

STATE OF MISSOURI  
DEPARTMENT OF NATURAL RESOURCES

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

www.dnr.mo.gov

MAY 13 2015

Mr. Vince Gochenauer  
Silgan Containers Manufacturing Corporation  
P.O. Box 111  
Mt. Vernon, MO 65712

Re: Silgan Containers Manufacturing Corporation, 109-0010  
Permit Number: OP2015-012

Dear Mr. Gochenauer:

Enclosed with this letter is your intermediate 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 thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

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/nw

Enclosures

c: Robert Cheever, US EPA Region VII  
Southwest Regional Office  
PAMS File: 2014-06-082





# INTERMEDIATE STATE 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.

**Intermediate Operating Permit Number:** OP2015-012  
**Expiration Date:** MAY 13 2020  
**Installation ID:** 109-0010  
**Project Number:** 2014-06-082

**Installation Name and Address**

Silgan Containers Manufacturing  
Corporation  
305 W. North Street  
Mt. Vernon, MO 65712  
Lawrence County

**Parent Company's Name and Address**

Silgan Containers Manufacturing  
Corporation  
21800 Oxnard Street, Suite 600  
Woodland Hills, CA 91367

**Installation Description:**

Silgan Containers Manufacturing Corporation operates a steel food can manufacturing plant in Mt. Vernon, Missouri. The installation uses 3 production lines to produce three-piece welded cans. Each production line consists of an inside side seam stripe applicator, a curing oven, the first videojet ink printer, a second videojet ink printer, and an outside side seam applicator. Each production line is bottlenecked by the rate of the bodymaker. Lines #1 and #2 contain bodymakers rated at 70 meters/min, Line #3 is rated at 50 meters/min. The installation has accepted a voluntary limitation on volatile organic compound (VOC) emissions to qualify for this Intermediate Operating Permit.

*Nicole Weidenbenner*      *Kyra L Moore*

Prepared by:  
Nicole Weidenbenner, P.E.  
Operating Permit Unit

Director or Designee  
Department of Natural Resources

**MAY 13 2015**

Effective Date

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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Silgan Containers Manufacturing Corporation operates a steel food can manufacturing plant in Mt. Vernon, Missouri. The installation uses 3 production lines to produce three-piece welded cans. Each production line consists of an inside side seam stripe applicator, a curing oven, the first videojet ink printer, a second videojet ink printer, and an outside side seam applicator. Each production line is bottlenecked by the rate of the bodymaker. Lines #1 and #2 contain bodymakers rated at 70 meters/min, Line #3 is rated at 50 meters/min.

The process begins with pre-coated metal sheets consisting of either tin plate or tin-free steel. These metal sheets are pre-coated and cut to size at another Silgan facility. At the Mt. Vernon plant, the process starts with feeding these sheets into a slitter to cut the pre-coated steel sheets into metal strips. These strips are then cut into rectangular shaped "body blanks". The sheets, strips, body blanks, and metal sheet type are all customer specified parameters.

The body blanks are then placed either manually or by automated stackers into a hopper for feeding into the bodymaker to begin forming the can. The bodymaker pulls each body blank individually from the bottom of the stack. The bodies are then transported to the section of the bodymaker known as the rounding station. In the rounding station, the body blanks are forced over three separate hardened steel pieces form the body blank into a rounded cylinder. The cylinders are then transported by feed fingers to the calibration unit. The calibration unit is several rollers precisely set through which the rounded cylinder passes, holding the cylinder to a pre-set diameter. The edge of the cylinder is transported to the calibration unit in a guide called a Z-bar. It is the combination of the Z-bar and the calibration unit that results in a precise overlap of the edges of the cylinder and an inside diameter that is maintained within approximately 0.002 inches. As the cylinder exits the Z-bar and calibration unit, the overlapped section of the cylinder passes between a set of current conducting rolls known as the welding rolls. The welding rolls are made of a soft material that is capable of conducting electrical current with very little resistance. The roll has a groove profiled in it to accommodate a flattened copper wire electrode that is actually the surface that contacts the cylinder. The rolls are forced together by a heavy spring that presses the overlapped edge of the cylinder together. Current is passed through the rolls and the edge of the cylinder is resistance welded together. The welding current is converted to a high frequency current by means of a frequency converter. The frequency converter uses normal 60 hertz current and converts it to 500 hertz current. Each time the frequency converter current peaks on the sine wave, a spot weld is produced in the cylinder. Each spot weld is known as a weld nugget. The cylinder moves slowly enough in relation to the speed of the current that the weld nuggets are slightly overlapped, forming a welded side seam that is air tight. As the cylinder exits the welding rolls, the overlapped area of the weld is flooded with nitrogen gas for a very short length of time to prevent the weld from oxidizing and creating a weld slag.

As the welded cylinder exits the bodymaker, it enters the side seam stripe application area, where the weld area of the cylinder is sprayed with a liquid coating. This side seam stripe enamel is applied via air atomized spray to the inside and/or outside of the cylinder about 0.5 inches wide. The side seam stripe is necessary to protect the outside of the can from rust and the inside of the can from product erosion. The spray is applied below an extraction hood with is designed to collect wet over-spray that might occur. After collection, the wet over-spray is re-condensed in a custom designed diffuser box and collected for disposal. The air stream is also efficiently filtered in a three stage, progressive triple-filter

system being exhausted through a dedicated stack that extends through the roof exhausting to the atmosphere. Immediately following the side seam stripe application, the cylinders pass through a weld monitor/reject station. The weld integrity is tested by measuring the current before and after the weld. The difference is then compared to standard parameters and the can is either accepted for continued production or rejected. The cylinders then enter a natural gas fired curing oven that is designed to cure the enamel on the side seam. At the Mt. Vernon plant, there are three curing ovens, one for each production line. Each burner is controlled independently and is normally producing heat at temperatures between 500 and 800 °F. These are direct heating, natural gas fired units, and the exhaust air is vented to the roof and released to the atmosphere. The cylinders are then marked with an identification code using a videojet printing system. The ink used changes color at a certain temperature which is necessary when the food in the can is processed by the customer.

An additional step for production lines #1 and #2 necks down or reduces the diameter of the customer end by a multi-station Necker. The cylinders are then transferred to a Flanger that forms a flange on each end of the cylinder in preparation of the application of the end. The flanged cylinders are then conveyed to a Bearer that forms ridges along the circumference of the cylinder. These ridges, or beads, give the final can the necessary strength to withstand the pressures exerted during the food preparation process.

The beaded cylinders are then conveyed to a Seamer that attached one end on the cylinder. In the Seamer, the curl on the end is rolled around the flange of the cylinder forcing the end curl and cylinder flange into interlocking J shaped hooks by hardened steel rollers. A second set of rollers then tightens the seam to form an air tight seam. The ends, which are manufactured at other Silgan facilities and shipped in, contain a rubbery material that is applied inside the curl. This compound is used as a gasket material to seal any void that might be present in the seaming process.

Following the seaming process, the cans are then conveyed to a Tester which air tests the cans for leaks. The can is held in a sealed pocked and air is introduced into the can at about 10 psig. The Tester rejects any cans where leaks are detected. After testing, the finished cans are conveyed to a palletizer and then to the warehouse for shipping.

<b>Reported Air Pollutant Emissions, tons per year</b>					
Pollutants	2013	2012	2011	2010	2009
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.0074	0.0059	0.0059	0.0142	0.0162
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.0074	0.0059	0.0059	0.0142	0.0162
Sulfur Oxides (SO <sub>x</sub> )	0.0007	0.0004	0.0004	0.0011	0.0013
Nitrogen Oxides (NO <sub>x</sub> )	0.098	0.0775	0.0775	0.1870	0.2125
Volatile Organic Compounds(VOC)	3.5636	4.2314	4.2314	14.6821	16.5236
Carbon Monoxide (CO)	0.0823	0.0651	0.0651	0.1571	0.1786

For emission years, 2009 and 2012, the installation submitted the EZ reduced report. For 2013, 2011, and 2010 the installation submitted full EIQs. The installation also reported HAP emissions as either particulates or VOC, in accordance with 10 CSR 10-6.110.

**EMISSION UNITS WITH LIMITATIONS**

The following list provides a description of the equipment at this installation which emits air pollutants and identified as having unit-specific emission limitations. The emissions from these units shall be included in the compliance demonstration for plant wide permit conditions.

Emission Point #	Description	Control Device
Line #1		
ES-3010	Inside stripe applicator	Triple filter system
ES-3015	Outside stripe applicator	Triple filter system
Line #2		
ES-3020	Inside stripe applicator	Triple filter system
ES-3025	Outside stripe applicator	Triple filter system
Line #3		
ES-3030	Inside stripe applicator	Triple filter system
ES-3031	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr	
ES-3035	Outside stripe applicator	Triple filter system

**EMISSION UNITS WITHOUT LIMITATIONS**

The following list provides a description of the equipment, which does not have unit specific limitations at the time of permit issuance. The emissions from these units shall be included in the compliance demonstration for plant wide permit conditions.

Emission Point #	Description
Line #1	
ES-3011	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr
ES-3012	Videojet printer #1
ES-3013	Cleanup operations
ES-3014	Videojet printer #1
Line #2	
ES-3021	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr
ES-3022	Videojet printer #1
ES-3023	Cleanup operations
ES-3024	Videojet printer #1
Line #3	
ES-3032	Videojet printer #1
ES-3033	Cleanup operations
ES-3034	Videojet printer #1
Plant wide sources	
None	Natural Gas comfort heating systems
None	Propane storage tank

## II. Plant Wide Emission Limitations

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

### PERMIT CONDITION PW1

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #052013-006, Issued May 14, 2013 and  
Construction Permit #102006-005, Issued October 10, 2006; and  
Construction Permit #0295-012, Issued February 11, 1995; and  
10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

#### Emissions Limitation:

1. The permittee shall emit less than 10 tons individually or 25 tons combined of all hazardous air pollutants (HAPs) from the entire installation in any consecutive 12 month period. [modified Construction Permit #102006-005, Special Condition # 1B]
2. The permittee shall emit less than 100 tons of volatile organic compounds (VOCs) from the entire installation in any consecutive 12 month period. [10 CSR 10-6.065, Voluntary Condition]

#### Operational Limitation:

1. The permittee shall keep inks, solvents, coatings, and cleaning solutions in sealed containers whenever the materials are not in use or when production sampling, maintenance, or inspection procedures require access. The permittee shall provide and maintain suitable, easily read, permanent markings on each ink, solvent, coating, and cleaning solution container used. [Construction Permit #050013-006, Special Condition # 3 and Construction Permit 0295-012, Special Condition # 4]
2. The permittee shall keep cleanup solvents and thinners in sealed containers during transport and storage. [Construction Permit #0295-012, Special Condition # 5]
3. The permittee shall place cloths used with the cleanup solvents and thinners in sealed containers when not in use and while awaiting off-site transportation. [Construction Permit #0295-012, Special Condition #6]

#### Monitoring/Recordkeeping:

- 1) The permittee shall keep records, which may include electronic records, developed by the permittee and approved by the Air Pollution Control Program to demonstrate compliance with the VOC and HAP emission limits. The records shall track the emissions of VOC and HAP from all emission sources at the installation and shall include when necessary:
  - a) Emission Unit identification and SCC code
  - b) Material type (primer, paint, ink, etc.);
  - c) Application method (spray, roller, dip, etc.);
  - d) Annual Throughput (tons per year or gallons per year);
  - e) Maximum percent by weight of VOC and HAP in material;
  - f) Hap Chemical and Chemical Abstract Service Registry (CAS) number;
  - g) Density (lb/unit);
  - h) Calculated HAP and VOC emission factors for each unit and for each individual HAP;
  - i) Control and capture efficiency for each unit;

- j) Amount of HAP and VOC emitted per year by each unit;
  - k) Total VOC emitted per year from all units;
  - l) Total HAPs emitted per year from all units; and
  - m) Total individual HAPs emitted per year from all units.
- 2) The permittee shall maintain all records required by this permit for not less than 5 years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records shall include the Safety Data Sheets (SDS) for all materials used in this installation. [modified Construction Permit #102006-005, Special Condition # 1C].

**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 limitation established by this permit condition. [Construction Permit #102006-005, Special Condition # 1.D.]
2. Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted in the annual compliance certification, as required by Section IV of this permit.

**PERMIT CONDITION PW2**

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

**Emission Limitation:**

1. No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions with an opacity greater than 20%.
2. Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any sixty (60) minutes air contaminants with an opacity up to 40%.

**Monitoring/Recordkeeping/Reporting:**

None-See Statement of Basis, Other Regulatory Requirements

### 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 on the date of permit issuance.

**PERMIT CONDITION 1**  
 10 CSR 10-6.060 Construction Permits Required  
 Construction Permit #0295-012, Issued February 11, 1995

Line #3-Inside Stripe applicator and curing system	
Emission Point #	Description
ES-3030	Inside stripe applicator vented to a triple filter system
ES-3031	Curing Oven; 0.4 MMBtu/hr

**Emission Limitation:**

The permittee shall not emit more than 15.8 tons of VOC in any consecutive 12 month period from this welding bodymaker with sideseam stripe and curing system. [Special Condition # 1]

**Monitoring/Recordkeeping/Reporting:**

See Permit Condition PW1.

**PERMIT CONDITION 2**  
 10 CSR 10-6.060 Construction Permits Required  
 Construction Permit #102006-005, Issued October 10, 2006;  
 Construction Permit #052013-006, Issued May 14, 2013; and  
 10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

Inside and Outside stripe application		
Emission Point #	Description	Control Device
ES-3030	Line #1-Inside stripe applicator	Triple filter system
ES-3015	Line #1-Outside stripe applicator	
ES-3020	Line #2-Inside stripe applicator	
ES-3025	Line #2-Outside stripe applicator	
ES-3030	Line #3-Inside stripe applicator	
ES-3035	Line #3-Outside stripe applicator	

**Operational Limitations:**

1. The permittee shall control emissions from the listed units using a Triple filter system as specified in the construction permit application. [modified Construction Permit #052013-006, Special Condition # 2.A.]
2. The permittee shall use the control system at all times. [modified Construction Permit #102006-005, Special Condition # 2.]
3. The permittee shall operate and maintain the Triple filter system in accordance with the manufacturer's specifications. The Triple filter system shall be equipped with a gauge or meter,

which indicates the pressure drop across the control device. The gauges or meters shall be located such that the Department of Natural Resources' employees may easily observe them. [Construction Permit #052013-006, Special Condition # 2.B.] If the manufacturer's specifications are not available, the permittee shall develop an operation and maintenance plan that ensures optimal operation of the filter system. [Voluntary limitation]

4. The permittee shall keep replacement filters for the Triple filter system on hand at all times. The filters shall be made of fibers appropriate for operating conditions expected to occur (i.e. temperature limits, acidic and alkali resistance, abrasion resistance, etc.). [Construction Permit #052013-006, Special Condition # 2.C.]

**Monitoring/Recordkeeping:**

1. The permittee shall monitor and record the operating pressure drop across the Triple filter system at least once every 24 hours. The operating pressure drop shall be maintained within the design conditions specified by the manufacturer's performance warranty or operation and maintenance plan. [Construction Permit #052013-006, Special Condition # 2.D.]
2. The permittee shall maintain a copy of the Triple filter system manufacturer's performance warranty or operation and maintenance plan on site. [Construction Permit #052013-006, Special Condition # 2.E.]
3. The permittee shall maintain an operating and maintenance log for the Triple filter system which shall include the following: [Construction Permit #052013-006, Special Condition # 2.F]
  - a. Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b. Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
4. The permittee shall use Attachments B (maintenance) and C (pressure drop), or equivalents, to demonstrate compliance.
5. The permittee shall maintain all records required by this permit for not less than 5 years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. [Construction Permit #052013-006, Special Condition # 5.A.]

**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 limitation established by this permit condition. [Construction Permit #052013-006, Special Condition # 5.B.]
2. Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted in the annual compliance certification, as required by Section IV of this permit.

## IV. Core Permit Requirements

The installation shall comply with each of the following requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), 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 on the date of permit issuance. 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.
- (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 owner or operator fails to comply with the conditions or any provisions of the permit.
- (4) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for incinerators that burn wood trade waste. These requirements are established in 40 CFR 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 NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
- (5) 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 section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
  - 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
  - 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

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

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

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

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(5)(B)1.A(III)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065, §(5)(C)(1) and §(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, §(5)(C)(1) and §(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 10-6.100 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 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 submit a full EIQ for the 2011, 2014, 2017, and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 5) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.
- 6) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.
- 7) 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.
- 8) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 9) 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 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:**

1. The permittee shall conduct inspections of its facilities sufficient to determine compliance with this regulation. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. If a violation of this regulation is discovered, the source shall undertake corrective action to eliminate the violation.
2. The following monitoring schedule must be maintained:
  - a) Observations shall be conducted when the permittee undertakes any activity which results in fugitive particulate matter emissions that have the potential to go beyond the property line of origin.
  - b) Otherwise observations must be made semi-annually. (i.e., once per reporting period). Observation shall be conducted during the January-June reporting period and during the July-December reporting period.

**Recordkeeping:**

The permittee shall document all readings on Attachment A, 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 the visible emissions were normal for the installation.
- 3) Whether equipment malfunctions contributed to an exceedance.
- 4) Any violations and any corrective actions undertaken to correct the violation.

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

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

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

#### **This requirement is not federally enforceable.**

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

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

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

### **10 CSR 10-6.065, §(5)(E)2 and §(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, §(5)(C)1 and §(6)(C)1.C General Record Keeping and Reporting Requirements**

- 1) Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program, Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) April 1st for monitoring which covers the January through December time period.
    - ii) Exception. Monitoring requirements which require reporting more frequently than annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
  - c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit.
  - 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 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 annual 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 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)**

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

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

**10 CSR 10-6.065(5)(C)1.A 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 under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

**10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios**

None

**10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) 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 the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances 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, §(5)(C)1 and §(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(5)(C)5 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. 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 a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
  - b) The permittee must provide written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, no later than the next annual emissions report. 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; and
  - 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.

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

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

**10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) 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,
- 3) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

**10 CSR 10-6.065 §(5)(E)1.A and §(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

## **Voluntary Limitations**

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(5)(C)1.A.(VI), if these limitations are exceeded, the installation immediately becomes subject to 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance, since it can take that long or longer to obtain a part 70 operating permit.

## **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. Intermediate Operating Permit Application, received June 27, 2014;
2. 2013 Emissions Inventory Questionnaire, received May 11, 2014;
3. U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
4. webFIRE;
5. Construction Permit #0390-004;
6. Construction Permit #1090-001;
7. Construction Permit #0295-012;
8. Construction Permit #102001-003;
9. No Permit Required Letter, PAMS #2003-06-012;
10. Construction Permit #072004-011;
11. Construction Permit #102006-005;
12. Construction Permit #052013-006; and
13. No Permit Required Letter, PAMS #2014-07-070.

## **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 Requirements

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

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

See Other Regulatory Requirements

### Construction Permit Revisions

The following construction permits have been issued to this installation:

1. Construction Permit #0390-004;  
This permit was issued March 15, 1990 to authorize a modification to the heating system used to provide side seam stripe coatings. The modification is the replacement of an existing electrical induction heater curing system with a natural gas fired curing oven. The oven is rated at 0.4 MMBtu/hr. There are no special conditions in this permit.
2. Construction Permit #1090-001;  
This permit was issued October 1, 1990 to authorize installation of a new sanitary can welding body maker with side seam stripe applicators and a new natural gas fired curing oven. The maximum hourly design rates are 17 pounds of coatings per hour and can produce 11,585.44 tons of cans annually. The oven has a MHDR of 0.4 MMBtu/hr. There are no special conditions in this permit.
3. Construction Permit #0295-012;  
This permit was issued February 11, 1995 to authorize installation of a new welding body make with side seam stripe and curing system. The special conditions of this permit are included in this Operating Permit.
4. Construction Permit #102001-003;  
This permit was issued September 6, 2001 to authorize installation of a FBB 5501 welder and a videojet in marking system on can line #2. The emissions sources on welded line #2 will consist of a wide seam strip application, a curing oven, a videojet ink printer, and a necker videojet ink printer. The FBB 5501 will replace with existing FBB 420 on can line #2. This upgrade increases the weld speed by 10 meters per minute. Potential HAP emissions are above the de minimis threshold, and the installation accepted a limitation to below the major source threshold. This HAP limitation applies to emission points ES-3020, ES-3022, and ES-3024. The special conditions of this permit are not included in this Operating Permit. The special conditions impose an emissions limitation of less than the major source thresholds for HAPs. However, this condition only applies this limitation to emission points ES-3020, ES-3022, and ES-3024. Construction permit #052013-006 applies the same emissions limitation on a plant wide basis, which is more stringent.
5. No Permit Required Letter, PAMS #2003-06-012;  
This determination is for a video jet ink marking system (ES3014) installed on can line #1. The maximum production rate is 30,000 cans per hour. The potential emissions of the equipment were less than the construction permitting thresholds, therefore no construction permit is required.
6. Construction Permit #072004-011;  
This permit was issued July 15, 2004 to authorize the installation of an outside stripe application system on existing can line #1. The system consists of an air atomized spray application system to be exhausted to the existing three stage, progressive triple filter exhaust system used for the inside stripe application. The following emission points are involved in this project:

Emission point	Description
ES-3010	Inside side seam stripe applicator for can assembly line #1
ES-3012	Line #1 seamer videojet ink marking system
ES-3013	Cleanup operations for can assembly line #1
ES-3014	Assembly line #1 outside side seam strip applicator

Paint filters are used to control particulate matter emissions from the air atomized spray application system with a control efficiency of at least 90%. The installation accepted a limitation on VOC emissions of less than 250 tons per year for the entire installation. The special conditions of this permit were not included in the Operating Permit. Special conditions #1 and #2 are the same conditions that appear in Construction Permit #102006-005. Special Condition #3 applies 40 CFR part 63 Subpart KKKK, *National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans* to the installation. This regulation does not apply, see MACT section of this statement of basis.

7. Construction Permit #102006-005;

This construction permit was issued October 10, 2006 to authorize installation of a FBB 5501 welder on existing can assembly line 1. The new welder will replace the FB5600 welder. It will increase the weld speed by 10 meters per minute thereby increasing line throughput. The following emission points are involved in this project:

Emission point	Description
ES-3010	Inside side seam stripe applicator for can assembly line #1
ES-3011	Natural gas fired curing oven for can assembly line #1
ES-3012	Line #1 seamer videojet ink marking system
ES-3013	Cleanup operations for can assembly line #1

Paint filters are used to control particulate matter emissions from the air atomized spray application system with a control efficiency of at least 90%. The installation accepted a limitation on VOC emissions of less than 250 tons per year for the entire installation. The installation also accepted a limitation below the major source thresholds for HAPs for the entire installation. The special conditions of this permit are included in this Operating Permit.

8. Construction Permit #052013-006; and

This permit was issued May 14, 2013 to authorize the application of a stripe of coating on the outside of the cans produced in lines #1, 2, and 3 to prevent rust. The outside stripe applicators consist of an air atomized spray gun that applies a stripe approximately 0.5 inches wide to the outside of the can along the welded seam to prevent the weld from rusting. Emissions from the coating operation are vented to a Triple Filter System rated at 94.6% overall efficiency for particulates. Application of the coating does not increase production of the lines. Outside stripe coating application will occur after seam welding and will be cured in the existing natural gas fired curing ovens. The special conditions of this permit are included in this Operating Permit. However, special condition #1.A. does not appear in the permit. It was the intent of the special condition to carry forward the HAP limitation from Construction Permit #102006-005. However, the way the special condition is written, it could be interpreted to only apply a 10 ton/year limitation to three specific HAPs. To provide clarity, only the HAP limitation from Construction Permit #102006-005 appears in this Operating Permit. Additionally, Special Condition # 4 does not appear in the permit. This special condition requires the permittee to apply for an Intermediate or Part 70 Operating Permit. This condition has been satisfied. Special conditions #2B, 2D, and 2E refer to a manufacturer's warranty. The installation has developed their own operation and maintenance plan to ensure optimum performance of the control system for their site specific parameters. The special conditions have been modified so that either a manufacturer's warranty or the site developed operation and maintenance plan are acceptable for compliance purposes.

9. No Permit Required Letter, PAMS #2014-07-070

This determination is for a like kind replacement of the curing oven on assembly line #2. The new curing oven replaces the existing oven (ES-3021) in the same physical location. Both units are rated at 0.4 MMBtu/hr.

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

40 CFR part 60 Subpart WW-Standards of Performance for the Beverage Can Surface Coating Industry

This regulation applies to the surface coating of beverage cans. Beverage cans are defined as two-piece containers. This installation manufacturer's three piece containers, therefore the rule does not apply.

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

40 CFR part 63 Subpart KKKK—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans

This subpart applies to multiple source categories that perform surface coating of metal cans located at major sources of HAPs. Three-piece can body assembly coating is included in the applicability.

This installation accepted a federally enforceable limitation below the major source threshold of HAPs in Construction Permit #102006-005, which was issued October 10, 2006. Since this limitation was in place prior to the compliance date of the regulation, November 13, 2006, this installation is not subject to this regulation. If this limitation is removed then the installation will be subject.

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

None

#### **Updated Potential to Emit for the Installation**

<b>Pollutant</b>	<b>Potential to Emit (tons/yr)</b>
CO	0.433
HAP	<10/25
NO <sub>x</sub>	0.515
PM <sub>10</sub>	0.529
PM <sub>2.5</sub>	0.529
SO <sub>x</sub>	0.003
VOC	<100

HAP emissions are limited by the plant-wide emissions limitations found in issued construction permits. The VOC emissions are limited by the voluntary condition in this Operating Permit. Without this voluntary condition, the VOC PTE would be 250 tons/year, as established in issued construction permits. PM<sub>10</sub> and PM<sub>2.5</sub> include emissions from the combustion units, as well as the surface coating operations. The potential particulate matter emissions for the surface coating operations were taken from Construction Permit #052013-006, except for the PM<sub>2.5</sub> potentials. In the construction permit, they were not determined from the surface coating operations. For this permit, it was conservatively assumed to be the same as the PM<sub>10</sub> emissions. The combustion emissions were calculated using emission factors from AP42, Section 1.4 for natural gas combustion. These values are based on year round operations at 8760 hours per year. The equipment listed in the following table was included in these calculations.

Emission Point #	Description	Control Device
Line #1		
ES-3010	Inside stripe applicator	Triple filter system
ES-3011	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr	
ES-3012	Videojet printer #1	
ES-3013	Cleanup operations	
ES-3014	Videojet printer #1	
ES-3015	Outside stripe applicator	Triple filter system
Line #2		
ES-3020	Inside stripe applicator	Triple filter system
ES-3021	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr	
ES-3022	Videojet printer #1	
ES-3023	Cleanup operations	
ES-3024	Videojet printer #1	
ES-3025	Outside stripe applicator	Triple filter system
Line #3		
ES-3030	Inside stripe applicator	Triple filter system
ES-3031	Curing oven, natural gas fired, MHDR=0.4 MMBtu/hr	
ES-3032	Videojet printer #1	
ES-3033	Cleanup operations	
ES-3034	Videojet printer #1	
ES-3035	Outside stripe applicator	Triple filter system

**Other Regulatory Determinations**

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

This regulation applies to all sources of visible emissions. This regulation has been applied in the permit. However, no monitoring or recordkeeping is required. All the curing ovens are natural gas fired with potential emissions of less than 0.5 lb of particulate matter per hour. The inside and outside stripe applicators, as well as the video jet printers emit particulate matter from the overspray of the various coatings and inks applied. These potential emissions are much less than 0.5 lb of particulate matter per hour.

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

This regulation applies to any installation that emits sulfur compounds. This regulation has not been applied in the permit. The only sources of sulfur compounds are the curing ovens, which are natural gas fired units that are exempt from this regulation per 6.260(1)(A)2.

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

This regulation applies to any operation that emits particulate matter. This regulation has not been applied to the permit. The natural gas fired curing ovens do not meet the definition of process weight, since combustion gases are specifically excluded from the definition. The inside and outside stripe application processes are controlled by a Triple filter system, which is required by federally enforceable construction permits. This control system has a control efficiency greater than 90% and meets the exemption in 6.400(1)(B)15. The videojet printers have potential emissions less than 0.5 lb particulate per hour and meet the exemption in 6.400(1)(B)12.

**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 APCP a schedule for achieving compliance for that regulation(s).

## Response to Public Comments

The draft Intermediate Operating Permit for Silgan Containers Manufacturing Corporation (109-0010) was placed on public notice as of October 31, 2014 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm>. On November 25, 2014 the Air Pollution Control Program received comments from Leslye Werner, EPA Region 7. The comments are addressed below in the order in which they appear within the letter(s). Some comments have been summarized, abbreviated, or paraphrased for clarity and brevity.

**Comment #1:** EPA recommends MDNR review PW1 to ensure the source wide VOCs; the source wide total HAPs and individual HAP emission limits are enforceable. MDNR should clarify in the operating permit that the limits apply at all times to all actual source-wide VOC; total HAP and individual HAP emissions and that all actual VOC; total HAP and individual HAP emission units must be considered in determining compliance with those limits. MDNR should also make any changes or clarifications necessary to the measures for determining compliance with those limits, including monitoring, recordkeeping, and reporting provisions, to ensure that those limits are enforceable as a practical matter. In identifying in the operating permit the measures for determining compliance with the VOC; individual HAP; and total HAP emission limits, MDNR should specify how the actual annual total VOC; total HAP; and individual HAP emissions will be calculated, including what, if any, emission rates or emission factors would be used and how calculations using such rates would ensure that actual annual total VOC; total HAP; and individual HAP emissions remain their permitted limits.

**Response to Comment:** Permit Condition PW1 has been modified to clarify the information required to determine compliance with the emission limitations. Clarifying language has been added to the Emissions Unit With Limitations and Emission Units Without Limitations lists to indicate that all units at the installation must be included in the compliance demonstration for the plant wide permit conditions.

**Comment #2:** The Statement of Basis in this draft permit includes a section on Construction Permit Revisions; which summarizes the requirements of the construction permits issued to this facility. Item 8 contains Construction Permit #052013-006 and includes the following:

*“Special Conditions #2B, 2D, and 2E refer to a manufacturer’s warranty. The installation has developed their own operation and maintenance plan to ensure optimum performance of the control system for their site specific parameters. The special conditions have been modified so that either a manufacturer’s warranty or the site developed operation and maintenance plan are acceptable for compliance purposes.”*

Both 40 CFR Part 70 and MDNR rules and regulations require the operating permit to include all applicable requirements associated with an installation at the time of issuance. Construction Permit #052013-006 is one of the underlying requirements that must be in the operating permit. This noted change has resulted in a situation where:

- a. All of the applicable underlying requirements from Construction Permit #052013-006 have not been included in the operating permit (i.e. special conditions 2B, 2D, and 2E are included as approved in the construction permit); and

b. The requirements for the permittee to develop an operation and maintenance plan to insure optimal operation as specified in Permit Condition 2 has no underlying applicable requirement.

EPA does not disagree that a properly derived operation and maintenance plan will satisfy the requirement. However, the use of an option of an operation and maintenance plan should be reflected in a modified/revised construction permit so that the applicable operating permit requirement is derived from an approved applicable underlying requirement.

**Response to Comment:** The requirements of Construction Permit #052013-006, Special Conditions 2B, 2D, and 2E do appear in the draft operating permit. They are found in Permit Condition 2. The requirement for the permittee to develop a site specific operation and maintenance plan has been established as a voluntary condition. The underlying requirement for the establishment of voluntary conditions is 10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2.

**Comment #3:** MDNR should consider modifying the open burning requirements in Section IV to include only those requirements applicable to Silgan Containers Manufacturing Corporation and therefore remove the requirements associated with the St. Louis, St. Joseph, Kansas City and Springfield-Greene County areas.

**Response to Comment:** The requirements associated with St. Louis, St. Joseph, Kansas City and Springfield-Greene County areas have been removed from the open burning requirements.