



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: OP2013-042
Expiration Date: JUN 30 2018
Installation ID: 069-0034
Project Number: 2009-11-053

Installation Name and Address

Malden Municipal Power and Light
111 East Laclede
Malden, MO 63863
Dunklin County

Parent Company's Name and Address

Malden Municipal Power and Light
111 East Laclede
Malden, MO 63863

Installation Description:

Malden Municipal Power and Light produces electricity for their surrounding community. The installation generates electricity through five dual fired generators and three diesel generators. The installation also includes three 12,000 gallon capacity petroleum storage tanks and one 20,000 gallon capacity petroleum storage tank to provide fuel to the diesel generators. The installation is a major source of Nitrogen Oxides (NO_x).

JUL 01 2013

Effective Date


Director of Designee
Department of Natural Resources



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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Malden Municipal Power and Light produces electricity for their surrounding community. The installation generates electricity through five dual fired generators and three diesel generators. The installation also includes three 12,000 gallon capacity petroleum storage tanks and one 20,000 gallon capacity petroleum storage tank to provide fuel to the diesel generators. The installation is a major source of NO_x.

Reported Air Pollutant Emissions, tons per year				
Pollutants	2011	2010	2009	2007
Particulate Matter \leq Ten Microns (PM ₁₀)	0.05	0.03	0.53	0.07
Particulate Matter \leq 2.5 Microns (PM _{2.5})	0.05	0.03	0.53	0.07
Sulfur Oxides (SO _x)	0.13	0.07	1.50	0.19
Nitrogen Oxides (NO _x)	1.98	1.12	22.86	2.94
Volatile Organic Compounds (VOC)	0.10	0.06	1.21	0.16
Carbon Monoxide (CO)	0.42	0.24	4.92	0.63
Ammonia (NH ₃)	-	-	-	0.001

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.

Emission Unit	Description
EP1.2	2598 HP Diesel Generator, 1995
EP1.3	2598 HP Diesel Generator, 1995
EP1.4	2598 HP Diesel Generator, 1995
EP1.5	1920 HP Dual-fired Emergency Generator, 1956
EP1.6	2880 HP Dual-fired Emergency Generator, 1963
EP1.7	4000 HP Dual-fired Emergency Generator, 1972
EP1.8	6000 HP Dual-fired Emergency Generator, 1973

EMISSION UNITS WITHOUT LIMITATIONS

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

Emission Unit	Description
EP2.1	12,000 gallon Diesel Storage Tank, 1953
EP2.2	20,000 gallon Diesel Storage Tank, 1953
EP2.3	12,000 gallon Diesel Storage Tank, 1953
EP2.4	12,000 gallon Diesel Storage Tank, 1994
EP3.1	0.3 MMBtu/hr Natural Gas Space Heater
EP3.2	0.3 MMBtu/hr Natural Gas Space Heater

II. Plant Wide Emission Limitations

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

None.

III. Emission Unit Specific Emission Limitations

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

PERMIT CONDITION 001	
10 CSR 10-6.060 Construction Permits Required Construction Permit 0796-007, Issued July 5, 1996	
Emission Unit	Description
EP1.2	2598 HP Diesel Generator, 1995
EP1.3	2598 HP Diesel Generator, 1995
EP1.4	2598 HP Diesel Generator, 1995

Emission Limitation:

Special Condition 1: The permittee shall emit no more than 40.0 tons of NO_x from EP1.2, EP1.3, and EP1.4 in any consecutive 12-month period.

Monitoring/Recordkeeping:

Special Condition 2: The permittee shall record the monthly and the sum of the most recent 12-months of NO_x emission (in tons) from EP1.2, EP1.3, and EP1.4 using Attachment B or an equivalent form approved by the Air Pollution Control Program. These records shall be kept on-site and shall cover, at a minimum, the previous 60-month period. These records shall be made available for inspection to the Department of Natural Resources' personnel upon request.

Reporting:

1. Special Condition 3: The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after records indicate an exceedance of the emission limitation.
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

PERMIT CONDITION 002	
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart ZZZZ – National Emissions Standards for HAP for Stationary Reciprocating Internal Combustion Engines ¹	
Emission Unit	Description
EP1.2	2598 HP Diesel Generator, 1995
EP1.3	2598 HP Diesel Generator, 1995
EP1.4	2598 HP Diesel Generator, 1995

¹Existing stationary CI RICE located at an area source of HAP shall comply with the applicable emission limitations, operating limitations, and other requirements of 40 CFR Part 63, Subpart ZZZZ by no later than May 3, 2013. [§63.6595(a)(1)]

These engines will initially comply with 40 CFR Part 63, Subpart ZZZZ as emergency engines; however, the engines may switch to non-emergency engine status in the future. To allow for maximum operational flexibility both emergency and non-emergency engine standards are included in this permit

condition. The permittee shall comply with the applicable portion of this permit condition based upon the current status of the engine. This operational flexibility constitutes two separate operating scenarios – one in which the engines are emergency and one in which the engines are non-emergency. The permittee shall maintain a log for the engines as required by 10 CSR 10-6.065(6)(C)1.I documenting which operating scenario the engines are operating under.

Emergency Engine Requirements

The permittee shall meet the applicable notification requirements in §63.6645 and in 40 CFR Part 63, Subpart A. [§63.6595(c)] *Note: EPA Region VII has recently relocated. The address for EPA Region VII listed in §63.13 is their previous address. Notifications should be submitted to EPA Region VII’s new address at 11201 Renner Boulevard, Lenexa, Kansas 66219.*

Operating Limitations:

1. The permittee shall comply with the requirements in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6603(a)]
2. Beginning January 1, 2015, if the engines operate or are contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(ii), the permittee shall use diesel fuel that meets the requirements in §80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [§63.6604(b)]

Table 2d to 40 CFR Part 63, Subpart ZZZZ — Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

For each...	The permittee shall meet the following requirement, except during periods of startup...	During periods of startup the permittee shall...
4. Emergency stationary CI RICE ²	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; ¹	Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

¹The permittee has the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of 40 CFR Part 63, Subpart ZZZZ.

²If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of 40 CFR Part 63, Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. The permittee shall report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

General Compliance Requirements:

1. The permittee shall be in compliance with the operating limitations and other requirements in 40 CFR Part 63, Subpart ZZZZ that apply at all times. [§63.6605(a)]

2. At all times the permittee shall operate and maintain the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]

Initial Compliance Requirements:

1. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [§63.6625(e)]
2. The permittee shall install a non-resettable hour meter if one is not already installed. [§63.6625(f)]
3. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR Part 63, Subpart ZZZZ apply. [§63.6625(h)]
4. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to 40 CFR Part 63, Subpart ZZZZ. The oil analysis shall be performed at the same frequency specified for changing the oil in Table 2d to 40 CFR Part 63, Subpart ZZZZ. The analysis program shall at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within two business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil within two business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [§63.6625(i)]

Continuous Compliance Requirements:

1. The permittee shall demonstrate continuous compliance with each requirement in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply according to methods specified in Table 6 to 40 CFR Part 63, Subpart ZZZZ. [§63.6640(a)]
2. The permittee shall report each instance in which the permittee did not meet each limitation in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply. These instances are deviations from the limitations in 40 CFR Part 63, Subpart ZZZZ. These deviations shall be reported according to the requirements in §63.6650. [§63.6640(b)]
3. The permittee shall also report each instance in which the permittee did not meet the requirements in Table 8 to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6640(e)]
4. The permittee shall operate the emergency stationary RICE according to the requirements in §63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE

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

- a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
- b) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by §63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by this paragraph. [§63.6640(f)(2)]
 - i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
 - ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]
 - iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of five percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]
- c) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in §63.6640(f)(2). Except as provided in §63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(4)]
 - i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system. [§63.6640(f)(4)(i)]
 - ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [§63.6640(f)(4)(ii)]
 - (1) The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [§63.6640(f)(4)(ii)(A)]

- (2) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [§63.6640(f)(4)(ii)(B)]
- (3) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [§63.6640(f)(4)(ii)(C)]
- (4) The power is provided only to the facility itself or to support the local transmission and distribution system. [§63.6640(f)(4)(ii)(D)]
- (5) The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee. [§63.6640(f)(4)(ii)(E)]

Table 6 to 40 CFR Part 63, Subpart ZZZZ — Continuous Compliance With Emission Limitations and Other Requirements

For each...	Complying with the requirement to...	The permittee shall demonstrate continuous compliance by...
9. Existing emergency and black start stationary RICE located at an area source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. Develop and follow a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

General Provisions:

The permittee shall refer to Table 8 to 40 CFR Part 63, Subpart ZZZZ for 40 CFR Part 63, Subpart A applicability.

Notifications, Reports, and Records:

- 1. The permittee shall submit each report in Table 7 of 40 CFR Part 63, Subpart ZZZZ that applies. [§63.6650(a)]
- 2. Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report by the date in Table 7 of 40 CFR Part 63, Subpart ZZZZ. [§63.6650(b)]
- 3. Emergency stationary RICE with a site rating of more than 100 brake HP that operate or are contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operate for the purpose specified in §63.6640(f)(4)(ii) shall submit an annual report according to the following requirements: [§63.6650(h)]
 - a) The report shall contain the following information: [§63.6650(h)(1)]
 - i) Company name and address where the engine is located. [§63.6650(h)(1)(i)]
 - ii) Date of the report and beginning and ending dates of the reporting period. [§63.6650(h)(1)(ii)]
 - iii) Engine site rating and model year. [§63.6650(h)(1)(iii)]

- iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [§63.6650(h)(1)(iv)]
 - v) Hours operated for the purposes specified in §63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(v)]
 - vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(vi)]
 - vii) Hours spent for operation for the purpose specified in §63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(4)(ii). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [§63.6650(h)(1)(vii)]
 - viii) If there were no deviations from the fuel requirements in §63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period. [§63.6650(h)(1)(viii)]
 - ix) If there were deviations from the fuel requirements in §63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken. [§63.6650(h)(1)(ix)]
- b) The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [§63.6650(h)(2)]
 - c) The annual report shall be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to 40 CFR Part 63, Subpart ZZZZ is not available in CEDRI at the time that the report is due, the written report shall be submitted to the Administrator at the appropriate address listed in §63.13. [§63.6650(h)(3)]
4. The permittee shall keep the records required in Table 6 of 40 CFR Part 63, Subpart ZZZZ to show continuous compliance with each limitation that applies. [§63.6655(d)]
 5. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to a maintenance plan. [§63.6655(e)]
 6. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the permittee shall keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [§63.6655(f)]
 7. Records shall be in a form suitable and readily available for expeditious review according to §63.10(b)(1). [§63.6660(a)]
 8. As specified in §63.10(b)(1), the permittee shall keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]
 9. The permittee shall keep each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1). [§63.6660(c)]
 10. All records shall be maintained for five years and shall be made immediately available for inspection to Department of Natural Resources' personnel upon request.

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

Table 7 to 40 CFR Part 63, Subpart ZZZZ — Requirements for Reports

For each...	The permittee shall submit a...	The report shall contain...	The permittee shall submit the report...
4. Emergency stationary RICE that operate or are contractually obligated to be available for more than 15 hours per year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operate for the purposes specified in §63.6640(f)(4)(ii).	Report	a. The information in §63.6650(h)(1).	i. annually according to the requirements in §63.6650(h)(2)–(3).

Non-Emergency Engine Requirements

The permittee shall meet the applicable notification requirements in §63.6645 and in 40 CFR Part 63, Subpart A. [§63.6595(c)] *Note: EPA Region VII has recently relocated. The address for EPA Region VII listed in §63.13 is their previous address. Notifications should be submitted to EPA Region VII’s new address at 11201 Renner Boulevard, Lenexa, Kansas 66219.*

Emission Limitations:

1. The permittee shall comply with the requirements in Table 2d to 40 CFR Part 63, Subpart ZZZZ and the operating limitations in Table 2b to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6603(a)]
2. Existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions certified to the Tier 2 emission standards in Table 1 of §89.112 may comply with the requirements of 40 CFR Part 63, Subpart ZZZZ by meeting the requirements for Tier 2 for engines in 40 CFR Part 60, Subpart IIII instead of the emission limitations and other requirements that would otherwise apply under 40 CFR Part 63, Subpart ZZZZ for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions. [§63.6603(e)]

Table 2d to 40 CFR Part 63, Subpart ZZZZ – Requirements for Existing Stationary RICE located at area sources of HAP Emissions

For each...	The permittee shall meet the following requirement, except during periods of startup...	During periods of startup the permittee shall...
3. Non-emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more.	Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

Table 2b to 40 CFR Part 63, Subpart ZZZZ – Operating Limitations for Existing CI Stationary RICE >500 HP

For each...	The permittee shall meet the following operating limitation, except during periods of startup...
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain the catalyst so that the pressure drop across the catalyst does not change by more than two inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450°F and less than or equal to 1350°F. ¹
3. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	Comply with any operating limitations approved by the Administrator.

¹The permittee can petition the Administrator pursuant to the requirements of §63.8(f) for a different temperature range.

Fuel Requirements:

Existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that use diesel fuel shall only use diesel fuel that meets the requirements in §80.510(b) for nonroad diesel fuel. [§63.6604(a)]

General Requirements:

1. The permittee shall be in compliance with the emission limitations, operating limitations, and other requirements in 40 CFR Part 63, Subpart ZZZZ that apply at all times. [§63.6605(a)]
2. At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by 40 CFR Part 63, Subpart ZZZZ have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]

Testing and Initial Compliance:

1. The permittee shall conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to 40 CFR Part 63, Subpart ZZZZ that apply within 180 days after the compliance date that is specified for the stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2). [§63.6612(a)]
2. The permittee is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the following conditions: [§63.6612(b)]
 - a) The test must have been conducted using the same methods specified in 40 CFR Part 63, Subpart ZZZZ, and these methods must have been followed correctly. [§63.6612(b)(1)]
 - b) The test must not be older than two years. [§63.6612(b)(2)]
 - c) The test must be reviewed and accepted by the Administrator. [§63.6612(b)(3)]
 - d) Either no process or equipment changes must have been made since the test was performed, or the permittee must be able to demonstrate that the results of the performance test, with or without

adjustments, reliably demonstrate compliance despite process or equipment changes.

[§63.6612(b)(4)]

3. The permittee shall conduct subsequent performance tests as specified in Table 3 of 40 CFR Part 63, Subpart ZZZZ. [§63.6615]
4. The permittee shall refer to §63.6620 for performance test methods and procedures under 40 CFR Part 63, Subpart ZZZZ.
5. If the permittee elects to install a CEMS as specified in Table 5 of 40 CFR Part 63, Subpart ZZZZ, the permittee shall install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in §63.6625(a)(1) through (4). If the permittee is meeting a requirement to reduce CO emissions, the CEMS shall be installed at both the inlet and outlet of the control device. If the permittee is meeting a requirement to limit the concentration of CO, the CEMS shall be installed at the outlet of the control device. [§63.6625(a)]
 - a) Each CEMS shall be installed, operated, and maintained according to the applicable performance specifications of 40 CFR Part 60, Appendix B. [§63.6625(a)(1)]
 - b) The permittee shall conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR Part 60, Appendix B as well as daily and periodic data quality checks in accordance with 40 CFR Part 60, Appendix F, Procedure 1. [§63.6625(a)(2)]
 - c) As specified in §63.8(c)(4)(ii), each CEMS shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. The permittee shall have at least two data points, with each representing a different 15-minute period, to have a valid hour of data. [§63.6625(a)(3)]
 - d) The CEMS data shall be reduced as specified in §63.8(g)(2) and recorded in ppm or ppb (as appropriate for the applicable limitation) at 15 percent O₂ or the equivalent CO₂ concentration. [§63.6625(a)(4)]
6. If the permittee is required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of 40 CFR Part 63, Subpart ZZZZ, the permittee shall install, operate, and maintain each CPMS according to the requirements in §63.6625(b)(1) through (6). [§63.6625(b)]
 - a) The permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in §63.6625(b)(1)(i) through (v) and in §63.8(d). As specified in §63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in §63.6625(b)(1) through (5) in the site-specific monitoring plan. [§63.6625(b)(1)]
 - i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations; [§63.6625(b)(1)(i)]
 - ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements; [§63.6625(b)(1)(ii)]
 - iii) Equipment performance evaluations, system accuracy audits, or other audit procedures; [§63.6625(b)(1)(iii)]
 - iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1)(ii) and (3); and [§63.6625(b)(1)(iv)]
 - v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i). [§63.6625(b)(1)(v)]

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- b) The permittee shall install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan. [§63.6625(b)(2)]
 - c) The CPMS shall collect data at least once every 15 minutes (see also §63.6635). [§63.6625(b)(3)]
 - d) For a CPMS for measuring temperature range, the temperature sensor shall have a minimum tolerance of 2.8°C (5°F) or one percent of the measurement range, whichever is larger. [§63.6625(b)(4)]
 - e) The permittee shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site-specific monitoring plan at least annually. [§63.6625(b)(5)]
 - f) The permittee shall conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan. [§63.6625(b)(6)]
7. Existing non-emergency, non-black start CI engine greater than or equal to 300 HP that are not equipped with a closed crankcase ventilation system shall comply with either §63.6625(g)(1) or (2). The permittee shall follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. [§63.6625(g)]
 - a) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or [§63.6625(g)(1)]
 - b) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [§63.6625(g)(2)]
 8. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR Part 63, Subpart ZZZZ apply. [§63.6625(h)]
 9. The permittee shall demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies according to Table 5 of 40 CFR Part 63, Subpart ZZZZ. [§63.6630(a)]
 10. During the initial performance test, the permittee shall establish each operating limitation in Table 2b of 40 CFR Part 63, Subpart ZZZZ that applies. [§63.6630(b)]
 11. The permittee shall submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645. [§63.6630(c)]

Table 4 to 40 CFR Part 63, Subpart ZZZZ – Requirements for Performance Tests

For each...	Complying with the requirement to...	The permittee shall...	Using...	According to the following requirements...
1. CI stationary RICE.	a. reduce CO emissions.	i. Measure the O ₂ at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR Part 60, Appendix A, or ASTM Method D6522–00 (Reapproved 2005). ^{a,c}	(a) Measurements to determine O ₂ shall be made at the same time as the measurements for CO concentration.
		ii. Measure the CO at the inlet and the outlet of the control device.	(1) ASTM D6522–00 (Reapproved 2005) ^{a,b,c} or Method 10 of 40 CFR Part 60, Appendix A.	(a) The CO concentration shall be at 15 percent O ₂ , dry basis.
3. Stationary RICE.	a. limit the concentration of CO in the stationary RICE exhaust.	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR Part 60, Appendix A §63.7(d)(1)(i).	(a) if using a control device, the sampling site shall be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR Part 60, Appendix A, or ASTM Method D6522–00 (Reapproved 2005). ^a	(a) measurements to determine O ₂ concentration shall be made at the same time and location as the measurements for CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR Part 60, Appendix A, or Test Method 320 of 40 CFR Part 63, Appendix A, or ASTM D 6348–03. ^a	(a) measurements to determine moisture content shall be made at the same time and location as the measurements for CO concentration.
		v. measure CO at the exhaust of the stationary RICE.	(1) Method 10 of 40 CFR Part 60, Appendix A, ASTM Method D6522–00 (2005), ^{a,c} Method 320 of 40 CFR Part 63, Appendix A, or ASTM D6348–03. ^a	(a) CO concentration shall be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three one-hour or longer runs.

^aIncorporated by reference, see §63.14. The permittee may also obtain copies from University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

^bThe permittee may also use Method 320 of 40 CFR Part 63, Appendix A, or ASTM D6348–03.

^cASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.

Table 5 to 40 CFR Part 63, Subpart ZZZZ – Initial Compliance with Emission Limitations, Operating Limitations, and Other Requirements

For each...	Complying with the requirement to...	The permittee has demonstrated initial compliance if...
1. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS.	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. The permittee has installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and iii. The permittee has recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
2. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS.	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. The permittee has installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and iii. The permittee has recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Reduce CO emissions and not using oxidation catalyst.	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. The permittee has installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and iii. The permittee has recorded the approved operating parameters (if any) during the initial performance test.
4. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Limit the concentration of CO, and not using oxidation catalyst.	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. The permittee has installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and iii. The permittee has recorded the approved operating parameters (if any) during the initial performance test.
5. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Reduce CO emissions, and using a CEMS	i. The permittee has installed a CEMS to continuously monitor CO and either O ₂ or CO ₂ at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and ii. The permittee has conducted a performance evaluation of the CEMS using PS 3 and 4A of 40 CFR Part 60, Appendix B; and iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first four-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the four-hour period.
6. Existing non-emergency stationary CI RICE >500 HP located at an area source of HAP.	a. Limit the concentration of CO, and using a CEMS.	i. The permittee has installed a CEMS to continuously monitor CO and either O ₂ or CO ₂ at the outlet of the oxidation catalyst according to the requirements in §63.6625(a); and ii. The permittee has conducted a performance evaluation of the CEMS using PS 3 and 4A of 40 CFR Part 60, Appendix B; and iii. The average concentration of CO calculated using §63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first four-hour period after successful validation of the CEMS. Compliance is based on the average concentration

	measured during the four-hour period.
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Table 3 to 40 CFR Part 63, Subpart ZZZZ – Subsequent Performance Tests

For each...	Complying with the requirement to...	The permittee shall...
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE.	Limit or reduce CO emissions and not using a CEMS.	Conduct subsequent performance tests every 8,760 hours or three years, whichever comes first.

Continuous Compliance Requirements:

1. The permittee shall monitor and collect data according to §63.6635. [§63.6635(a)]
2. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [§63.6635(b)]
3. The permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The permittee shall, however, use all the valid data collected during all other periods. [§63.6635(c)]
4. The permittee shall demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 2b and 2d to 40 CFR Part 63, Subpart ZZZ that apply according to methods specified in Table 6 to 40 CFR Part 63, Subpart ZZZZ. [§63.6640(a)]
5. The permittee shall report each instance in which the permittee did not meet each emission limitation or operating limitation in Tables 2b and 2d to 40 CFR Part 63, Subpart ZZZZ that apply. These instances are deviations from the emission and operating limitations in 40 CFR Part 63, Subpart ZZZZ. These deviations shall be reported according to the requirements in §63.6650. If the permittee changes catalyst, the permittee shall reestablish the values of the operating parameters measured during the initial performance test. When the permittee reestablishes the values of the operating parameters, the permittee shall also conduct a performance test to demonstrate that the permittee is meeting the required emission limitation applicable to the stationary RICE. [§63.6640(b)]
6. The permittee shall also report each instance in which the permittee did not meet the requirements in Table 8 to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6640(e)]

General Provisions:

The permittee shall refer to Table 8 to 40 CFR Part 63, Subpart ZZZZ for 40 CFR Part 63, Subpart A applicability.

Table 6 to 40 CFR Part 63, Subpart ZZZZ – Continuous Compliance with Emission Limitations and Other Requirements

For each...	Complying with the requirement to...	The permittee shall demonstrate continuous compliance by...
3. Existing non-emergency stationary CI RICE >500 HP.	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS.	i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to one-hour averages, calculating the percent reduction or concentration of CO emissions according to §63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the four-hour averaging period, or that the emission remain at or below the CO concentration limit; and iii. Conducting an annual RATA of the CEMS using PS 3 and 4A of 40 CFR Part 60, Appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR Part 60, Appendix F, Procedure 1.
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE.	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst.	i. Conducting performance tests every 8,760 hours or three years, whichever comes first, for CO to demonstrate that the required CO percent reduction is achieved or that the emissions remain at or below the CO concentration limit; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and iii. Reducing these data to four-hour rolling averages; and iv. Maintaining the four-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE.	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst.	i. Conducting performance tests every 8,760 hours or three years, whichever comes first, for CO to demonstrate that the required CO percent reduction is achieved or that the emissions remain at or below the CO concentration limit; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and iii. Reducing these data to four-hour rolling averages; and iv. Maintaining the four-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

Notifications, Reports, and Records:

1. The permittee shall submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified. [§63.6645(a)]

2. The permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1). [§63.6645(g)]
3. The permittee shall submit a Notification of Compliance Status according to §63.9(h)(2)(ii). [§63.6645(h)]
 - a) For each initial compliance demonstration required in Table 5 to 40 CFR Part 63, Subpart ZZZZ that does not include a performance test, the permittee submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration. [§63.6645(h)(1)]
 - b) For each initial compliance demonstration required in Table 5 to 40 CFR Part 63, Subpart ZZZZ that includes a performance test conducted according to the requirements in Table 3 to 40 CFR Part 63, Subpart ZZZZ, the permittee shall submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2). [§63.6645(h)(2)]
4. The permittee shall submit each report in Table 7 of 40 CFR Part 63, Subpart ZZZZ that applies. [§63.6650(a)]
5. Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee submit each report by the date in Table 7 of 40 CFR Part 63, Subpart ZZZZ and according to the following requirements: [§63.6650(b)]
 - a) The first Compliance report shall cover the period beginning on the compliance date that is specified for the affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the source in §63.6595. [§63.6650(b)(1)]
 - b) Each subsequent Compliance report shall cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. [§63.6650(b)(3)]
 - c) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR Part 70, and if the permitting authority has established dates for submitting semiannual reports pursuant to §70.6(a)(3)(iii)(A), the permittee shall submit the first and subsequent Compliance reports according to the dates the permitting authority has established. [§63.6650(b)(5)]
6. The Compliance report shall contain the following information: [§63.6650(c)]
 - a) Company name and address. [§63.6650(c)(1)]
 - b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. [§63.6650(c)(2)]
 - c) Date of report and beginning and ending dates of the reporting period. [§63.6650(c)(3)]
 - d) If a malfunction occurred during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report shall also include a description of actions taken by the permittee during the malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction. [§63.6650(c)(4)]
 - e) If there are no deviations from any emission or operating limitations that apply, a statement that there were no deviations from the emission or operating limitations during the reporting period. [§63.6650(c)(5)]
 - f) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period. [§63.6650(c)(6)]

7. For each deviation from an emission or operating limitation that occurs for a stationary RICE where the permittee is not using a CMS to comply with the emission or operating limitations in 40 CFR Part 63, Subpart ZZZ, the Compliance report shall contain the information in §63.6650(c)(1) through (4) and the following information: [§63.6650(d)]
 - a) The total operating time of the stationary RICE at which the deviation occurred during the reporting period. [§63.6650(d)(1)]
 - b) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [§63.6650(d)(2)]
8. For each deviation from an emission or operating limitation occurring for a stationary RICE where the permittee is using a CMS to comply with the emission and operating limitations in 40 CFR Part 63, Subpart ZZZZ, the permittee shall include information in §63.6650(c)(1) through (4) and the following information: [§63.6650(e)]
 - a) The date and time that each malfunction started and stopped. [§63.6650(e)(1)]
 - b) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks. [§63.6650(e)(2)]
 - c) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8). [§63.6650(e)(3)]
 - d) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period. [§63.6650(e)(4)]
 - e) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period. [§63.6650(e)(5)]
 - f) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes. [§63.6650(e)(6)]
 - g) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period. [§63.6650(e)(7)]
 - h) An identification of each parameter and pollutant (CO) that was monitored at the stationary RICE. [§63.6650(e)(8)]
 - i) A brief description of the stationary RICE. [§63.6650(e)(9)]
 - j) A brief description of the CMS. [§63.6650(e)(10)]
 - k) The date of the latest CMS certification or audit. [§63.6650(e)(11)]
 - l) A description of any changes in CMS, processes, or controls since the last reporting period. [§63.6650(e)(12)]
9. Each affected source that has obtained a Title V operating permit pursuant to 40 CFR Part 70 shall report all deviations as defined in 40 CFR Part 63, Subpart ZZZZ in the semiannual monitoring report required by §70.6 (a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of 40 CFR Part 63, Subpart ZZZZ along with, or as part of, the semiannual monitoring report required by §70.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in 40 CFR Part 63, Subpart ZZZZ, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.6650(f)]
10. The permittee shall keep the records described in §63.6655(a)(1) through (a)(5), (b)(1) through (b)(3) and (c). [§63.6655(a)]

- a) A copy of each notification and report that the permittee submitted to comply with 40 CFR Part 63, Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted, according to the requirement in §63.10(b)(2)(xiv). [§63.6655(a)(1)]
 - b) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [§63.6655(a)(2)]
 - c) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii). [§63.6655(a)(3)]
 - d) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]
 - e) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.6655(a)(5)]
11. For each CEMS or CPMS, the permittee keep the following records: [§63.6655(b)]
- a) Records described in §63.10(b)(2)(vi) through (xi). [§63.6655(b)(1)]
 - b) Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3). [§63.6655(b)(2)]
 - c) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable. [§63.6655(b)(3)]
12. The permittee shall keep the records required in Table 6 of 40 CFR Part 63, Subpart ZZZZ to show continuous compliance with each emission or operating limitation that applies. [§63.6655(d)]
13. Records shall be in a form suitable and readily available for expeditious review according to §63.10(b)(1). [§63.6660(a)]
14. As specified in §63.10(b)(1), the permittee shall keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]
15. The permittee shall keep each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]
16. All records shall be maintained for five years and shall be made immediately available for inspection to Department of Natural Resources' personnel upon request.
17. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction, which could possibly cause an exceedance of this regulation.
18. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

Table 7 to 40 CFR Part 63, Subpart ZZZZ – Requirements for Reports

For each...	The permittee shall submit a...	The report shall contain...	The permittee shall submit the report...
1. Existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or	i. Semiannually according to the requirements in §63.6650(b)(1) – (5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and
		b. If the permittee had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or	i. Semiannually according to the requirements in §63.6650(b).
		c. If a malfunction occurred during the reporting period, the information in §63.6650(c)(4).	i. Semiannually according to the requirements in §63.6650(b).

PERMIT CONDITION 003

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations
40 CFR Part 63, Subpart ZZZZ – National Emissions Standards for HAP for Stationary Reciprocating Internal Combustion Engines¹

Emission Unit	Description
EP1.5	1920 HP Dual-fired Emergency Generator, 1956
EP1.6	2880 HP Dual-fired Emergency Generator, 1963
EP1.7	4000 HP Dual-fired Emergency Generator, 1972
EP1.8	6000 HP Dual-fired Emergency Generator, 1973

¹Existing stationary CI RICE located at an area source of HAP shall comply with the applicable emission limitations, operating limitations, and other requirements of 40 CFR Part 63, Subpart ZZZZ by no later than May 3, 2013. [§63.6595(a)(1)]

The permittee shall meet the applicable notification requirements in §63.6645 and in 40 CFR Part 63, Subpart A. [§63.6595(c)] *Note: EPA Region 7 has recently relocated. The address for EPA Region 7 listed in §63.13 is their previous address. Notifications should be submitted to EPA Region 7's new address at 11201 Renner Boulevard, Lenexa, Kansas 66219.*

Operating Limitations:

1. The permittee shall comply with the requirements in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6603(a)]

2. Beginning January 1, 2015, if the engines operate or are contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(ii), the permittee shall use diesel fuel that meets the requirements in §80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [§63.6604(b)]

Table 2d to 40 CFR Part 63, Subpart ZZZZ — Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

For each...	The permittee shall meet the following requirement, except during periods of startup...	During periods of startup the permittee shall...
4. Emergency stationary CI RICE ²	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; ¹	Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

¹The permittee has the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of 40 CFR Part 63, Subpart ZZZZ.

²If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of 40 CFR Part 63, Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. The permittee shall report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

General Compliance Requirements:

1. The permittee shall be in compliance with the operating limitations and other requirements in 40 CFR Part 63, Subpart ZZZZ that apply at all times. [§63.6605(a)]
2. At all times the permittee shall operate and maintain the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]

Initial Compliance Requirements:

1. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [§63.6625(e)]
2. The permittee shall install a non-resettable hour meter if one is not already installed. [§63.6625(f)]
3. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30

minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR Part 63, Subpart ZZZZ apply. [§63.6625(h)]

4. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to 40 CFR Part 63, Subpart ZZZZ. The oil analysis shall be performed at the same frequency specified for changing the oil in Table 2d to 40 CFR Part 63, Subpart ZZZZ. The analysis program shall at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within two business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil within two business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [§63.6625(i)]

Continuous Compliance Requirements:

1. The permittee shall demonstrate continuous compliance with each requirement in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply according to methods specified in Table 6 to 40 CFR Part 63, Subpart ZZZZ. [§63.6640(a)]
2. The permittee shall report each instance in which the permittee did not meet each limitation in Table 2d to 40 CFR Part 63, Subpart ZZZZ that apply. These instances are deviations from the limitations in 40 CFR Part 63, Subpart ZZZZ. These deviations shall be reported according to the requirements in §63.6650. [§63.6640(b)]
3. The permittee shall also report each instance in which the permittee did not meet the requirements in Table 8 to 40 CFR Part 63, Subpart ZZZZ that apply. [§63.6640(e)]
4. The permittee shall operate the emergency stationary RICE according to the requirements in §63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR Part 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in §63.6640(f)(1) through (4), is prohibited. If the permittee does not operate the engine according to the requirements in §63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR Part 63, Subpart ZZZZ and shall meet all requirements for non-emergency engines. [§63.6640(f)]
 - a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
 - b) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by §63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by this paragraph. [§63.6640(f)(2)]
 - i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for

- maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
- ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]
 - iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of five percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]
- c) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in §63.6640(f)(2). Except as provided in §63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(4)]
- i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system. [§63.6640(f)(4)(i)]
 - ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [§63.6640(f)(4)(ii)]
 - (1) The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [§63.6640(f)(4)(ii)(A)]
 - (2) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [§63.6640(f)(4)(ii)(B)]
 - (3) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [§63.6640(f)(4)(ii)(C)]
 - (4) The power is provided only to the facility itself or to support the local transmission and distribution system. [§63.6640(f)(4)(ii)(D)]
 - (5) The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee. [§63.6640(f)(4)(ii)(E)]

Table 6 to 40 CFR Part 63, Subpart ZZZZ — *Continuous Compliance With Emission Limitations and Other Requirements*

For each...	Complying with the requirement to...	The permittee shall demonstrate continuous compliance by...
9. Existing emergency and black start stationary RICE located at an area source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. Develop and follow a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

General Provisions:

The permittee shall refer to Table 8 to 40 CFR Part 63, Subpart ZZZZ for 40 CFR Part 63, Subpart A applicability.

Notifications, Reports, and Records:

1. The permittee shall submit each report in Table 7 of 40 CFR Part 63, Subpart ZZZZ that applies. [§63.6650(a)]
2. Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report by the date in Table 7 of 40 CFR Part 63, Subpart ZZZZ. [§63.6650(b)]
3. Emergency stationary RICE with a site rating of more than 100 brake HP that operate or are contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operate for the purpose specified in §63.6640(f)(4)(ii) shall submit an annual report according to the following requirements: [§63.6650(h)]
 - a) The report shall contain the following information: [§63.6650(h)(1)]
 - i) Company name and address where the engine is located. [§63.6650(h)(1)(i)]
 - ii) Date of the report and beginning and ending dates of the reporting period. [§63.6650(h)(1)(ii)]
 - iii) Engine site rating and model year. [§63.6650(h)(1)(iii)]
 - iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [§63.6650(h)(1)(iv)]
 - v) Hours operated for the purposes specified in §63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(v)]
 - vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §63.6640(f)(2)(ii) and (iii). [§63.6650(h)(1)(vi)]
 - vii) Hours spent for operation for the purpose specified in §63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(4)(ii). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [§63.6650(h)(1)(vii)]
 - viii) If there were no deviations from the fuel requirements in §63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period. [§63.6650(h)(1)(viii)]

- ix) If there were deviations from the fuel requirements in §63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken. [§63.6650(h)(1)(ix)]
- b) The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [§63.6650(h)(2)]
- c) The annual report shall be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to 40 CFR Part 63, Subpart ZZZZ is not available in CEDRI at the time that the report is due, the written report shall be submitted to the Administrator at the appropriate address listed in §63.13. [§63.6650(h)(3)]
- 4. The permittee shall keep the records required in Table 6 of 40 CFR Part 63, Subpart ZZZZ to show continuous compliance with each limitation that applies. [§63.6655(d)]
- 5. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to a maintenance plan. [§63.6655(e)]
- 6. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the permittee shall keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [§63.6655(f)]
- 7. Records shall be in a form suitable and readily available for expeditious review according to §63.10(b)(1). [§63.6660(a)]
- 8. As specified in §63.10(b)(1), the permittee shall keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]
- 9. The permittee shall keep each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1). [§63.6660(c)]
- 10. All records shall be maintained for five years and shall be made immediately available for inspection to Department of Natural Resources' personnel upon request.
- 11. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

Table 7 to 40 CFR Part 63, Subpart ZZZZ — Requirements for Reports

For each...	The permittee shall submit a...	The report shall contain...	The permittee shall submit the report...
4. Emergency stationary RICE that operate or are contractually obligated to be available for more than 15 hours per year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operate for the purposes specified in §63.6640(f)(4)(ii).	Report	a. The information in §63.6650(h)(1).	i. annually according to the requirements in §63.6650(h)(2)–(3).

PERMIT CONDITION 004	
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds	
Emission Unit	Description
EP1.5	1920 HP Dual-fired Generator, 1956
EP1.6	2880 HP Dual-fired Generator, 1963

Emission Limitation:

The permittee shall not cause or permit the emission into the atmosphere gases containing more than 2,000 ppmv of SO₂ or more than 70 mg/m³ of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three-hour time period.

Operational Limitation:

These engines shall not combust diesel containing sulfur in excess of 0.2 percent.

Monitoring/Recordkeeping:

1. The permittee shall maintain fuel purchase receipts indicating the sulfur content of the diesel.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be maintained for five years.

Reporting:

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation.
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

PERMIT CONDITION 005	
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds	
Emission Unit	Description
EP1.2	2598 HP Diesel Generator, 1995
EP1.3	2598 HP Diesel Generator, 1995
EP1.4	2598 HP Diesel Generator, 1995
EP1.7	4000 HP Dual-fired Generator, 1972
EP1.8	6000 HP Dual-fired Generator, 1973

Emission Limitation:

The permittee shall not cause or permit the emission into the atmosphere gases containing more than 500 ppmv of SO₂ or more than 35 mg/m³ of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three-hour time period.

Operational Limitation:

These engines shall not combust diesel containing sulfur in excess of 0.05 percent.

Monitoring/Recordkeeping:

1. The permittee shall maintain fuel purchase receipts indicating the sulfur content of the diesel.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be maintained for five years.

Reporting:

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation.
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and compliance certification required by Section V of this permit.

IV. Core Permit Requirements

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

10 CSR 10-6.045 Open Burning Requirements

1. General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
2. Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises.
 - b) Yard waste.
3. Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the permittee fails to comply with the conditions or any provisions of the permit.
4. The permittee may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least 200 yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if the permittee fails to comply with the provisions or any condition of the open burning permit.
 - a) In a nonattainment area, as defined in 10 CSR 10-6.020(2)(N)5., the director shall not issue a permit under this section unless the permittee can demonstrate to the satisfaction of the director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
5. Reporting and Recordkeeping. 40 CFR Part 60, Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in §60.2245 - §60.2260. The provisions of 40 CFR Part 60, Subpart CCCC promulgated as of September 22, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with §60.2245 - §60.2260, sources shall conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
6. Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A – Test Methods, Method 9 – Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971 is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

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

1. In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;
 - g) Air pollutants involved;
 - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
 - i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
2. The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
3. Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under §643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under §643.080 or §643.151, RSMo.
4. Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under §§643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
5. Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than 18 months. [10 CSR 10-

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

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

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

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

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

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

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

10 CSR 10-6.150 Circumvention

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

10 CSR 10-6.170 Restriction of PM to the Ambient Air Beyond the Premises of Origin

Emission Limitation:

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

Monitoring:

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

Recordkeeping:

1. The permittee shall document all readings on Attachment A, or its equivalent, noting the following:
 - a) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.

- b) Whether equipment malfunctions contributed to an exceedance.
- c) Any violations and any corrective actions undertaken to correct the violation.

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-6.165 Restriction of Emission of Odors

This requirement is not federally enforceable.

The permittee may not cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. This odor evaluation shall be taken at a location outside of the installation's property boundary.

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

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

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
 - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.

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

10 CSR 10-6.280 Compliance Monitoring Usage

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

- b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
 - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
3. The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
- a) Applicable monitoring or testing methods, cited in:
 - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
 - ii) 10 CSR 10-6.040, "Reference Methods";
 - iii) 10 CSR 10-6.070, "New Source Performance Standards";
 - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
 - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

V. General Permit Requirements

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

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

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

10 CSR 10-6.065(6)(C)1.C General Recordkeeping and Reporting Requirements

1. Recordkeeping
 - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
 - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
2. Reporting
 - a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
 - b) The permittee shall submit a report of all required monitoring by:
 - i) October 1st for monitoring which covers the January through June time period, and
 - ii) April 1st for monitoring which covers the July through December time period.
 - iii) Exception. Monitoring requirements which require reporting more frequently than semi-annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
 - c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit, this includes deviations or 40 CFR Part 64 exceedances.
 - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in 10 CSR 10-6.065(6)(C)7.A shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

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

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

1. The permittee shall comply with the requirements of 40 CFR Part 68 - Accidental Release Prevention Requirements. If the permittee has more than a threshold quantity of a regulated substance in process, as determined by §68.115, the permittee shall submit a Risk Management Plan in accordance with 40 CFR Part 68 no later than the latest of the following dates:
 - a) June 21, 1999;
 - b) Three years after the date on which a regulated substance is first listed under §68.130; or
 - c) The date on which a regulated substance is first present above a threshold quantity in a process.

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

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

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

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

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

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

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

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

Permit Condition 002 contains two separate reasonably anticipated operating scenarios for diesel generators EP1.2, EP1.3, and EP1.4. In the first operating scenario the engines meet the definition of emergency engine in 40 CFR Part 63, Subpart ZZZZ and are required to comply with the emergency engines standards. In the second operating scenario the engines do not meet the definition of emergency engine in 40 CFR Part 63, Subpart ZZZZ and are required to comply with the non-emergency engine standards. The permittee shall maintain a log documenting which operating scenario each engine is complying with.

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

1. Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
2. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
3. All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
 - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
4. The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and 40 CFR Part 64

exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:

- a) The identification of each term or condition of the permit that is the basis of the certification;
- b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
- c) Whether compliance was continuous or intermittent;
- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

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

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

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

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

1. An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.
2. §502(b)(10) changes. Changes that, under §502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
 - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to EPA and the Air Pollution Control Program as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to EPA and the Air Pollution Control Program as soon as possible after learning of the need to make the change.
 - b) The permit shield shall not apply to these changes.

10 CSR 10-6.065(6)(C)9 Off-Permit Changes

1. Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
 - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, no later than the next annual emissions report. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in

emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.

- c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
- d) The permit shield shall not apply to these changes.

10 CSR 10-6.020(2)(R)12 Responsible Official

The application utilized in the preparation of this permit was signed by Mr. Ray Santie, Mayor. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the permittee shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the permittee to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

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

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

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

VI. Attachments

Attachments follow.

STATEMENT OF BASIS

Permit Reference Documents

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

1. Part 70 Operating Permit Application, received February 1, 2010
2. 2011, 2010, 2009, and 2007 Emissions Inventory Questionnaires
3. U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition
4. Construction Permit 0796-007, issued July 5, 1996

Other Air Regulations Determined Not to Apply to the Operating Permit

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

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

10 CSR 10-6.350 *Emission Limitation and Emissions Trading of NO_x*

10 CSR 10-6.360 *Control of NO_x Emissions From EGUs and Non-Electric Generating Boilers*

10 CSR 10-6.362 *CAIR Annual NO_x Trading Program*

10 CSR 10-6.364 *CAIR Seasonal NO_x Trading Program*

10 CSR 10-6.366 *CAIR SO₂ Trading Program*

These regulations are not applicable to the installation and have not been applied within this permit. The installation does not serve a generator with a nameplate capacity of greater than 25 MW.

10 CSR 10-6.390 *Control of NO_x Emissions From Large Stationary Internal Combustion Engines* is not applicable to the installation and has not been applied within this permit. None of the engines at the installation emitted NO_x greater than one ton per day on average during the period from May 1 through September 30 of 1995, 1996, or 1997 per the applicability requirements of 10 CSR 10-6.390(1)(A).

10 CSR 10-6.405 *Restriction of PM Emissions From Fuel Burning Equipment Used for Indirect Heating* is not applicable to the installation and has not been applied within this permit. An installation is exempt from this regulation per 10 CSR 10-6.405(1)(E) if all of the installation's indirect heating sources are fueled by natural gas or diesel (with less than 1.2 percent sulfur).

Construction Permits

Construction Permit 0796-007, issued July 5, 1996:

- ♦ This de minimis construction permit is for the installation of EP1.2, EP1.3, and EP1.4 three 2598 HP diesel generators.
- ♦ Special Conditions 1 – 3 have been applied within this permit (see Permit Condition 001).

New Source Performance Standards Applicability

40 CFR Part 60, Subpart Kb – *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984* is not applicable to the installation and has not been applied within this permit. EP2.1, EP2.2, and EP2.3 were installed 1953 prior to the compliance date of July 23, 1984 at §60.110b(a). EP2.4 is only 12,000 gallons (45.425 m³) which is less than the 75 m³ threshold of §60.110b(a).

40 CFR Part 60, Subpart IIII – *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* is not applicable to the installation and has not been applied within this permit. All of the engines at the installation were installed prior to the compliance date of July 11, 2005 at §60.4200(a)(2).

Maximum Achievable Control Technology Applicability

40 CFR Part 63, Subpart ZZZZ – *National Emissions Standards for HAP for Stationary Reciprocating Internal Combustion Engines* is applicable to the installation and has been applied within this permit (see Permit Conditions 002 and 003).

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

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

Compliance Assurance Monitoring (CAM) Applicability

40 CFR Part 64 - *CAM*

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

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

40 CFR Part 64 is not applicable. The installation will need to use control devices to achieve compliance with the non-emergency engine standards under 40 CFR Part 63, Subpart ZZZZ; however, §64.2(b)(1)(i) exempts emission limitations proposed by EPA after November 15, 1990 pursuant to §112 of the CAA.

Greenhouse Gas Emissions

This installation is a minor source of greenhouse gases (GHG).

Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tpy) ¹
CO	36.97
GHG	6,528.10
NO _x	129.05
PM	2.64
PM ₁₀	2.17
PM _{2.5}	2.11
SO _x	3.63
VOC	6.18
HAP	0.06
Benzene (71-43-2)	0.03
Toluene (108-88-3)	0.01
Polycyclic Organic Matter (TP15)	0.01
Xylene (1330-20-7)	0.01

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

- ◆ EP1.2, EP1.3, and EP1.4 were limited to 40.0 tpy NO_x per Permit Condition 001.
- ◆ EP1.5, EP1.6, EP1.7, and EP1.8 were evaluated using the worst-case fuel for each pollutant and at 500 hours of annual operation due to their emergency status.

Other Regulatory Determinations

10 CSR 10-6.220 *Restriction of Emission of Visible Air Contaminants* is applicable to the installation but has not been applied within this permit. This regulation is applicable to EP3 Space Heaters, but was not applied within this permit as potential emissions of PM from these emission units were calculated to be less than 0.5 lb/hr and are not expected to exceed the opacity limits while being properly maintained and operated; therefore, no monitoring, recordkeeping, or reporting is required at this time. EP1 Generators are exempt from this regulation per 10 CSR 10-6.220(1)(A) as they are internal combustion engines.

10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds* is applicable to the installation and has been applied within this permit (see Permit Conditions 004 and 005). EP3 Space Heaters are exempt from this regulation per 10 CSR 10-6.260(1)(A)2 as they exclusively combustion pipeline grade natural gas.

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

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

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

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

Prepared by:

Alana L. Rugen, EIT
Environmental Engineer II

Mr. Ray Santie
Malden Municipal Power and Light
111 East Laclede
Malden, MO 63863

Re: Malden Municipal Power and Light, 069-0034
Permit Number: **OP2013-042**

Dear Mr. Santie:

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

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

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Alana Rugen at the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:ark

Enclosures

c: Southeast Regional Office
PAMS File: 2009-11-053

Mr. Mark A. Smith
Air Permitting and Compliance Branch Chief
EPA Region 7
11201 Renner Blvd.
Lenexa, KS 66219

RE: Part 70 Operating Permit, Project: 2009-11-053
Response to Comments

Dear Mr. Smith,

The Missouri Air Pollution Control Program has received comments from EPA submitted during the public comment period on the draft Part 70 Operating Permit for Malden Municipal Power and Light (069-0034). The Air Pollution Control Program has revised the draft operating permit in response to the comments. Enclosed is the Air Pollution Control Program's response to the comments. The Title V permit is being forwarded for final executive approval and issuance.

If you have any questions or additional comments, please do not hesitate to contact me at the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 526-0189. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Alana L. Rugen, EIT
Environmental Engineer II

ALR/kjc

Enclosures: Final Title V Operating Permit
Response to Comments

c: Southeast Regional Office
PAMS File: 2009-11-053

MEMORANDUM

DATE: April 26, 2013
TO: 2009-11-053, Malden Municipal Power and Light (069-0034)
FROM: Alana L. Rugen, EIT
Environmental Engineer II
SUBJECT: Response to Comments

The draft Part 70 Operating Permit for Malden Municipal Power and Light (069-0034) was placed on public notice as of March 26, 2013, for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm> on Tuesday, March 26, 2013.

On April 24, 2013, the Air Pollution Control Program received comments from EPA Region 7's Mark A. Smith, Air Permitting and Compliance Branch Chief, the comments will be addressed within this Response to Comments document.

EPA Comment #1:

The *Emission Limitation* for **Permit Condition 001** states "the permittee shall emit no more than 40.0 tons of NO_x from EP1.2, EP1.3, and EP1.4 in any consecutive 12-month period." This permit condition is derived from Special Condition 1 of Construction Permit 0796-007, issued July 5, 1996. However, EPA has determined on many previous occasions that permit conditions written as blanket restrictions on actual emissions would be virtually impossible to verify or enforce. EPA's guidance recommends the permit conditions include restriction on hours of operation or on the amount of material which may be combusted or produced. Compliance with such conditions could be easily verified through internal correspondence and accounting, purchasing and production records.

Construction Permit 0796-007 states that the conditioned potential emissions (40.0 tons per year) are based on 448 hours per year at full operation and this condition is required to remain below the de minimis levels for NO_x.

Therefore, EPA recommends that MDNR incorporate this hour of operation restriction into Permit Condition 001.

Missouri Air Pollution Control Program Response to EPA Comment #1:

Construction permit special conditions are federally enforceable conditions. Construction Permit 0796-007 Special Condition 1 has been in place for close to 17 years. During that time frame the installation has not had any problems demonstrating compliance with the special condition. Attachment B of the Title V permit contains a NO_x tracking sheet on which the installation documents their monthly diesel usage and using an Air Pollution Control Program approved NO_x emission factor calculates their monthly and 12-month rolling total NO_x emissions.

EPA Comment #2:

It has been the customary practice of MDNR to include a general permit condition for reasonably anticipated operating scenarios in accordance with 10 CSR 10-6.065(6)(C)1.I as a **Section V General Permit Requirement**. However, this draft operating permit for Malden Municipal Power and Light does not include this permit content requirement.

10 CSR 10-6.065(6)(C)1.I requires the permit to include terms and conditions for reasonably anticipated operating scenarios identified by the applicant and approved by MDNR. The permit shall authorize the permittee to make changes among alternative operating scenarios authorized in the permit without notice, but shall require the permittee, contemporaneous with changing from one operating scenario to another, to log at the permitted installation the scenario under which it is operating. It would appear that a Reasonably Anticipated Operating Scenario it being proposed within the draft Permit Condition 002 with the exception of maintaining a log indicating the scenario under which the permittee is operating.

EPA recommends that MDNR establish one operating scenario in Permit Condition 002 and identify the alternative operating scenario within **Section V General Permit Requirements** and include the requirement for the permittee to maintain a scenario operating log as required by 10 CSR 10-6.065(6)(C)1.I.

Missouri Air Pollution Control Program Response to EPA Comment #2:

Placing 40 CFR Part 63, Subpart ZZZZ requirements in two separate places in the permit would lead to confusion during inspection and enforcement. The Air Pollution Control Program has added wording to clarify that there are two operating scenarios for the engines, but the 40 CFR Part 63, Subpart ZZZZ requirements for both scenarios remain in Permit Condition 002.

EPA Comment #3:

Permit Conditions 002 and 003 require the permittee to meet applicable notification requirements in §63.6645 and in 40 CFR Part 63, Subpart A. The notification requirements in 40 CFR part 63, Subpart A and detailed in §63.9 require the permittee to submit notification to the appropriate Regional Office of the EPA as listed in §63.13. §63.13 shows the Region 7 EPA offices located at 901 N. 5th Street, Kansas City, Kansas 66101. However, the EPA Region 7 office is now located at 11201 Renner Boulevard, Lenexa, Kansas 66219.

EPA recommends MDNR include a notation to the permittee, in Permit Conditions 002 and 003, which addresses this location change so that the applicable notifications are received by EPA in a timely manner.

Missouri Air Pollution Control Program Response to EPA Comment #3:

The Air Pollution Control Program has added the following note to Permit Conditions 002 and 003:

Note: EPA Region 7 has recently relocated. The address for EPA Region 7 listed in §63.13 is their previous address. Notifications should be submitted to EPA Region 7's new address at 11201 Renner Boulevard, Lenexa, Kansas 66219.

The Air Pollution Control Program recommends EPA modify §63.13 to revise EPA Region 7's address.

EPA Comment #4:

The draft part 70 operating permit's installation description says, "Malden Municipal Power and Light produces electricity for their surrounding community. The installation generates electricity through five dual-fired generators and three diesel generators." However, Permit Condition 002 and Permit Condition 003 are both written for existing emergency CI RICE. Emergency CI RICE regulations restrict the hours of operation of these generators which would appear to conflict with the installation description.

If this facility is only an emergency generation station, EPA recommends MDNR revise the installation description to correct the facility purpose. If on the other hand these generators are not all for emergency use, then Permit Condition 003 may need to be revised.

Missouri Air Pollution Control Program Response to EPA Comment #4:

The Air Pollution Control Program has already spoken with Malden Municipal Power and Light regarding this issue. Malden Municipal Power and Light plans to initially comply with 40 CFR Part 63, Subpart ZZZZ by adhering to the emergency engine standards for all of their RICE. After completing the required non-emergency engine testing, the installation plans to switch the diesel generators (EP1.2, EP1.3, and EP1.4) to non-emergency status. To accommodate Malden Municipal Power and Light's plans, the permit includes both emergency and non-emergency standards for the diesel generators in Permit Condition 002. Malden Municipal Power and Light plans to operate the dual-fired generators (EP1.5, EP1.6, EP1.7, and EP1.8) as emergency engines; therefore, non-emergency standards for these RICE were not included in the permit.

ALR/kjc