

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

# PART 70

## PERMIT TO OPERATE

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

**Operating Permit Number:** OP2018-020

**Expiration Date:** FEB 02 2023

**Installation ID:** 055-0047

**Project Number:** 2017-07-035

**Installation Name and Address**

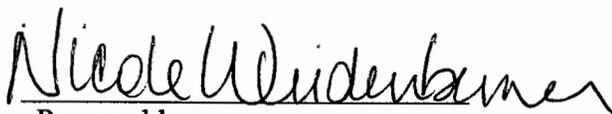
Prairie Valley Landfill  
3975 Hwy 19 North  
Cuba, MO 65453  
Crawford County

**Parent Company's Name and Address**

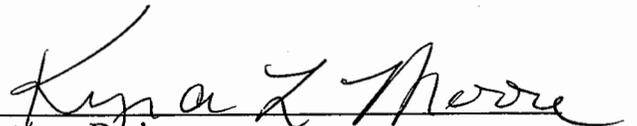
Swinger Trucking, Inc.  
3975 Hwy 19 North  
Cuba, MO 65453

**Installation Description:**

Prairie Valley Landfill is a privately owned municipal solid waste landfill that began accepting waste in August 2000. The landfill underwent a vertical expansion in April 2017 and has a current permitted waste capacity of 3.14 million cubic meters. The installation is required to obtain a Part 70 Operating Permit according to the requirements of 40 CFR part 63 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills.



Prepared by  
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Operating Permit Unit



Director or Designee  
Department of Natural Resources

**FEB 02 2018**

Effective Date

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>
EP-01	Solid Waste Landfill

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

<u>Description of Emission Source</u>	
EP-02	Haul Roads
EP-03	Diesel tank, 400 gallon capacity

## 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. There are no regulations that apply on a plant wide basis to this installation. The following general conditions apply to all units contained in this permit, unless stated otherwise.

### **Monitoring:**

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

### **Recordkeeping:**

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

### **Reporting:**

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

### **Permit Condition PW1**

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

### **Emission/Operational Limitations:**

The permittee shall meet the following requirements:

1. Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of §61.154(c) or (d) must be met. [§61.154(a)]

2. Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of §61.154(c)(1) must be met. [§61.154(b)]
  - a. Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos containing waste material is deposited. The warning signs must:
    - i. Be posted in such a manner and location that a person can easily read the legend; and
    - ii. Conform to the requirements of 51 cm × 36 cm (20 inch;×14 inch;) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and
    - iii. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph. Spacing between any two lines must be at least equal to the height of the upper of the two lines.  
**Legend Notation**  
Asbestos Disposal Site..... 2.5 cm (1 inch) Sans Serif, Gothic or Block.  
Do Not Create Dust..... 1.9 cm (3/4 inch) Sans Serif, Gothic or Block.  
Breathing Asbestos is Hazardous to Your Health..... 14 Point Gothic.
  - b. The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.
  - c. Upon request and supply of appropriate information, the director will determine whether a fence or a natural barrier adequately deters access by the general public.
3. Rather than meet the no visible emission requirement of §61.154(a), at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall: [§61.154(c)]
  - a. Be covered with at least 15 centimeters (6 inches) of compacted non-asbestos-containing material, or [§61.154(c)(1)]
  - b. Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the director. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent. [§61.154(c)(2)]
4. Rather than meet the no visible emission requirement of §61.154(a), use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.149(c)(2). [§61.154(d)]

**Recordkeeping/Reporting:**

1. For all asbestos-containing waste material received, the permittee shall: [§61.154(e)]
  - a. Maintain waste shipment records, using a form similar to that shown in Figure 4 of 40 CFR 61.149, and include the following information:
    - i. The name, address, and telephone number of the waste generator.
    - ii. The name, address, and telephone number of the transporter(s).
    - iii. The quantity of the asbestos-containing waste material in cubic meters (cubic yards).
    - iv. The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, state, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Missouri

Department of Natural Resources, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.

- v. The date of the receipt.
  - b. As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.
  - c. Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, state, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Missouri Department of Natural Resources. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.
  - d. Retain a copy of all records and reports required by this paragraph for at least five years.
2. Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area. [§61.154(f)]
  3. Upon closure, comply with all the provisions of §61.151. [§61.154(g)]
  4. Submit to the director, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities. [§61.154(h)]
  5. Furnish upon request, and make available during normal business hours for inspection by the director, all records required under this section. [§61.154(i)]
  6. Notify the director in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the director at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice: [§61.154(j)]
    - a. Scheduled starting and completion dates.
    - b. Reason for disturbing the waste.
    - c. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the director may require changes in the emission control procedures to be used.
    - d. Location of any temporary storage site and the final disposal site.

### III. Emission Unit Specific Emission Limitations

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

<b>Permit Condition WWW</b>	
10 CSR 10-6.070 New Source Performance Regulations	
40 CFR Part 60, Subpart A General Provisions	
40 CFR Part 60, Subpart WWW Standards of Performance for Municipal Solid Waste Landfills	
EP #	Description
EP-01	Solid Waste Landfill

**Emission Limitations:**

The permittee shall calculate an NMOC emission rate for the landfill using the procedures specified in §60.754. The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii). [§60.752(b)]

1. If the calculated NMOC emission rate is less than 50 megagrams per year, the permittee shall: [§60.752(b)(1)]
  - a. Submit an annual emission report to the director, except as provided for in §60.757(b)(1)(ii); and [§60.752(b)(1)(i)]
  - b. Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed. [§60.752(b)(1)(ii)]
    - i. If the NMOC emission rate, upon recalculation required in §60.752(b)(1)(ii), is equal to or greater than 50 megagrams per year, the permittee shall install a collection and control system in compliance with §60.752(b)(2). [§60.752(b)(1)(ii)(A)]

**Test Methods and Procedures:**

1. The permittee shall calculate NMOC emission rates according to the following procedures.
  - a. The permittee shall calculate the NMOC emission rate using either the equation provided in §60.754(a)(1)(i) or the equation provided in §60.754(a)(1)(ii). [§60.754(a)(1)]
  - b. If conducting Tier 1 testing, the permittee shall conduct the testing in compliance with §60.754(a)(2).
  - c. If conducting Tier 2 testing, the permittee shall conduct the testing in compliance with §60.754(a)(3).
  - d. If conducting Tier 3 testing, the permittee shall conduct the testing in compliance with §60.754(a)(4).
  - e. The permittee may use other methods to determine the NMOC concentration or a site-specific k as an alternative to the methods required in §60.754(a)(3) and (a)(4) if the method has been approved by the director. [§60.754(a)(5)]
2. When calculating emissions for PSD purposes, the permittee shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in §§51.166 or 52.21 of this chapter using AP-42 or other approved measurement procedures. [§60.754(c)]

**Reporting:**

1. An amended design capacity report shall be submitted to the director providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in §60.758(f).  
[§60.757(a)(3)]
2. The permittee shall submit an NMOC emission rate report to the director initially and annually thereafter, except as provided for in §60.757(b)(1)(ii). The director may request such additional information as may be necessary to verify the reported NMOC emission rate. [§60.757(b)]
  - a. The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in §60.754(a) or (b), as applicable. [§60.757(b)(1)]
    - i. The initial NMOC emission rate report may be combined with the initial design capacity report required in §60.757(a) and shall be submitted no later than indicated in §60.757(b)(1)(i)(B). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in §60.757(b)(1)(ii). [§60.757(b)(1)(i)]
      - A. Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996. [§60.757(b)(1)(i)(B)]
    - ii. If the estimated NMOC emission rate as reported in the annual report to the director is less than 50 megagrams per year in each of the next 5 consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the director. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the director. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. [§60.757(b)(1)(ii)]
  - b. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions. [§60.757(b)(2)]

**Recordkeeping:**

The permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [§60.758(a)]

## IV. Core Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as a spreadsheet file, can be submitted for approval by the director.
2. Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
3. The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.

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

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

#### **10 CSR 10-6.150 Circumvention**

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

**10 CSR 10-6.165 Restriction of Emission of Odors**

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

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. This odor evaluation shall be taken at a location outside of the installation's property boundary.

**10 CSR 10-6.170**

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

**Emission Limitation:**

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

**Monitoring:**

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

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

1. The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
2. Should no violation of this regulation be observed during this period then-
  - a. The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
  - b. If a violation is noted, monitoring reverts to weekly.
  - c. Should no violation of this regulation be observed during this period then-
    - i. The permittee may observe once per month.
    - ii. If a violation is noted, monitoring reverts to weekly.

3. If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

**Recordkeeping:**

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

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

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

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

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

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

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

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

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

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

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

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
  - b. The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
  - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
  - d. No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
  - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
  - e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air

conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

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

## V. General Permit Requirements

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

<b>10 CSR 10-6.065(6)(C)1.B Permit Duration</b> <b>10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits</b>
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This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

<b>10 CSR 10-6.065(6)(C)1.C General Record Keeping and Reporting Requirements</b>
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1. Record Keeping
  - a. All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b. Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a. All reports shall be submitted to the Air Pollution Control Program, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).
  - b. The permittee shall submit a report of all required monitoring by:
    - i. October 1st for monitoring which covers the January through June time period, and
    - ii. April 1st for monitoring which covers the July through December time period.
  - c. Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
  - d. Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i. Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice

- must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
- ii. Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
  - iii. Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit.
- e. Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f. The permittee may request confidential treatment of information submitted in any report of deviation.

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

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

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

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

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

1. The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
2. The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
3. The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
4. This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
5. The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None

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

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

- e. Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

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

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

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

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd.,

Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

1. Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a. Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
  - b. The permit shield shall not apply to these changes.

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

1. Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the permit, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a. The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b. The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3 of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
  - c. The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d. The permit shield shall not apply to these changes.

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

The application utilized in the preparation of this permit was signed by Elaine Rutz, Vice President. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the

owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit shall be reopened for cause if:

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

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

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

## **VI. Attachments**

Attachments follow.



## STATEMENT OF BASIS

### INSTALLATION DESCRIPTION

Prairie Valley Landfill is a privately owned municipal solid waste landfill that began accepting waste in August 2000. The landfill underwent a vertical expansion in April 2017 and has a current permitted waste capacity of 3.14 million cubic meters. The installation is required to obtain a Part 70 Operating Permit according to the requirements of 40 CFR part 63 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills. The installation consists of three emission units, the landfill, haul roads, and the diesel storage tank.

The potential emissions of these emission sources were not calculated for this project, as all of these sources are considered fugitive. This installation is not on the list of Named Installations, therefore fugitive emissions are not included for operating permit applicability.

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

Pollutants	2016 Reported Emissions
Particulate Matter $\leq$ Ten Microns (PM <sub>10</sub> )	14.43
Volatile Organic Compounds (VOC)	3.29
Hazardous Air Pollutants (HAPs)	0.40

### 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 July 13, 2017;
- 2) LandGEM, Version 3.02
- 3) All documents listed in Construction Permit History

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

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

See Other Regulatory Determinations

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

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

See Other Regulatory Determinations

### **Construction Permit History**

The following construction permits were issued to this installation:

Construction Permit 022005-010

This permit was issued on February 10, 2005 for the installation of a rock crushing plant. The rock crushing plant ceased operations in fall 2005 and has been removed from site. Therefore, the special conditions of this permit are not incorporated into the operating permit.

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

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

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

The Prairie Valley Landfill has a design capacity greater than 2.5 million megagrams and 2.5 million cubic meters. Tier 2 testing to quantify NMOC emissions is scheduled to occur prior to January 11, 2018. Because the emission rate during the term of this operating permit is anticipated to be less than 50 Mg/year NMOC, the provisions of this subpart requiring the installation of controls have not been included in this operating permit. If the installation becomes subject to the requirements to install controls during the lifetime of this operating permit, an operating permit modification request must be submitted

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

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

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

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

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

This subpart does not apply to Prairie Valley Landfill. The installation is not required to install control equipment to comply with 40 CFR part 60 Subpart WWW at the time of permit issuance. When the landfill becomes subject to the control requirements of Subpart WWW, then the installation will also be subject to this subpart.

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

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

The landfill accepts asbestos containing waste and this regulation appears in the permit.

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

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

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

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

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

### **Greenhouse Gas Emissions**

Note that this source may be subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO<sub>2</sub> emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO<sub>2</sub> emissions were not included within this permit. If required to report, the applicant is required to report the data directly to EPA. The public may obtain CO<sub>2</sub> emissions data by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.

### **Other Regulatory Determinations**

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

The emission units at this installation meet various exemptions as detailed in the following table. The tanks and solidification basin are not expected to emit opacity.

EP #	Unit Description	Exemption
EP-01	Solid Waste Landfill	Fugitive particulate emissions, exemption (1)(K)
EP-02	Haul Roads	Fugitive particulate emissions, exemption (1)(K)

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

This regulation applies to all sources of sulfur compound emissions. The combustion of the diesel fuel occurs in mobile sources which are not regulated under Title V permitting. Therefore, this regulation does not appear in the operating permit.

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

This regulation applies to all sources of sulfur dioxide. There is a sulfur content limitation for diesel, however, the diesel is used to fuel mobile sources which are not regulated under Title V permitting. Therefore, this regulation does not appear in the operating permit.

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

This regulation applies to each MSW landfill for which construction, reconstruction, or modification was commenced before May 30, 1991, and has accepted waste since November 8, 1987, or has additional design capacity available for future waste deposition. This landfill constructed an expansion after May 30, 1991, therefore this regulation does not apply. The landfill is subject to NSPS Subpart WWW.

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

This regulation does not apply to any emission units at the installation. The particulate matter emitting emission units are fugitive and meet exemption 6.400(1)(B)7. The tank is not expected to emit particulate matter.

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

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

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

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

## Response to Public Comments

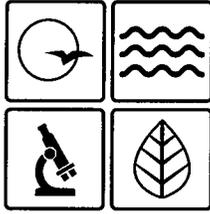
The draft Part 70 Operating Permit for Prairie Valley Landfill was placed on public notice October 27, 2017 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm> . Public comments were received from Ms. Leslye Werner, EPA Region 7. The comments are addressed in the order in which they appear within the letter(s).

**Comment #1:** In the Other Regulatory Determinations section of the Statement of Basis (page SB-3) it is indicated in 10 CSR 10-6.261, Control of Sulfur Dioxide Emissions; that this rule does not apply to mobile sources that are using diesel fuel. However, the Other Regulatory Determinations section in the Statement of Basis, does not explain the absence of potentially applicable requirements as found in 10 CSR 10-6.260- Restriction of Emission of Sulfur Compounds. 10 CSR 10-6.065(6)(C)I says every operating permit issued shall contain all requirements applicable to the installation at the time of issuance. 10 CSR 10- 6.020(A)54.A. defines applicable requirements to include any standard or requirement provided for in the implementation plan approved and promulgated by the United States Environmental Protection Agency. 10 CSR 10-6.260 is included in the EPA approved Missouri State Implementation Plan (SIP) and therefore is an applicable requirement to be included in this operating permit. EPA recognizes that Prairie Valley Landfill may be exempt from the requirements of 10 CSR 10-6.260; much like the exemptions described in 10 CSR 10-6.261. However, EPA encourages MDNR to recognize the applicability of 10 CSR 10-6.260 in the Statement of Basis or as an applicable permit condition.

**Response to Comment #1:** An explanation has been added to the Statement of Basis to address the applicability of 10 CSR 10-6.260, Control of Sulfur Dioxide Emissions.

**Comment #2:** Also, Section IV: *Core Permit Requirements* includes 10 CSR 10-6.250: *Asbestos Abatement Projects- Certification, Accreditation, and Business Exemption Requirements* incorporating the Asbestos Hazard Emergency Response Act (AHERA) and its regulations for school districts and personnel working on asbestos activities in schools. The requirements associated with 10 CSR 10-6.250 have not been adopted into the EPA approved Missouri State Implementation Plan (SIP) and is therefore a "State Only Requirement," and EPA recommends MDNR consider adding a "State Only Requirement" designation to 10 CSR 10-6.250.

**Response to Comment #2:** Clarification has been provided in the permit that 10 CSR 10-6.250, *Asbestos Abatement Projects- Certification, Accreditation, and Business Exemption Requirements*, is a State Only Requirement.



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

**FEB 02 2018**

Ms. Elaine Rutz  
Prairie Valley Landfill  
3975 Hwy 19 North  
Cuba, MO 65453

Re: Prairie Valley Landfill, 055-0047  
Permit Number: OP2018-020

Dear Ms. Rutz:

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

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

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

If you have any questions or need additional information regarding this permit, please contact the Air Pollution Control Program (APCP) at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:nwj

Enclosures

c: PAMS File: 2017-07-035

