



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

## PART 70 PERMIT TO OPERATE

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

**Operating Permit Number:** OP2018-013  
**Expiration Date:** JAN 29 2023  
**Installation ID:** 207-0062  
**Project Number:** 2014-12-056

**Installation Name and Address**

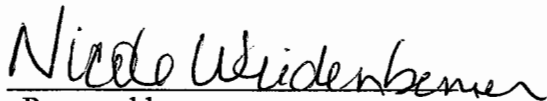
Lemons Sanitary Landfill  
15250 Old Bloomfield Drive  
Dexter, MO 63841  
Stoddard County

**Parent Company's Name and Address**

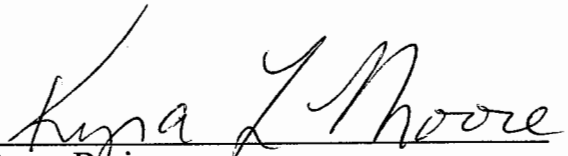
Lemons Landfill, LLC  
1700 Holzer Drive  
Arnold MO, 63010

**Installation Description:**

Lemons Sanitary Landfill operates a municipal solid waste landfill that has accepted waste since 1994 with a current capacity of 10.98 million cubic meters (8.855 Mg). Emission sources include the landfill, a 2,000 scfm candlestick flare, haul roads and space heaters. The installation is required to obtain a Part 70 Operating Permit due to the provisions of 40 CFR part 60 Subpart WWW- *Standards of Performance for Municipal Solid Waste Landfills*. The installation does not appear on the list of Named Installations, therefore fugitives are not included for permit applicability.



Prepared by  
Nicole Weidenbenner, PE  
Operating Permit Unit



Director or Designee  
Department of Natural Resources

**JAN 29 2018**

Effective Date

## Table of Contents

<b>I. INSTALLATION EQUIPMENT LISTING .....</b>	<b>3</b>
EMISSION UNITS WITH LIMITATIONS .....	3
EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS .....	3
<b>II. PLANT WIDE EMISSION LIMITATIONS.....</b>	<b>4</b>
Permit Condition 052001-016.....	4
10 CSR 10-6.060, Construction Permits Required .....	4
Construction Permit 052001-016, Issued May 1, 2001 .....	4
<b>III. EMISSION UNIT SPECIFIC EMISSION LIMITATIONS .....</b>	<b>5</b>
Permit Condition M.....	5
10 CSR 10-6.080, Emission Standards for Hazardous Air Pollutants, and .....	5
40 CFR 61 Subpart M, National Emission Standard for Asbestos .....	5
Permit Condition WWW .....	7
10 CSR 10-6.070 New Source Performance Regulations .....	7
40 CFR Part 60, Subpart A General Provisions.....	7
40 CFR Part 60, Subpart WWW Standards of Performance for Municipal Solid Waste Landfills .....	7
Permit Condition AAAA.....	12
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations .....	12
40 CFR Part 63, Subpart A General Provisions.....	12
40 CFR Part 63, Subpart AAAA National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.....	12
Permit Condition 012014-007 .....	14
10 CSR 10-6.060, Construction Permits Required .....	14
Construction Permit 012014-007, Issued January 16, 2014 .....	14
Permit Condition 6.220 .....	14
10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants .....	14
Permit Condition 6.260 .....	14
10 CSR 10-6.260, Restriction of Emission of Sulfur Compounds .....	14
Permit Condition 6.405 .....	15
10 CSR 10-6.405, Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating .....	15
<b>IV. CORE PERMIT REQUIREMENTS .....</b>	<b>16</b>
<b>V. GENERAL PERMIT REQUIREMENTS.....</b>	<b>22</b>
<b>VI. ATTACHMENTS .....</b>	<b>27</b>
ATTACHMENT 6.170 .....	28
Fugitive Emission Observations .....	28
ATTACHMENT MAINTENANCE LOG.....	29
Inspection/Maintenance/Repair/Malfunction Log .....	29

## **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>
EP-01	Municipal Solid Waste Landfill with Gas Collection System
EP-08	Open Flare
EP-07	Used Oil Space Heater
EP-09	Propane fired Heater

### **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.

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>
EP-02	Haul Road A
EP-03	Haul Road B
EP-04	Haul Road C
EP-05	10,000 gallon diesel fuel storage tank #1
EP-06	10,000 gallon diesel fuel storage tank #2

## 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. This section applies to regulations that apply on an entire-installation wide basis. The following general conditions apply to all units contained in this permit, unless stated otherwise.

### **Monitoring:**

The permittee shall calibrate, maintain and operate all pollution control devices and pollution monitoring related instruments according to the manufacturer's recommendations, or maintenance and operational history of similar units. All calibrations, maintenance, and operations shall occur according to good engineering practices. All manufacturing specifications and operational/maintenance histories shall be kept on site.

### **Recordkeeping:**

1. The permittee shall record all required record keeping in an appropriate format.
2. Records may be kept electronically using database or workbook systems, as long as all required information is readily available for compliance determinations.
3. The permittee shall keep a copy of this operating permit and review, copies of all issued construction permits and reviews, and copies of all Safety Data Sheets (SDS) on site.
4. All records must be kept for a minimum of 5 years and be made available to department personnel upon request.

### **Reporting:**

1. The permittee shall report any exceedance of any of the terms imposed by this permit, or any malfunction which could cause an exceedance of any of the terms imposed by this permit, no later than ten days after the exceedance or event causing the exceedance (unless otherwise specified in the specific condition).
2. The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report and annual compliance certification.
3. All reports and certifications shall be submitted to the Air Pollution Control Program's Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).

### **Permit Condition 052001-016**

10 CSR 10-6.060, Construction Permits Required  
Construction Permit 052001-016, Issued May 1, 2001

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

### **Operational Limitation:**

Special Condition # 1: If a continuing situation of demonstrated nuisance odors exists in violation of 10 CSR 10-6.165, Restriction of Emission of Odors, the director may require the permittee to submit a corrective action plan within 10 days adequate to timely and significantly mitigate the odors. The permittee shall implement any such plan immediately upon its approval by the director. Failure to either submit or implement such a plan shall be a violation of this construction permit.

### III. Emission Unit Specific Emission Limitations

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

<b>Permit Condition M</b>	
10 CSR 10-6.080, Emission Standards for Hazardous Air Pollutants, and 40 CFR 61 Subpart M, National Emission Standard for Asbestos	
2016 EP #	Description
EP-01	Municipal Solid Waste Landfill with Gas Collection System

**Emission/Operational Limitations:**

The permittee shall meet the following requirements:

1. Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of §61.154(c) or (d) must be met. [§61.154(a)]
2. Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of §61.154(c)(1) must be met. [§61.154(b)]
  - a. Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos containing waste material is deposited. The warning signs must:
    - i. Be posted in such a manner and location that a person can easily read the legend; and
    - ii. Conform to the requirements of 51 cm × 36 cm (20 inch;×14 inch;) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and
    - iii. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph. Spacing between any two lines must be at least equal to the height of the upper of the two lines.
 

**Legend Notation**  
 Asbestos Disposal Site..... 2.5 cm (1 inch) Sans Serif, Gothic or Block.  
 Do Not Create Dust..... 1.9 cm (3/4 inch) Sans Serif, Gothic or Block.  
 Breathing Asbestos is Hazardous to Your Health..... 14 Point Gothic.
  - b. The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.
  - c. Upon request and supply of appropriate information, the director will determine whether a fence or a natural barrier adequately deters access by the general public.
3. Rather than meet the no visible emission requirement of §61.154(a), at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall: [§61.154(c)]
  - a. Be covered with at least 15 centimeters (6 inches) of compacted non-asbestos-containing material, or [§61.154(c)(1)]
  - b. Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior

approval by the director. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent. [§61.154(c)(2)]

4. Rather than meet the no visible emission requirement of §61.154(a), use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.149(c)(2). [§61.154(d)]

**Recordkeeping/Reporting:**

1. For all asbestos-containing waste material received, the permittee shall: [§61.154(e)]
  - a. Maintain waste shipment records, using a form similar to that shown in Figure 4 of 40 CFR 61.149, and include the following information:
    - i. The name, address, and telephone number of the waste generator.
    - ii. The name, address, and telephone number of the transporter(s).
    - iii. The quantity of the asbestos-containing waste material in cubic meters (cubic yards).
    - iv. The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, state, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Missouri Department of Natural Resources, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.
    - v. The date of the receipt.
  - b. As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.
  - c. Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, state, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Missouri Department of Natural Resources. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.
  - d. Retain a copy of all records and reports required by this paragraph for at least five years.
2. Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area. [§61.154(f)]
3. Upon closure, comply with all the provisions of §61.151. [§61.154(g)]
4. Submit to the director, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities. [§61.154(h)]
5. Furnish upon request, and make available during normal business hours for inspection by the director, all records required under this section. [§61.154(i)]
6. Notify the director in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the director at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice: [§61.154(j)]
  - a. Scheduled starting and completion dates.

- b. Reason for disturbing the waste.
- c. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the director may require changes in the emission control procedures to be used.
- d. Location of any temporary storage site and the final disposal site.

<b>Permit Condition WWW</b>	
10 CSR 10-6.070 New Source Performance Regulations 40 CFR Part 60, Subpart A General Provisions 40 CFR Part 60, Subpart WWW Standards of Performance for Municipal Solid Waste Landfills	
2016 EP #	Description
EP-01	Municipal Solid Waste Landfill with Gas Collection System
EP-08	Open Flare, 2000 SCFM, LFG Specialties

**Emission Limitations:**

1. The permittee shall comply with the following requirements:
  - a. Install a collection and control system that captures the gas generated within the landfill as required by §60.752(b)(2)(ii)(A) and (b)(2)(iii). [§60.752(b)(2)(ii)]
    - i. An active collection system shall: [§60.752(b)(2)(ii)(A)]
      - A. Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment; [§60.752(b)(2)(ii)(A)(1)]
      - B. Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of: [§60.752(b)(2)(ii)(A)(2)]
        - i) 5 years or more if active; or [§60.752(b)(2)(ii)(A)(2)(i)]
        - ii) 2 years or more if closed or at final grade. [§60.752(b)(2)(ii)(A)(2)(ii)]
      - C. Collect gas at a sufficient extraction rate; [§60.752(b)(2)(ii)(A)(3)]
      - D. Be designed to minimize off-site migration of subsurface gas. [§60.752(b)(2)(ii)(A)(4)]
  - b. Route all the collected gas to a control system that complies with the requirements in either §60.752(b)(2)(iii) (A) or (C). [§60.752(b)(2)(iii)]
    - i. An open flare designed and operated in accordance with §60.18 except as noted in §60.754(e); [§60.752(b)(2)(iii)(A)]
  - c. Operate the collection and control device installed to comply with this subpart in accordance with the provisions of §§60.753, 60.755 and 60.756. [§60.752(b)(2)(iv)]
  - d. The collection and control system may be capped or removed provided that all the conditions of §60.752(b)(2)(v) (A), (B), and (C) are met: [§60.752(b)(2)(v)]
    - i. The landfill shall be a closed landfill as defined in §60.751 of this subpart. A closure report shall be submitted to the director as provided in §60.757(d); [§60.752(b)(2)(v)(A)]
    - ii. The collection and control system shall have been in operation a minimum of 15 years; and [§60.752(b)(2)(v)(B)]
    - iii. Following the procedures specified in §60.754(b) of this subpart, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart. [§60.752(b)(2)(v)(C)]
2. When a MSW landfill subject to this subpart is closed, the permittee is no longer subject to the requirement to maintain an operating permit under part 70 of this chapter for the landfill if the

landfill is not otherwise subject to the requirements of part 70 and if either of the following conditions are met: [§60.752(d)]

- a. The permittee meets the conditions for control system removal specified in §60.752(b)(2)(v). [§60.752(d)(2)]

**Operational Standards for Collection and Control Systems:**

The permittee shall comply with the following requirements:

1. Operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for: [§60.753(a)]
  - a. 5 years or more if active; or [§60.753(a)(1)]
  - b. 2 years or more if closed or at final grade; [§60.753(a)(2)]
2. Operate the collection system with negative pressure at each wellhead except under the following conditions: [§60.753(b)]
  - a. A fire or increased well temperature. The permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in §60.757(f)(1); [§60.753(b)(1)]
  - b. Use of a geomembrane or synthetic cover. The permittee shall develop acceptable pressure limits in the design plan; [§60.753(b)(2)]
  - c. A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the director; [§60.753(b)(3)]
3. Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. [§60.753(c)]
  - a. The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by §60.752(b)(2)(i). [§60.753(c)(1)]
  - b. Unless an alternative test method is established as allowed by §60.752(b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that: [§60.753(c)(2)]
    - i. The span shall be set so that the regulatory limit is between 20 and 50 percent of the span; [§60.753(c)(2)(i)]
    - ii. A data recorder is not required; [§60.753(c)(2)(ii)]
    - iii. Only two calibration gases are required, a zero and span, and ambient air may be used as the span; [§60.753(c)(2)(iii)]
    - iv. A calibration error check is not required; [§60.753(c)(2)(iv)]
    - v. The allowable sample bias, zero drift, and calibration drift are ±10 percent. [§60.753(c)(2)(v)]
4. Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the permittee shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring



- route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing. [§60.753(d)]
5. Operate the system such that all collected gases are vented to a control system designed and operated in compliance with §60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour; and [§60.753(e)]
  6. Operate the control at all times when the collected gas is routed to the system. [§60.753(f)]
  7. If monitoring demonstrates that the operational requirements in §60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) or §60.755(c). If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section. [§60.753(g)]

**Test Methods and Procedures:**

1. After the installation of a collection and control system in compliance with §60.755, the permittee shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in §60.752(b)(2)(v), using the procedures in §60.754(b).
2. When calculating emissions for PSD purposes, the permittee shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in §§51.166 or 52.21 of this chapter using AP-42 or other approved measurement procedures. [§60.754(c)]
3. For the performance test required in §60.752(b)(2)(iii)(A), the permittee shall comply with the provisions of §60.754(e).

**Compliance Provisions:**

1. The permittee shall use the methods specified in §60.755(a)(1) through (a)(6) to determine whether the gas collection system is in compliance with §60.752(b)(2)(ii). [§60.755(a)]
2. For purposes of compliance with §60.753(a), the permittee of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in §60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of: [§60.755(b)]
  - a. 5 years or more if active; or [§60.755(b)(1)]
  - b. 2 years or more if closed or at final grade. [§60.755(b)(2)]
3. The permittee shall use the procedures in §60.755(c) for compliance with the surface methane operational standard as provided in §60.753(d).
4. The permittee seeking to comply with §60.755(c) shall comply with the provisions of §60.755(d).
5. The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices. [§60.755(e)]

**Monitoring:**

The permittee shall comply with the following:

1. The permittee seeking to comply with §60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and: [§60.756(a)]
  - a. Measure the gauge pressure in the gas collection header on a monthly basis as provided in §60.755(a)(3); and [§60.756(a)(1)]
  - b. Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in §60.755(a)(5); and [§60.756(a)(2)]

- c. Monitor temperature of the landfill gas on a monthly basis as provided in §60.755(a)(5).  
[§60.756(a)(3)]
2. The permittee seeking to comply with §60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:  
[§60.756(c)]
  - a. A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame. [§60.756(c)(1)]
  - b. A device that records flow to or bypass of the flare. The permittee shall either: [§60.756(c)(2)]
    - i. Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or [§60.756(c)(c)(i)]
    - ii. Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. [§60.756(c)(2)(ii)]
3. The permittee seeking to install a collection system that does not meet the specifications in §60.759 or seeking to monitor alternative parameters to those required by §60.753 through §60.756 shall provide information satisfactory to the director as provided in §60.752(b)(2)(i) (B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The director may specify additional appropriate monitoring procedures. [§60.756(e)]
4. The permittee seeking to demonstrate compliance with §60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in §60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring. [§60.756(f)]

**Reporting:**

The permittee shall comply with the following:

1. The permittee of a controlled landfill shall submit a closure report to the director within 30 days of waste acceptance cessation. The director may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the director, no additional wastes may be placed into the landfill without filing a notification of modification as described under §60.7(a)(4).  
[§60.757(d)]
2. The permittee of a controlled landfill shall submit an equipment removal report to the director 30 days prior to removal or cessation of operation of the control equipment. [§60.757(e)]
  - a. The equipment removal report shall contain all of the following items: [§60.757(e)(1)]
    - i. A copy of the closure report submitted in accordance with §60.757(d); [§60.757(e)(1)(i)]
    - ii. A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and [§60.757(e)(1)(ii)]
    - iii. Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year. [§60.757(e)(1)(iii)]
  - b. The director may request such additional information as may be necessary to verify that all of the conditions for removal in §60.752(b)(2)(v) have been met. [§60.757(e)(2)]
3. The permittee seeking to comply with §60.752(b)(2) using an active collection system designed in accordance with §60.752(b)(2)(ii) shall submit to the director annual reports of the recorded

information in §60.757(f)(1) through (f)(6). For enclosed combustion devices and flares, reportable exceedances are defined under §60.758(c). [§60.757(f)]

- a. Value and length of time for exceedance of applicable parameters monitored under §60.756(a), (b), (c), and (d). [§60.757(f)(1)]
- b. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under §60.756. [§60.757(f)(2)]
- c. Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating. [§60.757(f)(3)]
- d. All periods when the collection system was not operating in excess of 5 days. [§60.757(f)(4)]
- e. The location of each exceedance of the 500 parts per million methane concentration as provided in §60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. [§60.757(f)(5)]
- f. The date of installation and the location of each well or collection system expansion added pursuant to §60.755(a)(3), (b), and (c)(4). [§60.757(f)(6)]

**Recordkeeping:**

1. The permittee subject to the provisions of §60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [§60.758(a)]
2. The permittee of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in §60.758(b)(1) through (b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal. [§60.758(b)]
  - a. Where the permittee subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(ii): [§60.758(b)(1)]
    - i. The maximum expected gas generation flow rate as calculated in §60.755(a)(1). The permittee may use another method to determine the maximum gas generation flow rate, if the method has been approved by the director. [§60.758(b)(1)(i)]
    - ii. The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §60.759(a)(1). [§60.758(b)(1)(ii)]
  - b. Where the permittee seeks to demonstrate compliance with §60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in §60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent. [§60.758(b)(4)]
3. The permittee of a controlled landfill subject to the provisions of this subpart shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. [§60.758(c)]
  - a. The permittee shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of

- car-seals or lock-and-key configurations used to seal bypass lines, specified under §60.756. [§60.758(c)(2)]
- b. The permittee seeking to comply with the provisions of this subpart by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under §60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent. [§60.758(c)(4)]
4. The permittee shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector. [§60.758(d)]
    - a. The permittee shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §60.755(b). [§60.758(d)(1)]
    - b. The permittee shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in §60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in §60.759(a)(3)(ii). [§60.758(d)(2)]
  5. The permittee shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in §60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance. [§60.758(e)]

<b>Permit Condition AAAA</b>	
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart A General Provisions 40 CFR Part 63, Subpart AAAA National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills	
EP #	Description
EP-01	Municipal Solid Waste Landfill with Gas Collection System
EP-08	Open Flare, 2000 SCFM, LFG Specialties

**Standards**

1. The permittee must comply with the requirements of 40 CFR part 60, subpart WWW. [§63.1955(a)(1)]
2. The permittee must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of this part specified in table 1 of this subpart. [§63.1955(b)]
3. For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, you must follow the procedures in 40 CFR 60.752(b)(2). If alternatives have already been approved under 40 CFR part 60 subpart WWW or the Federal plan, or EPA approved and effective State or tribal plan, these alternatives can be used to comply with this subpart, except that all affected sources must comply with the SSM requirements in Subpart A of this part as specified in Table 1 of this subpart and all affected sources must submit compliance reports every 6 months as specified in §63.1980(a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3 hour monitoring block average. [§63.1955(c)]

### **General and Continuing Compliance Requirements**

Compliance is determined in the same way it is determined for 40 CFR part 60, subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), (c)(1), and (d) of subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in this subpart and have deviated from the requirements of this subpart. Finally, you must develop a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of this subpart. [§63.1960]

### **Deviations**

A deviation is defined in §63.1990. For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in §63.1965(a) through (c).

1. A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) of subpart WWW are exceeded. [§63.1965(a)]
2. A deviation occurs when 1 hour or more of the hours during the 3-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour. [§63.1965(b)]
3. A deviation occurs when a SSM plan is not developed or maintained on site. [§63.1965(c)]

### **Three hour block average calculations:**

Averages are calculated in the same way as they are calculated in 40 CFR part 60, subpart WWW, except that the data collected during the events listed in §63.1975(a), (b), (c), and (d) are not to be included in any average computed under this subpart:

1. Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments. [§63.1975(a)]
2. Startups. [§63.1975(b)]
3. Shutdowns. [§63.1975(c)]
4. Malfunctions. [§63.1975(d)]

### **Notifications, Records, and Reports**

1. The permittee shall keep records and reports as specified in 40 CFR part 60, subpart WWW, with one exception: The permittee must submit the annual report described in 40 CFR 60.757(f) every 6 months. [§63.1980(a)]
2. The permittee must also keep records and reports as specified in the general provisions of 40 CFR part 60 and this part as shown in Table 1 of this subpart. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports. [§63.1980(b)]
3. If you add any liquids other than leachate in a controlled fashion to the waste mass and do not comply with the bioreactor requirements in §§63.1947, 63.1955(c) and 63.1980(c) through (f) of this subpart, the permittee must keep a record of calculations showing that the percent moisture by weight expected in the waste mass to which liquid is added is less than 40 percent. The calculation must consider the waste mass, moisture content of the incoming waste, mass of water added to the waste including leachate recirculation and other liquids addition and precipitation, and the mass of water removed through leachate or other water losses. Moisture level sampling or mass balances calculations can be used. You must document the calculations and the basis of any assumptions, and keep the record of the calculations until you cease liquids addition. [§63.1980(g)]

<b>Permit Condition 012014-007</b> 10 CSR 10-6.060, Construction Permits Required Construction Permit 012014-007, Issued January 16, 2014	
2016 EIQ #	Description
EP-01	Municipal Solid Waste Landfill with Gas Collection System
EP-08	Open Flare, 2000 SCFM, LFG Specialties

**Operational Limitations:**

1. Special Condition #1.A.: The permittee shall control emissions from the landfill expansion area using a flare.
2. Special Condition #1.B.: The permittee shall operate and maintain the flare in accordance with the manufacturer’s specifications, a copy of which shall be kept on site.

**Monitoring/Recordkeeping:**

1. Special Condition # 1.C.: The permittee shall maintain an operating and maintenance log for the flare. The permittee shall use Attachment Maintenance Log, or an equivalent to document the following:
  - a. Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b. Maintenance activities, with inspection schedule, repair actions, and replacements, etc.

<b>Permit Condition 6.220</b> 10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants	
2016 EIQ #	Description
EP-07	Used Oil Space Heater, 0.35 MMBtu/hr, installed post 1971

**Emissions Limitation:**

1. The permittee shall not cause or permit to be discharged into the atmosphere from any emission unit any visible emissions greater than 20% for any continuous six minute period. [6.220(3)(A)1.]
2. Exceptions allowed in one continuous six minute period: The permittee may emit 40% opacity for one continuous six-minute period in any sixty minutes. [6.220(3)(A)2.]

**Monitoring/Recordkeeping:**

None, See Statement of Basis

<b>Permit Condition 6.260</b> 10 CSR 10-6.260, Restriction of Emission of Sulfur Compounds	
2016 EIQ #	Description
EP-08	Open Flare, 2000 SCFM, LFG Specialties
EP-07	Used Oil Space Heater, 0.35 MMBtu/hr, installed post 1971

**Emission Limitation:**

1. For EP-08: The permittee shall not cause or permit the emission into the atmosphere gases containing more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide of more

than thirty-five milligrams per cubic meter ( $35 \text{ mg/m}^3$ ) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.

- For EP-07: The permittee shall not cause or allow emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of 8 lbs  $\text{SO}_2$ /MMBtu actual heat input averaged on any consecutive three hour time period. [6.260(3)(B)2.A.]

**Monitoring/Recordkeeping:**

None, See Statement of Basis

<b>Permit Condition 6.405</b>	
10 CSR 10-6.405, Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating	
2016 EIQ #	Description
EP-07	Used Oil Space Heater, 0.35 MMBtu/hr, installed post 1971
EP-09	Propane fired Heater, 0.396 MMBtu/hr, installed post 1971

**Emission Limitation:**

The permittee shall not emit particulate matter in excess of 0.60 pounds per million BTU of heat input.

**Monitoring/Recordkeeping:**

None, See Statement of Basis

## 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 are only excerpts from the regulation or code, and are provided for summary purposes only.

### 10 CSR 10-6.045 Open Burning Requirements

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.



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

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

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

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

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

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

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

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

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by 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 a spreadsheet file, can be submitted for approval by the director.
- 2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 3) The permittee shall 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.

#### **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 a State Only permit requirement.**

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

**Monitoring:**

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

The permittee shall maintain the following monitoring schedule. Issuance of a renewal operating permit does not restart the schedule.

- 1) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
- 2) Should no violation of this regulation be observed during this period then-
  - a) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
  - b) If a violation is noted, monitoring reverts to weekly.
  - c) Should no violation of this regulation be observed during this period then-
    - i) The permittee may observe once per month.
    - ii) If a violation is noted, monitoring reverts to weekly.
- 3) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

**Recordkeeping:**

The permittee shall document all readings on Attachment 6.170, or its equivalent, noting the following:

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

**10 CSR 10-6.180 Measurement of Emissions of Air Contaminants**

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

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

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

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

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

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, “Operating Permits”, and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at an installation:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, “Operating Permits”, and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.

- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

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

completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*

## V. General Permit Requirements

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

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

### **10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits**

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

### **10 CSR 10-6.065(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 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).
  - 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.
  - 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.
- 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)**

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

#### **10 CSR 10-6.065(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 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov). 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 permit, 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 Tim Trost, Area President. On May 4, 2016, the Air Pollution Control Program was informed that Mr. David Vasbinder, Environmental Manager, is now the responsible official. 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 shall be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MoDNR) 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) MoDNR or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 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) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

## **VI. Attachments**

Attachments follow.





## STATEMENT OF BASIS

### INSTALLATION DESCRIPTION

Lemons Sanitary Landfill operates a municipal solid waste landfill that has accepted waste since 1994 with a current capacity of 10.98 million cubic meters (8.855 Mg). Emission sources include the landfill, a 2,000 scfm candlestick flare, haul roads and space heaters. The installation is required to obtain a Part 70 Operating Permit due to the provisions of 40 CFR part 60 Subpart W - *Standards of Performance for Municipal Solid Waste Landfills*. The installation does not appear on the list of Named Installations, therefore fugitives are not included for permit applicability.

The last five years of reported emissions and the installation's potential to emit appears in Table 1 below. The potential emissions do not include emissions from haul roads or tanks, affecting the results for particulates and VOCs/HAPs. Emissions from the used oil heater were calculated using emission factors sourced from SCC 10500213, assuming a heating value of 140 MMBtu/1000 gallons, 0.55% ash content, and 0.5% sulfur content. Potential landfill emissions were calculated using emission factors from the draft AP42, Section 2.4 for landfills accepting waste after 1992 and the destruction efficiency of the flare. The fugitive landfill emissions that are included for Title V potential to emit purposes are hazardous air pollutants. However all emissions from the landfill were included in the reported values, mainly affecting VOC. Flare emissions were based on the maximum hourly design rate of 2,000 SCFM of the flare, using a carbon monoxide emission factor of 62.4 lb CO/MMCF of methane derived from the AP42 draft Section 2.4 background document. Reported flare emissions, and previous permits, use an emission factor of 750 lb CO/MMCF of methane based on the final AP42 Section 2.4.

**Table 1: Emissions Profile, tons per year**

Pollutants	Reported Emissions					Potential Emissions
	2012	2013	2014	2015	2016	
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	10.59	9.91	10.60	12.00	11.80	4.10
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	2.72	2.71	2.83	2.49	2.61	4.08
Sulfur Oxides (SO <sub>x</sub> )	1.52	1.57	1.62	1.18	1.31	8.30
Nitrogen Oxides (NO <sub>x</sub> )	4.35	4.49	4.62	3.36	3.75	10.60
Volatile Organic Compounds (VOC)	2.81	2.90	2.98	1.69	12.18	0.32
Carbon Monoxide (CO)	81.57	84.11	86.56	63.05	70.35	16.45
Hazardous Air Pollutants (HAPs)	1.10	1.13	1.17	0.79	2.12	1.86

### **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 December 29, 2014;
- 2) 2016 Emissions Inventory Questionnaire, received April 3, 2017;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
- 4) webFIRE; and
- 5) All documents listed in Construction Permit History

### **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.

See Other Regulatory Determinations

### **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.

See Other Regulatory Determinations

### **Construction Permit History**

The following construction permits were issued to this installation:

1. No Permit Required Letter 1998-12-111  
This project is for the installation of a passive flare. The flare has been removed.
2. Construction Permit 052001-016  
This permit was issued May 1, 2001 for the installation of an active skid mounted 2,000 scfm utility flare. The special condition has incorporated into this operating permit, and has been updated to reflect the current odor rule, 10 CSR 10-6.165, Restriction of Emission of Odors.
3. Construction Permit 012014-007  
This permit was issued January 16, 2014 for a horizontal expansion of the landfill. The total waste capacity is 10.98 million cubic meters (8.855 Mg). All special conditions are incorporated into this operating permit.
4. No Permit Required Letter 2016-03-002  
This project is for the like-kind replacement of the 2,000 scfm utility flare contained in Construction Permit #052001-016. The new flare is an LFG Specialities 2,000 scfm candlestick flare.

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

40 CFR part 60 Subpart WWW-*Standards of Performance for Municipal Solid Waste Landfills*

This subpart applies to each municipal solid waste landfill that commenced construction, reconstruction, or modification on or after May 30, 1991. The standards of this regulation classify landfills, with design capacities greater than 2.5 million megagrams and 2.5 million cubic meters, into two categories: those that are required to install control devices and those that are not required to install control devices.

Lemons Sanitary Landfill meets the requirements to install a gas collection and control system and uses flares to control the landfill gas as required in this regulation. The applicable provisions for the gas collection system and flares appear as a permit condition in this operating permit.

*40 CFR part 60 Subpart XXX, Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014*

The provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction, or modification after July 17, 2014. Physical or operational changes made to an MSW landfill solely to comply with subparts Cc, Cf, or WWW of this part are not considered construction, reconstruction, or modification for the purposes of this section. In January 2014 the landfill received a solid waste permit for a vertical expansion, which may meet the applicability of this regulation, depending in when construction began. However, on May 31, 2017, EPA published in the Federal Register a stay and reconsideration of this regulation. Therefore, this regulation does not appear in the operating permit.

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

*40 CFR Part 63 Subpart AAAA-National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills*

This subpart requires all landfills described in §63.1935 to meet the requirements of 40 CFR Part 60, Subpart Cc or WWW and requires timely control of bioreactors. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements. This regulation applies and appears as a permit condition in this operating permit.

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

*40 CFR part 61, Subpart M, National Emission Standards for Asbestos*

The landfill accepts asbestos containing waste. The applicable requirements of this regulation appear in the operating permit.

**Compliance Assurance Monitoring (CAM) Applicability**

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

Units that are subject to emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act are exempt from CAM, see §64.2(b)(1)(i). The control devices at this installation are subject to emission limitations in NSPS subpart WWW, which was proposed on May 30, 1991. Therefore, the control devices meet the exemption cited above and CAM does not apply.

**Greenhouse Gas Emissions**

Note that this source may be 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. If required to report, the applicant is required to report the data directly to EPA. The public may obtain CO<sub>2</sub> emissions data by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.



**Other Regulatory Determinations**

10 CSR 10-6.220, *Restriction of Emissions of Visible Air Contaminants*

This regulation has not been applied in this operating permit. Many of the emission units at this installation meet various exemptions as detailed in the following table. The used oil fired heater, EP-07, has estimated potential emissions of 0.02 lb PM/hr and is not expected to emit quantifiable opacity. The tanks are not expected to emit opacity.

EP #	Unit Description	Exemption
EP-1	Municipal Solid Waste Landfill with Gas Collection System	Fugitive particulate emissions, exemption (1)(K)
EP-08	Open Flare	Combusts landfill gas, exemption (1)(L)
EP-02 through EP-04	Haul roads	Fugitive particulate emissions, exemption (1)(K)
EP-09	Propane fired Heater	Combusts propane, exemption (1)(L)

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

This regulation was rescinded from the code of state regulations (CSR). However, this regulation is still contained in Missouri’s State Implementation Plan (SIP). This regulation is a federally enforceable requirement until it is removed from the SIP, therefore it must appear in this Operating Permit. The propane combustion meets exemption (1)(A)2. This regulation applies to the flare and appears as a permit condition. According to both the draft and final versions of AP42, Section 2.4, Municipal Solid Waste Landfills, the sulfur content of landfill gas can be estimated at approximately 47 ppmv. This much less than the limit imposed by this regulation, therefore no monitoring or recordkeeping is required in this permit for the flare.

The potential emissions of the used oil heater are estimated with an emission factor of 107\*S lb/1000 gallons and a heating value of 140 MMBtu/1000 gallons (AP42 Section 1.11). Using these values, the potential emissions of the used oil heater are estimated at 0.764\*S lb SO2/MMBtu in any one hour period. With an emission limitation of 8 lbs SO2/MMBtu over any 3 hour period (6.261(3)(B)1.), the sulfur content (S) may not exceed 10.46% by weight. According to the document “Vermont Used Oil Analysis and Waste Oil Furnace Emissions Study”, from March 1996, the average sulfur content of the waste oil analyzed in the study was 0.36% by weight. Therefore, it is not expected that the sulfur content of the used oil would approach 10.46% and no monitoring or recordkeeping is required in the permit condition for the used oil heater.

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

This regulation applies to all sources of sulfur dioxide. There are no provisions in the regulation for combustion of landfill gas. There is a sulfur content limitation for diesel; however, the diesel is used to fuel mobile sources which are not regulated under Title V permitting. The propane combustion meets exemption (1)(A). The used oil space heater meets exemption (1)(C)2., as it is subject to 10 CSR 10-6.260. Therefore, this regulation does not appear in the operating permit.

10 CSR 10-6.310, *Restriction of Emissions From Municipal Solid Waste Landfills*

This regulation applies to each MSW landfill for which construction, reconstruction, or modification was commenced before May 30, 1991, and has accepted waste since November 8, 1987, or has additional design capacity available for future waste deposition. This landfill constructed an expansion

after May 30, 1991, therefore this regulation does not apply. The landfill is subject to NSPS Subpart WWW.

*10 CSR 10-6.400, Restriction of Emission of Particulate Matter From Industrial Processes*

This regulation does not apply to any emission units at the installation. The combustion units emit particulate due to combustion of liquid or gaseous fuels, which do not meet the definition of process weight. Other particulate matter emitting emission units are fugitive and meet exemption 6.400(1)(B)7. The tanks are not expected to emit particulate matter.

*10 CSR 10-6.405, Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating*

This regulation applies to the used oil space heater, EP-07, and the propane heater, EP-09. The propane heater meets the provisions of 6.405(1)(C), which states emission units that use specific fuels, including propane, are deemed in compliance with this regulation. The used oil space heater, EP-07, has potential emissions that do not exceed the emission limitation imposed by this rule, as shown below:

EP#	Description	MHDR (MMBtu/hr)
EP-07	Used Oil Space Heater	1.95
EP-09	Propane fired Heater	0.396
Total Q=		2.346

The PM emission limitation for installations with a total heat input less than 10 MMBtu/hr is 0.60 lb/MMBtu.

EP#	Description	Emission Factor (lb/1000 gallons)	Emission Factor (lb/MMBtu)	Emission Limit (lb/MMBtu)
EP-07	Used Oil Space Heater	2.8*A	0.011	0.60

The emission factor is estimated using AP-42, Table 1.11-1, which provides a PM emission factor of 2.8A, where A is the % ash content, and a heating value of 140 MMBtu/1000 gallons. According to the document Vermont Used Oil Analysis and Waste Oil Furnace Emissions Study, 1996, Table 1, a conservative ash content value for used oil is 0.55%. These calculations indicate the potential emissions of this unit are substantially less than the limit, therefore no monitoring or recordkeeping is required for the used oil space heater.

**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 Intermediate Operating Permit for Lemons Sanitary Landfill was placed on public notice October 27, 2017 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> . Public comments were received from Ms. Leslye Werner, EPA Region 7 and Weaver Consultants Group, representing the permittee. The comments are addressed in the order in which they appear within the letters.

**Ms. Werner, Comment #1:** Permit Condition AAAA is included in the draft operating permit to incorporate the applicable requirements from 40 CFR Part 63, Subpart AAAA-National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. It appears that MDNR is attempting to incorporate the applicable requirements by reference (IBR) from the Maximum Achievable Control Technology (MACT) regulations. One of the goals of the Title V (Part 70) operating permit program is that both the source and the permitting authority gain a better understanding of the specific requirements applicable to the source which in turn would lead to improved compliance. There is value to be gained by a source and the permit writer by studying the specific requirements of specific standards, culling out those requirements that apply to a source and translating them in a logical fashion as operating permit conditions. Through this exercise, the source, the permit writer, the public, and EPA gain a better understanding of the requirements in general, as well as how the standard(s) specifically affect the permitted source. Therefore, the use of incorporation by reference (IBR) must balance "simplicity" of IBR with "precision"; the need to create unambiguous, comprehensive operating permits tailored to the specific source. It is EPA's guidance, to permitting authorities, that all emission limits, standards, monitoring, record keeping, and reporting and general and continuing compliance determination methods, applicable to the specific emission unit(s), be clearly incorporated into the permit. Additionally, Permit Condition AAAA includes several references to "in this subpart;" "of this subpart;" and "in Subpart A of this part" and operating permits do not normally contain "parts and Subparts."

Therefore, EPA encourages MDNR consider clearly incorporating standards; general and continuing compliance requirements; and deviations in Permit Condition AAAA, with appropriate regulatory citation. The notifications, records and reports, and three-hour block average calculations can continue to be retained as an IBR.

Also, the Notifications, Records and Reports section of Permit Condition AAAA makes reference to the use of bioreactors and associated requirements; yet there is no mention of the use of bioreactors by Lemons Sanitary Landfill in their installation description. EPA suggests MDNR consider whether or not bioreactors are applicable to this facility, and maybe Permit Condition AAAA and/ or the Installation Description should be modified.

**Response to Ms. Werner, Comment #1:** Permit Condition AAAA does not use IBR. The permit condition is culled and organized from the regulatory language as described in the comment.

**Ms. Werner, Comment #2:** Permit Condition 052001-016 incorporates a special condition from Permit to Construct 052001-016, issued May 1, 2001. This permit condition involves permittee requirements in the event nuisance odors exist in violation of 10 CSR 10-6.165. 10 CSR 10-6.165

is a "State Only Requirement" and therefore, EPA suggests MDNR consider identifying Permit Condition 052001-016 as a "State Only Requirement."

**Response to Ms. Werner, Comment #2:** Permit Condition 052001-016 has been updated to indicate it is a State Only Requirement.

**Ms. Werner, Comment #3:** Permit Condition 012014-007 incorporates special conditions from Permit to Construct 012014-007, issued January 16, 2014. Operational Limitation 1. requires the permittee to control emissions from the landfill expansion area using a flare as specified in the construction permit application. The construction permit application appears to be intended to be part of Operational Limitation 1; yet it is not shown in the *Permit Reference Document* section of the Statement of Basis nor is it included as an attachment to the operating permit for review and compliance determination. EPA suggests that MDNR attach appropriate flare specifications for use in operating permit review and operational limitation compliance determination. EPA, also, suggests MDNR include the application for Permit to Construct 012014-007 as a permit reference document.

**Response to Ms. Werner, Comment #3:** The language "as specified in the construction permit application" has been removed from Permit Condition 012004-007, Operational Limitation 1. The intent of this language was to ensure the permittee constructed the equipment as represented in the finalized construction permit. This language is redundant as the provisions of 10 CSR 10-6.060(10)(B)1. prohibit the permittee from making any changes in the proposed installation that would change any information in a finalized construction permit without obtaining a construction permit amendment.

**Ms. Werner, Comment #4:** In the Other Regulatory Determinations section of the Statement of Basis (page SB-4) it states: "10 CSR 10-6.260-Restriction of Emission of Sulfur Compounds was rescinded from the state regulations (CSR). However, this regulation is still contained in Missouri's State Implementation Plan (SIP). This regulation is a federally enforceable requirement (emphasis added) until it is removed from the SIP, therefore it must appear in this Operating Permit." The requirements incorporated into the Missouri SIP are applicable to appropriate Missouri facilities and therefore, EPA encourages MDNR consider revising this footnote to improve its accuracy by removing the "This regulation is a federally enforceable requirement (emphasis added)" language.

**Response to Ms. Werner, Comment #4:** The footnote contains correct information, therefore no changes were made.

**Ms. Werner, Comment #5:** Section IV: *Core Permit Requirements* includes 10 CSR 10-6.250: *Asbestos Abatement Projects-Certification, Accreditation, and Business Exemption Requirements* incorporating the Asbestos Hazard Emergency Response Act (AHERA) and its regulations for school districts and personnel working on asbestos activities in schools. The requirements associated with 10 CSR 10-6.250 have not been adopted into the EPA approved Missouri State Implementation Plan (SIP) and is therefore a "State Only Requirement," and EPA recommends MDNR consider adding a "State Only Requirement" designation to 10 CSR 10-6.250.

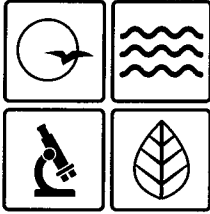
**Response to Ms. Werner, Comment #5:** 10 CSR 10-6.250 has been updated to indicate it is a State Only Requirement.

**Weaver Consultants Group, Comment #1:** The unit currently referred to in the draft permit as a Waste Oil Space Heater rated at 1.95 MMBtu/hr has been incorrectly referenced. The unit is a Used Oil Space Heater rated at 0.35 MMBtu/hr. The unit combusts used oil generated on site. Please update the permit accordingly.

**Response to Weaver Consultants Group, Comment #1:** The proposed change has been incorporated into the permit.

**Weaver Consultants Group, Comment #2:** Please update the Responsible Official to David Vasbinder.

**Response to Weaver Consultants Group, Comment #2:** The proposed change has been incorporated into the permit.



Missouri Department of dnr.mo.gov  
**NATURAL RESOURCES**

Eric R. Greitens, Governor

Carol S. Comer, Director

**JAN 29 2018**

Mr. David Vasbinder  
Lemons Sanitary Landfill  
15250 Old Bloomfield Drive  
Dexter, MO 63841

Re: Part 70 Operating Permit  
Installation ID: 207-0062, Permit Number: OP2018-013

Dear Mr. Vasbinder:

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:nwj

Enclosure

c: PAMS File: 2014-12-056



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