails to perform within the operating parameters established, the unit shall be shut down immediately and shall remain shut down until trained service personnel are able to restore operation within established parameters.
- 8) Solvent leaks shall be repaired immediately or the degreaser shall be shut down until the leaks are repaired.



**Monitoring/Recordkeeping:**

- 1) The permittee shall keep monthly inventory records of solvent types and amounts purchased and solvent consumption. These records shall include all types and amounts of solvent containing waste material transferred to either a contract reclamation service or to a disposal facility and all amount distilled on the premises. The records also shall include maintenance and repair logs for both the degreaser and any associated control equipment. The Director may require additional record keeping if necessary to adequately demonstrate compliance with this rule.
- 2) Records shall be kept of solvent metal cleaning training for each employee.
- 3) All records shall be retained for five (5) years and shall be made available to Department of Natural Resources personnel upon request.

**Reporting:**

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

**PERMIT CONDITION 006**  
 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations  
 40 CFR Part 63 Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for  
 Stationary Reciprocating Internal Combustion Engines

<b>Emergency Generator</b>	
Emission Unit	Description
EU 5	Diesel I/C Emergency Generator (6.7 MMBtu/hr)

**Emission Limitations:**

- 1) The permittee must operate and maintain the emergency fire pump in a manner consistent with safety and good air pollution control practices for minimizing emissions. [§63.6605(b)]
- 2) The permittee must comply with the requirements in Table 2c to 40 CFR Part 63 Subpart ZZZZ that apply to the Emergency Generator. [§63.6603(a)]
- 3) The permittee must: [Table 2c of Subpart ZZZZ (4)(a through c)]
  - a) Change oil and filter every 500 hours of operation or annually whichever comes first;
  - b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
  - c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
- 4) The permittee has the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement. [Table 2c of Subpart ZZZZ]
- 5) If the emergency generator 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. [Table 2c of Subpart ZZZZ]

**Annual Usage Limitations:**

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

- 1) The permittee shall maintain records for this unit as required in §63.6655.
- 2) The permittee shall submit reports for this unit as required in §63.6650.

- 3) The permittee shall report any deviations of this permit condition to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after exceeding the usage limitation.
- 4) The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

## IV. Core Permit Requirements

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

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

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other

pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

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

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

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

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

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

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

- 1) The permittee shall submit full emissions report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) The permittee may be required by the director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.
- 6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the director. The reports shall be submitted to the director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

**10 CSR 10-6.150 Circumvention**

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

**10 CSR 10-6.165 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 10-6.170**

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

**Emission Limitation:**

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

**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 10-6.280 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”;
  - 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.

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

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

- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR part 82*



## V. General Permit Requirements

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

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

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

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

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

- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's 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 Section 112(r)**

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

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

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

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

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

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

permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None.

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted 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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;

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

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

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

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

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

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

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

emitted. The permittee shall notify the Air Pollution Control Program, Compliance and 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.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Compliance and 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 APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP 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 APCP 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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This 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 Stanley Lister, Plant Manager. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

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

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

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

## VI. Attachments

Attachments follow.

**Attachment A**

The Clean Air Interstate Rule (CAIR) has recently been replaced by the Cross State Air Pollution Rule (CSAPR), however a CAIR Permit is being issued to KCP&L Northeast Station because the CAIR regulations have not been removed from the Missouri State Implementation Plan (SIP) at this time. Once the CAIR regulations are removed from the SIP, the CAIR permit can be removed from the operating permit. KCP&L Northeast Station is not required to hold CAIR allowances and therefore no violation of CAIR is possible.

## **TITLE V: CLEAN AIR INTERSTATE RULE (CAIR) PERMIT**

In accordance with Title V of the Clean Air Act and Missouri State Rules 10 CSR 10-6.362, *Clean Air Interstate Rule Annual Nox Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NOx Trading Program*, and 10 CSR 10-6.366, *Clean Air Interstate Rule Sox Trading Program*, the State of Missouri issues this CAIR Permit.

**Installation Name:** Kansas City Power & Light Co. – Northeast Station  
**ORIS Code:** 2081  
**Unit ID:** Combustion Turbines #11, #12, #13, #14, #15, #16, #17, and #18

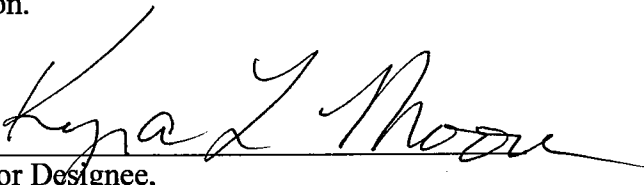
The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources' Air Pollution Control Program, Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set forth in this application.

This CAIR Permit applies only to the Turbine Units at Kansas City Power & Light Co. – Northeast Station (facility 095-0023).

This CAIR permit is being issued in conjunction with this operating permit and is effective for the same period of time as the operating permit. The permittee shall submit an application to renew this CAIR permit in conjunction with the operating permit renewal application.

**JAN 31 2017**

\_\_\_\_\_  
Date

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

**CAIR Permit Application**  
 (for sources covered under a CAIR SIP): 22

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For more information, refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322

This submission is:  New  Revised

**STEP 1**  
 Identify the source by plant name, State, and ORIS or facility code

<b>Northeast Generating Station</b>	<b>MO</b>	<b>2081</b>
Plant Name	State	ORIS/Facility Code

**STEP 2**  
 Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

Unit ID#	NO <sub>x</sub> Annual	SO <sub>2</sub>	NO <sub>x</sub> Ozone Season
11	X	X	X
12	X	X	X
13	X	X	X
14	X	X	X
15	X	X	X
16	X	X	X
17	X	X	X
18	X	X	X

**STEP 3**  
 Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

**Standard Requirements**

- (a) **Permit Requirements.**
- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) required to have a title V operating permit at the source shall:
    - (i) Submit to the permitting authority a complete CAIR permit application under §96.122, §96.222, and §96.322 (as applicable) in accordance with the deadlines specified in §96.121, §96.221, and §96.321 (as applicable); and
    - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
  - (2) The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) required to have a title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for the source and operate the source and the unit in compliance with such CAIR permit.
  - (3) Except as provided in subpart II, III, and VIII (as applicable) of 40 CFR part 96, the owners and operators of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) that is not otherwise required to have a title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for such CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and such CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable).



**Northeast Generating Station**  
Plant Name (from Step 1)

CAIR Permit Application  
Page 2

STEP 3,  
continued

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96.

(2) The emissions measurements recorded and reported in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 shall be used to determine compliance by each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) with the CAIR NO<sub>x</sub> emissions limitation, CAIR SO<sub>2</sub> emissions limitation, and CAIR NO<sub>x</sub> Ozone Season emissions limitation (as applicable) under paragraph (c) of §96.106, §96.206, and §96.306 (as applicable).

(c) Nitrogen oxides emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under §96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with subpart HH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under paragraph (c)(1) of §96.106 for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.170(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.106, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.

(4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with subparts FF, GG, and II of 40 CFR part 96.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO<sub>x</sub> unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period under §96.254(a) and (b) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with subpart HHH of 40 CFR part 96.

(2) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under paragraph (c)(1) of §96.206 for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under §96.270(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.206, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.

(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 96.

(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.205 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR SO<sub>2</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO<sub>2</sub> unit.

Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under §96.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of §96.306 for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.370(b)(1), (2), (3) or (7) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.306, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 96.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.305 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

**Northeast Generating Station**

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continued**

**(d) Excess emissions requirements.**

If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under §96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under §96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under §96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

**(e) Recordkeeping and Reporting Requirements.**

(1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §96.113, §96.213, and §96.313 (as applicable) for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under §96.113, §96.213, and §96.313 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subparts MH, HHH, and HHHH (as applicable) of 40 CFR part 96, provided that to the extent that subparts HI, HHH, and HHHH (as applicable) of 40 CFR part 96 provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) including those under subparts HI, HHH, and HHHH (as applicable) of 40 CFR part 96.

**(f) Liability.**

(1) Each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> Ozone Season units (as applicable) at the source.

(3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) shall also apply to the owners and operators of such unit.

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(g) Effect on Other Authorities.

No provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under § 98.105, §98.205, and §98.305 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) from compliance with any other provision of the applicable, approved State Implementation plan, a federally enforceable permit, or the Clean Air Act.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name <b>F. Dana Crawford, Designated Representative</b>	
Signature 	Date <b>6/26/07</b>

## STATEMENT OF BASIS

### Installation Description

The Northeast Station is an electrical generation facility utilizing eight (8) distillate oil fired combustion turbines, with the fuel supplied by a five million-gallon distillate oil storage tank. The facility also has a distillate oil fired emergency generator for backup power. This facility is major for PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, CO and HAPs. This installation is on the list of named sources.

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) <sup>1</sup>
PM <sub>10</sub>	397.5
PM <sub>2.5</sub>	388.4
Sulfur Oxides (SO <sub>x</sub> )	9.55 <sup>2</sup>
Nitrogen Oxides (NO <sub>x</sub> )	30,842
Volatile Organic Compounds	15.66
Carbon Monoxide (CO)	106.7
Hazardous Air Pollutants (HAP's)	37.9 <sup>3</sup>

<sup>1</sup>Each turbine was evaluated at 8,760 hours of uncontrolled annual operation. The emergency generator was evaluated assuming maximum 500 hours per year. Emission factors are from WebFIRE using SCC codes 20100101, and 20200101 for the turbines and emergency generator respectively.

<sup>2</sup>A sulfur content of 0.0015% was used in calculating the PTE for SO<sub>x</sub> because after January 1, 2017 the sulfur will be limited to 15 parts per million according to 10 CSR 10-6.261(3)(D).

<sup>3</sup>The installation believes that the AP-42 emissions factors used in determining the potential emissions from the turbines overestimate the HAP emissions. Accordingly, the applicant intends to conduct performance testing to determine the actual emissions of hazardous air pollutants from the turbines at this installation. If the performance testing demonstrates that the installation is not a major source of HAPs this permit would be reopened and the discussion of 40 CFR Part 63 Subpart YYYYY would be amended to reflect the findings with respect to potential emissions of HAP's.

### Reported Air Pollutant Emissions, tons per year

Pollutants	2014	2013	2012	2011	2010
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.28	0.11	0.14	0.12	0.21
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.28	0.11	0.14	0.12	0.21
Sulfur Oxides (SO <sub>x</sub> )	0.73	0.28	0.37	0.32	0.56
Nitrogen Oxides (NO <sub>x</sub> )	29.28	11.54	15.07	13.00	21.82
Volatile Organic Compounds (VOC)	1.01	1.00	1.00	1.00	1.01
Carbon Monoxide (CO)	0.08	0.03	0.04	0.03	0.06

### **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 27, 2015;
- 2) 2014 Emissions Inventory Questionnaire, received May 1, 2015; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

40 CFR Part 70 and 97 Cross State Air Pollution Rule

This regulation became effective January 1, 2015.

10 CSR 10-6.261 Control of Sulfur Dioxide Emissions

This regulation became effective November 30, 2015.

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

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds*

This rule is not included in the operating permit because it was rescinded on November 30, 2015. It was replaced by 10 CSR 10-6.261 *Control of Sulfur Dioxide Emissions*.

### **Construction Permit History**

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

- 1) Kansas City Health Department Construction Permit #316 issued on January 6, 1975, for Unit #5;
- 2) Kansas City Health Department Operating Permit #316 issued on May 15, 1975, for Unit #15;
- 3) Kansas City Health Department Construction Permit #0317 issued on January 6, 1975, for Unit #16;
- 4) Kansas City Health Department Operating Permit #0317 issued on January 6, 1975, for Unit #16;
- 5) Kansas City Health Department Construction Permit #0326 issued on July 1, 1975, for Unit #13;
- 6) Kansas City Health Department Operating Permit #0326 issued on (date missing), for Unit #13;
- 7) Kansas City Health Department Construction Permit #0327 issued on July 1, 1975, for Unit #14;
- 8) Kansas City Health Department Operating Permit #0327 issued on (date missing), for Unit #14;
- 9) Kansas City Health Department Construction Permit #0359 issued on September 29, 1976, for Unit #17;
- 10) Kansas City Health Department Operating Permit #0360 issued on September 29, 1976, for Unit #18;

11) Kansas City Health Department Operating Permit #0366 issued on October 8, 1976, for all eight units at the Northeast Station.

No revisions were made to construction permits for this installation. The construction permits, issued by the Kansas City Health Department in the 1970's contain no special conditions. Therefore, no construction permit conditions were cited in either the plant-wide conditions or the emission unit-specific conditions.

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

40 CFR Part 60 Subpart GG, *Standards of Performance for Stationary Gas Turbines*

The stationary gas turbines at this facility were all constructed before the Subpart GG applicability date of October 3, 1977, therefore they are not subject to this rule.

40 CFR Part 60 Subpart KKKK, *Standards of Performance for Stationary Combustion Turbines*

This rule does not apply because the turbines were constructed before February 18, 2005 and have not been modified.

40 CFR Part 60 Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 1, 1973 and Prior to May 19, 1978*

The five million gallon tank (EP-1) was installed in 1975 and meets the size threshold of the NSPS.

However it is not used for storage of petroleum liquids as defined in §60.111(b), therefore this unit is not subject to this standard.

§60.111(b) – *Petroleum liquids* means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean Nos. 2 through 6 Fuel Oils as specified in ASTM D396-78, 89, 90, 92, 96 or 98, gas turbine Fuel Oils Nos. 2-GT through 4-GT as specified in ASTM D2880-87, or 96, or diesel Fuel Oils Nos. 2-D and 4-D as specified in ASTM D975-78, 96 or 98a. (These three methods are incorporated by reference – see §60.17.)

40 CFR Part 60 Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

40 CFR Part 60 Subpart JJJJ, *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*

The emergency generator is not subject to these subparts because it was installed before the applicability dates.

40 CFR Part 60 Subpart TTTT, *Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units*

This subpart does not apply to the turbines because they were constructed before January 8, 2014 and have not been modified.

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

40 CFR Part 63 Subpart YYYY, *National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines*

The eight 50 MW gas turbines at this installation were installed prior to January 14, 2003 and so meet the definition of existing stationary combustion turbines in this subpart. Though this regulation applies to the turbines, per 63.6090(b)(4) these existing stationary combustion turbines do not have to meet the

requirements of this subpart or subpart A of 40 CFR Part 63. No initial notification is necessary. Because there are no applicable requirements from this regulation, the regulation is not a part of the operating permit. The installation believes that the AP-42 emissions factors used in determining the potential emissions from the turbines overestimate HAP emissions. Accordingly, the applicant intends to conduct performance testing to determine the actual emissions of hazardous air pollutants from the turbines at this installation. If the performance testing demonstrates that the installation is not a major source of HAPs this permit would be reopened and the discussion of 40 CFR Part 63 Subpart YYYY would be amended to reflect the findings with respect to potential emissions of HAP's.

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

This regulation applies to EU 5 – Dual Fuel Emergency Generator. The generator is an existing CI-engine located at major source of HAPs.

40 CFR Part 63 Subpart CCCCC, *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities* applies does not apply to this facility because the gasoline storage tank (GST 1) has been removed.

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

In the permit application and according to APCP records, there was no indication that any Missouri Air Conservation Law, Asbestos Abatement, 643.225 through 643.250; 10 CSR 10-6.080, Emission Standards for Hazardous Air Pollutants, Subpart M, National Standards for Asbestos; and 10 CSR 10-6.250, Asbestos Abatement Projects - Certification, Accreditation, and Business Exemption Requirements apply to this installation. The installation is subject to these regulations if they undertake any projects that deal with or involve any asbestos containing materials. None of the installation's operating projects underway at the time of this review deal with or involve asbestos containing material. Therefore, the above regulations were not cited in the operating permit. If the installation should undertake any construction or demolition projects in the future that deal with or involve any asbestos containing materials, the installation must follow all of the applicable requirements of the above rules related to that specific project.

#### **Compliance Assurance Monitoring (CAM) Applicability**

40 CFR Part 64, *Compliance Assurance Monitoring (CAM)*

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

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

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

#### **Greenhouse Gas Emissions**

Note that this source is subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO<sub>2</sub> emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's

CO<sub>2</sub> emissions were not included within this permit. The applicant is required to report the data directly to EPA. The public may obtain CO<sub>2</sub> emissions data for this installation by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.

### **Other Regulatory Determinations**

10 CSR 10-2.260 *Control of Petroleum Liquid Storage, Loading and Transfer*

The 235-gallon unleaded gasoline storage tank has been removed from the facility.

10 CSR 10-6.360 *Control of NO<sub>x</sub> Emissions From Electric Generating Units and Non-Electric Generating Boilers*

10 CSR 10-6.390 *Control of NO<sub>x</sub> Emissions From Large Stationary Internal Combustion Engines*

This facility is located in Jackson County, which is not an applicable county listed in either of §6.360 or §6.390.

10 CSR 10-6.350 *Emission Limitations and Emissions Trading of Oxides of Nitrogen*

This rule is no longer active. 10 CSR 10-6.350(1)(F) states “The requirements of Sections (3), (4), and (5) of this rule will not apply to the control period beginning in 2009 and any control period thereafter.”

Subpart A - Acid Rain Program General Provisions

These units qualify for existing unit exemptions per 40 CFR 72.6(b) since they were constructed before November 15, 1990. Therefore the provisions do not apply to this facility.

10 CSR 10-6.261, *Control of Sulfur Dioxide Emissions*

This rule applies to Emission Units EU 2-1, EU 2-2, EU 2-3, EU 2-4, EU 2-5, EU 2-6, EU 2-7, EU 2-8 and EU5. These emission units are all existing units as defined in 10 CSR 10-6.020(2)(E)44.B (constructed after September 25, 1968 in the Kansas City area), therefore they are limited to burning fuel oil with a sulfur content less than 8,812 parts per million.

### **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 APCP's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the APCP a schedule for achieving compliance for that regulation(s).



## Response to Public Comments

The draft Part 70 Operating Permit for Kansas City Power & Light – Northeast Station (095-0023) was placed on public notice as of November 4, 2016 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 November 14, the Air Pollution Control Program received comments from Mark Smith, EPA Region 7. The comments are addressed below in the order in which they appear within the letter.

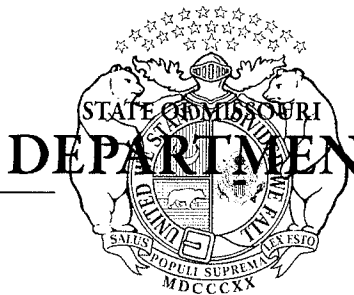
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**Comment #1:** Permit Condition 006 incorporates the 40 CFR Part 63 Subpart ZZZZ requirements. The Annual Usage Limitation requirement 1)c) includes a requirement for emergency stationary reciprocating internal combustion engines (RIC) located at “minor sources” of HAPs. However, MDNR indicates in the Installation Description and in the statement of basis that this facility is a major source of HAPs. Therefore, EPA recommends MDNR replace the annual usage limitation for minor sources with the annual usage limitations for major sources.

**Response to Comment:** The paragraph in Permit Condition 006 under Annual Usage Limitation Requirements referencing §63.6640(f)(4), has been replaced with the requirements for major sources under §63.6640(f)(3).

**Comment #2:** Permit Condition 001 and Permit Condition 002 incorporate the requirements from 10 CSR 10-6.260 and 10 CSR 10-6.261 respectively, which pertain to the eight combustion turbines and the emergency generator. Emission limitation 1) in Permit Condition 001 requires the permittee to limit the sulfur dioxide from any new source operation using distillate fuel. The emission limitation in Permit Condition 002, also requires the permittee to limit sulfur dioxide from new source operation. Upon initial review of these requirements, it could be interpreted that combustion turbines installed in 1975, 1976 and 1977 are not “new:” source operations. EPA suggests that MDNR consider including the definition of “new source operation” in both permit conditions.

**Response to Comment:** A definition of “new source” as being any source installed or under construction in the Kansas City metropolitan area after September 25, 1968 was added to Permit Condition 002.



Eric R. Greitens, Governor • Carol S. Comer, Acting Director

# DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

**JAN 31 2017**

Mr. Stanley Lister  
Kansas City Power & Light Co. - Northeast Station  
920 North Olive  
Kansas City, MO 64120

Re: Kansas City Power & Light Co. - Northeast Station, 095-0023  
Permit Number: OP2016-045

Dear Mr. Lister:

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.

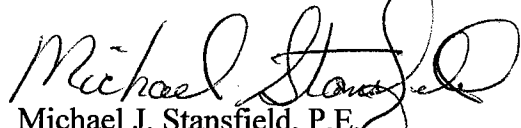
This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty 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 (APCP) at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:jwj

Enclosures

c: PAMS File: 2015-08-038



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