



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Michael L. Parson, Governor

Carol S. Comer, Director

**JAN 16 2020**

Mr. Tom Simpson  
Simpson Materials Co., LLC  
P.O. Box 250  
Valley Park, MO 63088

Re: Simpson Materials Co., LLC, 189-1226  
Permit Number: OP2019-023

Dear Mr. Simpson

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.

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 (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/JBJ

Enclosures

c: PAMS File: 2017-06-078





# 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:** OP2019-023  
**Expiration Date:** JAN 16 2025  
**Installation ID:** 189-1226  
**Project Number:** 2017-06-078

**Installation Name and Address**

Simpson Materials Co., LLC  
699 North Outer Road  
Valley Park, MO 63088  
St. Louis County

**Parent Company's Name and Address**

Simpson Materials Co., LLC  
P.O. Box 250  
Valley Park, MO 63088

**Installation Description:**

Simpson Construction Materials, LLC produces asphaltic concrete. Processes include cold aggregate transfer, drying, asphalt oil heating, hot asphalt loadout, hot asphalt silo loading, and product and fuel storage. This facility has taken voluntary limits on Carbon Monoxide (CO), Sulfur Dioxide (SO<sub>2</sub>), and Nitrogen Oxides (NO<sub>x</sub>) emissions in order to obtain this Intermediate operating permit.

**JAN 16 2020**

Effective Date

Director or Designee  
Department of Natural Resources

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Director or Designee  
Department of Natural Resources

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## I. Installation Equipment Listing

### 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.

Emission Point #	Description
EP-3	drum dryer, #2 fuel oil
EP-3	hot screens
EP-3	mixer
EP-4	load-out
EP-5	silo filling
EP-6	haul road, asphalt
EP-7	cement heater
EP-9	1,044 gallon capacity gasoline storage tank; constructed in 2017
F1	Feeder 1
F2	Unload to Feeder 2
R1	Haul Road to Crushing Plant
R4	Customer Haul Road for Crushing Plant
S1	Screen 1
S2	Screen 2
c1 - c19	Conveyors

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

Emission Point #	Description
EP-1	Cold Aggregate Handling (Bins & Conveyors)
EP-8	Storage Piles - segment 1
R3	Crushed RAP/Concrete Storage Piles
R2	Crusher
	fuel oil tank; 14,929 gal
	off-road diesel tank; 15,907 gal
	on-road diesel tank; 10,131

## 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. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

### PERMIT CONDITION PW1

10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(4)(C)2. Voluntary Limitation(s)

#### **Emission Limitation:**

- 1) The permittee shall emit less than 100.0 tons of carbon monoxide (CO) in any rolling 12-month period from the entire installation.
- 2) The permittee shall emit less than 100.0 tons of sulfur dioxide (SO<sub>2</sub>) in any rolling 12-month period from the entire installation.
- 3) The permittee shall emit less than 100.0 tons of nitrogen oxides (NO<sub>x</sub>) in any rolling 12-month period from the entire installation.

#### **Monitoring/Recordkeeping:**

- 1) The permittee shall maintain an accurate record of monthly and rolling 12-month CO, SO<sub>2</sub>, and NO<sub>x</sub> emissions. The permittee uses custom spreadsheets for emissions tracking (see Attachment E).
- 2) The permittee shall keep all records for a minimum of 5 years and be made available to Missouri Department of Natural Resources personnel upon request.

#### **Reporting:**

- 1) The permittee shall report 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), no later than ten days after the end of the month during which records indicate an exceedance of the emission limitation.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the annual compliance certification required by Section V of this permit.

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 1</b>	
10 CSR 10-5.220 Control of Petroleum Liquid Storage, Loading and Transfer 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR 63 Subpart CCCCC National Emission Standards For Hazardous Air Pollutants For Source Category: Gasoline Dispensing Facilities	
Emission Unit	Description
EP-9	1,044 gallon capacity gasoline storage tank; constructed in 2017

**Operational Limitations:**

- 1) The permittee shall ensure that EP-9:
  - a) is equipped with a certified Stage I vapor recovery system that has a collection efficiency of at least 98% [10-5.220 (3)(C)2.A];
  - b) the vapor recovery system employs one vapor line per product line during transfer [10-5.220 (3)(C)2.E];
  - c) all vapor ports are popped fittings [10-5.220 (3)(C)2.C];
  - d) all vapor hoses are at least three inches in diameter [10-5.220 (3)(C)2.F];
  - e) all product hoses are less than or equal to four inches in diameter [10-5.220 (3)(C)2.G];
  - f) any component of the vapor recovery system that is not preventing vapor emissions as designed is repaired [10-5.220 (3)(C)2.H];
  - g) an approved pressure decay test is completed every three years [10-5.220 (3)(C)2.I]; and
  - h) an approved pressure/vacuum valve test is completed every three years [10-5.220 (3)(C)2.J].
- 2) The permittee shall, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63. 11115(a)]
- 3) The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. measures to be taken include, but are not limited to, the following: [§63.11116(a)]
  - a) Minimize gasoline spills; [§63.11116(a)(1)]
  - b) Clean up spills as expeditiously as practicable; [§63.11116(a)(2)]
  - c) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; [§63.11116(a)(3) and §63.11116(d)]
  - d) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. [§63.11116(a)(4)]

**Monitoring and Recordkeeping:**

- 1) The permittee shall maintain records of operating and construction permits; inspection reports; enforcement documents; gasoline deliveries; routine and unscheduled maintenance and repairs; and test results [10-5.220(4)(C)].
- 2) The permittee shall keep the following records:
  - a) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [§63.11125(d)(1)]
  - b) Records of the actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.11125(d)(2)]
- 3) All records shall be kept for five years and made available to Department of Natural Resources personnel upon request.

**Reporting:**

- 1) The permittee shall report any deviations from the requirements of this permit condition in the annual compliance certification required by Section V of this permit.
- 2) The permittee shall report, by March 15 of each year, any deviations from **Operational Limitations:** and **Monitoring and Recordkeeping:** to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219 with a copy to the Air Pollution Control Program’s Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. [§63.11126(b)]

<b>PERMIT CONDITION 2</b>		
10 CSR 10-6.060 Construction Permits Required		
St. Louis County Construction Permit 8024, Issued June 20, 2017		
Emission Unit	Description	Control Device
EP-3	drum dryer	Baghouse

**Operational Limitation:**

- 1) The permittee shall operate a fabric filter at all times when EP-3 drum dryer is in operation. The fabric filter shall be operated and maintained in accordance with the manufacturer’s specifications. The bags shall be made of fibers appropriate for operating conditions expected to occur (e.g. temperature limits, acidic and alkali resistance, abrasion resistance, etc.). [Special Condition 5.A.]
- 2) The permittee shall equip the fabric filter(s) with a gauge or meter, which indicates the pressure drop across the control device. These gauges or meters shall be located such that the Department of Natural Resources’ employees may easily observe them.
- 3) The permittee shall keep replacement filters on hand at all times.

**Monitoring/Recordkeeping:**

- 1) The permittee shall monitor and record the pressure drop across the bags at least once every 24 hours. The permittee shall maintain the pressure drop within the normal operating range indicated by the manufacturer’s specifications.
- 2) The permittee shall maintain an operating and maintenance log for the collector which shall include the following:



- a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
- b) Maintenance activities, with inspection schedule, repair action, and replacements, etc. (see Attachment D)
- 3) The permittee shall keep all records for a minimum of 5 years and be made available to department personnel upon request.

**Reporting:**

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

<b>PERMIT CONDITION 3</b> 10 CSR 10-6.060 Construction Permits Required St. Louis County Construction Permit 8024, Issued June 20, 2017	
Emission Unit	Description
F1	Feeder 1
F2	Feeder 2
R2	Crusher
S1	Screen 1
S2	Screen 2
c1 - c19	Conveyors

**Emission Limitation:**

The permittee shall emit less than 15.0 tons of PM<sub>10</sub> in any rolling 12-month period from these emission units.[Special Condition 3.A]

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain an accurate record of PM<sub>10</sub> emissions. The permittee uses custom spreadsheets for emissions tracking (see Attachment E).
- 2) The permittee shall keep all records for a minimum of 5 years and be made available to department personnel upon request.

**Reporting:**

- 1) The permittee shall report 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), no later than ten days after the end of the month during which records indicate an exceedance of the emission limitation.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the annual compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 4</b> 10 CSR 10-6.060 Construction Permits Required St. Louis County Construction Permit 8024, Issued June 20, 2017	
Emission Unit	Description
6	Haul Road, Asphalt
R1	Haul Road to Crushing Plant
R4	Customer Haul Road for Crushing Plant

**Operational Limitation:**

The permittee shall use water or surfactant spray sufficient to prevent visible emissions from all haul roads and vehicular activity areas from leaving its property boundary. [Special Condition 4.A]

- a) The water application rate shall be 100 gallons per 1000 square feet at least once per day.
- b) A one-quarter inch or more rainfall during the preceding 24 hours shall substitute for one daily watering.
- c) Application shall not be required when the ground is frozen or when there is no traffic on the roads.

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain an accurate daily log of watering, including the type and quantity of material applied, including notes of exceptions in **Operational Limitations** b) and c). The log shall also include data and calculations necessary to determine application rate and maintenance records. [Special Condition 4.B.]
- 2) The permittee shall keep all records for a minimum of 5 years and be made available to department personnel upon request.

**Reporting:**

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

<b>PERMIT CONDITION 5</b> 10 CSR 10-6.060 Construction Permits Required St. Louis County Construction Permit 8024, Issued June 20, 2017	
Emission Unit	Description
F1	Feeder 1
F2	Feeder 2
R2	Crusher
S1	Screen 1
S2	Screen 2
c1 - c19	Conveyors

**Operational Limitation:**

- 1) The permittee shall not exceed the following rate limits:

Table 1: Generic Equipment

Equipment Type	MHDR	Maximum Number of Units
Primary Unit(s) (Primary Crusher)	200 tons per hour	1
Feeder/Grizzly	400 tons per hour (combined)	2
Conveyor(s), Stacker(s)	200 tons per hour (4,000 total)	20
Screen(s)	400 tons per hour (combined)	2

- 2) The permittee shall use a wet suppression system to control emissions from these emission units. [Special Condition 9.A.]
- 3) The permittee shall maintain easily read and permanent markings on each component of the plant. These markings shall be the equipment’s serial number or a company assigned identification number that uniquely identifies the individual component.

**Monitoring/Recordkeeping:**

The permittee shall maintain an operating and maintenance log (Attachment D or equivalent) for the wet suppression system which shall include the following:

- a) Description of all equipment requiring wet suppression system control.
- b) Monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system.
- c) Date of each inspection, results of each inspection, corrective action taken when water is not flowing properly at any spray nozzle, and date of corrective action.

**Reporting:**

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

<b>PERMIT CONDITION 6</b> 10 CSR 10-6.060 Construction Permits Required St. Louis County Construction Permit 8024, Issued June 20, 2017	
Emission Unit	Description
EP-3	drum dryer
EP-3	hot screens
EP-3	mixer

**Operational Limitation:**

The permittee shall combust only fuel with a sulfur content less than or equal to 0.46% by weight in EP-3. [Special Condition 6.A.]

**Monitoring/Recordkeeping:**

The permittee shall maintain records from the vendor of the fuel’s sulfur content for each shipment of fuel received or testing each shipment of fuel for the sulfur content in accordance with the method described in 10 CSR 10-6.040 *Reference Methods*.

**Reporting:**

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

<b>PERMIT CONDITION 7</b>	
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants	
<b>Emission Unit</b>	<b>Description</b>
EP-3	drum dryer
EP-3	hot screens
EP-3	mixer

**Emission Limitation:**

- 1) The permittee shall not cause or permit to be discharged into the atmosphere from these emission units any visible emissions with an opacity greater than 20 percent for any continuous six-minute period. [10 CSR 10-6.220(3)(A)1]
- 2) Exception: The permittee may discharge into the atmosphere from any emission unit visible emissions with an opacity up to 40 percent for one continuous six-minute period in any 60 minutes. [10 CSR 10-6.220(3)(A)2]
- 3) Failure to demonstrate compliance with 10 CSR 10-6.220(3)(A) solely because of the presences of uncombined water shall not be a violation. [10 CSR 10-6.220(3)(B)]

**Monitoring:**

- 1) Monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then:
    - i) The permittee shall conduct observations once every two weeks for a period of eight weeks. If a violation is noted, the permittee shall revert to weekly monitoring. Should no violation of this regulation be observed during this period then:
    - ii) The permittee shall conduct observations once per month. If a violation is noted, the permittee shall revert to weekly monitoring.
- 2) If the permittee reverts to weekly monitoring at any time, the monitoring schedule shall progress in an identical manner from the initial monitoring schedule.
- 3) Observations are only required when the emission units are operating and when the weather conditions allow.
- 4) Issuance of a new, amended, or modified operating permit does not restart the monitoring schedule.
- 5) The permittee shall conduct visible emissions observation on these emission units using the procedures contained in U.S. EPA Test Method 22. Each Method 22 observation shall be conducted for a minimum of six-minutes. If no visible emissions are observed from the emission unit using Method 22, then no Method 9 is required for the emission unit.
- 6) For emission units with visible emissions, the permittee shall have a certified Method 9 observer conduct a U.S. EPA Test Method 9 opacity observation. The permittee may choose to forego

Method 22 observations and instead begin with a Method 9 opacity observation. The certified Method 9 observer shall conduct each Method 9 opacity observation for a minimum of 30-minutes.

**Record Keeping:**

- 1) The permittee shall maintain records of all observation results for each emission unit using Attachments B and C or equivalent forms.
- 2) The permittee shall make these records available within a reasonable period of time for inspection to the Department of Natural Resources’ personnel upon request.
- 3) The permittee shall retain all records for five years.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program’s Compliance and Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov) , no later than ten days after an exceedance of the emission limitation.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the annual compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 8</b>	
10 CSR 10-6.260 Restriction of Emissions of Sulfur Compounds	
Emission Unit	Description
EP-3	drum dryer, #2 fuel oil

Note: As of issuance of this permit, 10 CSR 10-6.260 is a Federal Only requirement. This regulation was rescinded from Missouri Code of State Regulations on November 30, 2015 but it remains in Missouri’s SIP and thus still remains an applicable federal regulation. Upon adoption of 10 CSR 10-6.261 into Missouri’s SIP, 10 CSR 10-6.260 will be removed from the SIP and thus this rule will no longer be applicable to the installation. No action is required on the part of the permittee to remove this permit condition from this operating permit upon the removal of 10 CSR 10-6.260 from the Missouri SIP.

**Emission Limitation:**

- 1) Emissions from any existing source operation shall not contain more than two thousand parts per million by volume (2000 ppmv) of sulfur dioxide.
- 2) Stack gasses shall not contain more than seventy milligrams (70 mg) per cubic meter of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.

**Monitoring/Recordkeeping:**

- 1) The permittee shall determine compliance using fuel delivery records.
- 2) The permittee must maintain a record of fuel deliveries.
- 3) The permittee must maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel deliver documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule:
  - a) The name, address, and contact information of the fuel supplier;
  - b) The type of fuel;

- c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
- d) The heating value of the fuel.
- 4) The permittee shall maintain records for a minimum of five years on-site.
- 5) The permittee shall make all records available within five business days upon written or electronic to Missouri Department of Natural Resources' personnel upon request.
- 6) The permittee shall furnish the Missouri Department of Natural Resources all data necessary to determine compliance status.

**Reporting:**

- 1) The permittee shall report any exceedance of any of the terms imposed by this permit condition, or any malfunction which could cause an exceedance of any of the terms imposed by this permit condition, no later than ten days after the exceedance or event causing the exceedance. The permittee shall submit these reports to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219.
- 2) The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report (SAM) and annual compliance certification (ACC). The permittee shall submit the SAM and ACC reports to both the EPA Region VII and 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).

<b>PERMIT CONDITION 9</b>		
10 CSR 10-6.261 Control of Sulfur Dioxide Emissions		
Emission Unit	Description	Manufacturer/Model #
12DL	Two Diesel Engines/Emergency Backup Constructed 1996,	Cummins/1135HP & 1850HP
12DS	Four Diesel Engines/Emergency Backup Constructed 1988, 1978, 1998 & 1991	Cummins/102HP, 310HP, 380HP & 535 HP

Note: As of issuance of this permit, 10 CSR 10-6.261 is a State Only requirement. Missouri's SIP has not adopted this regulation; therefore, this regulation is a state only requirement. Upon adoption into Missouri's SIP this regulation will be both a state and federal requirement. No action is required on the part of the permittee upon the adoption of 10 CSR 10-6.261 into the Missouri SIP.

**Operational Limitation**

Fuel shall not contain more than 8,812 parts per million (ppm) of sulfur for distillate fuel. [10 CSR 10- 6.261(3)(C)]

**Monitoring/ Recordkeeping**

- 1) The permittee shall maintain a record of data, calculations, results, records, and reports from all fuel deliveries. [6.261(4)(A)3.]
- 2) The permittee must maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel delivery documententation containing the following information for all fuel purchases or deliveries are deemed acceptable: [6.261(4)(C)]
  - a) The name, address, and contact information of the fuel supplier; [6.261(4)(C)1.]
  - b) The type of fuel; [6.261(4)(C)2.]
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and [6.261(4)(C)3.]

- d) The heating value of the fuel. [6.261(4)(C)4.]
- 3) The permittee must retain all required reports and records on-site for a minimum of five years and make available within five business days upon written or electronic request by the director.  
[6.261(4)(F)]
- 4) The permittee must furnish the director all data necessary to determine compliance status.  
[6.261(4)(G)]

**Reporting**

- 1) The permittee shall report any excess emissions other than startup, shutdown, and malfunction excess emissions already required to be reported under 10 CSR 10-6.050 to the director for each calendar quarter within thirty (30) days following the end of the quarter. In all cases, the notification must be a written report and must include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1.]
  - a) Name and location of source;
  - b) Name and telephone number of person responsible for the source;
  - c) Identity and description of the equipment involved;
  - d) Time and duration of the period of SO<sub>2</sub> excess emissions;
  - e) Type of activity;
  - f) Estimate of the magnitude of the SO<sub>2</sub> excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
  - g) Measures taken to mitigate the extent and duration of the SO<sub>2</sub> excess emissions; and
  - h) Measures taken to remedy the situation which caused the SO<sub>2</sub> excess emissions and the measures taken or planned to prevent the recurrence of these situations
- 2) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction that could possibly cause an exceedance of this regulation.
- 3) The permittee shall report any deviations from the emission limitations, monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V 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 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 make such permit available within a reasonable period of time to any Missouri Department of Natural Resources personnel upon request.

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

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.

#### **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 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 submit full EIQ's per the schedule in the rule. 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.
- 4) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.

#### **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 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.

### **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:

- 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 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 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 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.

### Permit Duration

#### 10 CSR 10-6.065, §(4)(C)1, §(5)(C)1.B, §(4)(E)2.C

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.

### General Record Keeping and Reporting Requirements

#### 10 CSR 10-6.065, §(4)(C)1 and §(5)(C)1.C

##### 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 available within a reasonable period of time 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) 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 (5)(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.
- 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.

### **Risk Management Plan Under Section 112(r)**

#### **10 CSR 10-6.065 §(4)(C)1 and §(5)(C)1.D**

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.

### **General Requirements**

#### **10 CSR 10-6.065(4)(C)1.A**

- 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(5) and enforcement action for operating without a valid part 70 operating permit.

## **Reasonably Anticipated Operating Scenarios**

### **10 CSR 10-6.065(4)(C)1.C**

There are no reasonably anticipated operating scenarios.

## **Compliance Requirements**

### **10 CSR 10-6.065, §(4)(B)4; §(4)(C)1, §(5)(C)3.B; and §(5)(C)3.D; and §(4)(C)3 and §(5)(C)3.E.(I) – (III) and (V) – (VI)**

- 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, Compliance and 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.



## **Emergency Provisions**

### **10 CSR 10-6.065, §(4)(C)1 and §(5)(C)7**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(5)(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.

## **Off-Permit Changes**

### **10 CSR 10-6.065(4)(C)5**

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 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 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.

## **Responsible Official**

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

The application utilized in the preparation of this permit was signed by Tom Simpson, Sales 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.

### **Reopening-Permit for Cause**

#### **10 CSR 10-6.065 §(4)(E)4 and §(5)(E)6.A(III)(a)-(c)**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (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,
- 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) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

### **Statement of Basis**

#### **10 CSR 10-6.065 §(4)(E)1.A and §(5)(E)1.C**

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

## **VI. Attachments**

Attachments follow.



**Attachment B**

Method 22 Visible Emissions Observations					
Installation Name			Observer Name		
Location			Date		
Sky Conditions			Wind Direction		
Precipitation			Wind Speed		
Time			Emission unit		
Sketch emission unit: indicate observer position relative to emission unit; indicate potential emission points and/or actual emission points.					
Minute	Seconds				Comments
	0	15	30	45	
	Visible Emissions Yes (Y) or No (N)				
0					
1					
2					
3					
4					
5					
6					

If visible emissions are observed, the installation is not required to complete the entire six-minute observation. The installation shall note when the visible emissions were observed and shall conduct a Method 9 opacity observation.

**Attachment C**

Method 9 Opacity Observations		
Installation Name:	Sketch of the observer's position relative to the emission unit	
Emission Point:		
Emission Unit:		
Observer Name and Affiliation:		
Observer Certification Date:		
Method 9 Observation Date:		
Height of Emission Point:		
Time:	Start of observations	End of observations
Distance of Observer from Emission Point:		
Observer Direction from Emission Point:		
Approximate Wind Direction:		
Estimated Wind Speed:		
Ambient Temperature:		
Description of Sky Conditions (Presence and color of clouds):		
Plume Color:		
Approximate Distance Plume is Visible from Emission Point:		

Attachment C (continued) Method 9 Opacity Observations

Minute	Seconds				1- minute Avg. % Opacity <sup>1</sup>	6- minute Avg. % Opacity <sup>2</sup>	Steam Plume (check if applicable)		Comments
	0	15	30	45			Attached	Detached	
	Opacity Readings (% Opacity) <sup>3</sup>								
0						N/A			
1						N/A			
2						N/A			
3						N/A			
4						N/A			
5									
6									
7									
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20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									

The emission unit is in compliance if each six-minute average opacity is less than or equal to 20 %.  
 Exception: The emission unit is in compliance if one six-minute average opacity is greater than 20 %, but less than 40 %.

Was the emission unit in compliance at the time of evaluation (yes or no)?

\_\_\_\_\_  
 Signature of Observer

<sup>1</sup> 1-minute avg. % opacity is the average of the four 15 second opacity readings during the minute.  
<sup>2</sup> 6-minute avg. % opacity is the average of the six most recent 1-minute avg. % opacities.  
<sup>3</sup> Each 15 second opacity reading shall be recorded to the nearest 5% opacity as stated within Method 9.



**Attachment E**  
Custom Tracking Worksheets

**Permit Condition Plantwide PW1 CO, SO<sub>2</sub>, and NO<sub>x</sub> emission limits:**

- Permit Condition PW 1 of this operating permit limits the emissions of Carbon Monoxide (CO), Sulfur Dioxide (SO<sub>2</sub>), and Nitrogen Oxides (NO<sub>x</sub>) emitted by this installation to less than 100 tons of each of the pollutants in any rolling 12-month period. When calculating the total emissions, be sure to include emissions from all emissions sources at this installation, listed on page 3 of this operating permit as Emissions Units With Limitations and Emissions Units Without Specific Limitations. Emissions may be grouped by type; for example, all natural gas combustion sources may be grouped and tracked together by fuel usage.
- Record at a minimum the following information:
  - The monthly production of asphalt in tons; use the following emission factors from CP #8024:
    - 0.40474 lbs CO/ton
    - 0.88 lbs SO<sub>2</sub>/ton
    - 0.12 lbs NO<sub>x</sub>/ton
- Calculate monthly CO, SO<sub>2</sub>, and NO<sub>x</sub> emissions by multiplying the throughput by the emission factor indicated.
  - Add the following amounts for emissions from fuel combustion:
    - 0.4 tons CO
    - 0.01 tons SO<sub>2</sub>
    - 0.22 tons NO<sub>x</sub>
- Calculate rolling 12-month emissions of CO, SO<sub>2</sub>, and NO<sub>x</sub> by adding current month's emissions to previous eleven months emissions.
- Compare the CO, SO<sub>2</sub>, and NO<sub>x</sub> emission total to limit and indicate whether or not compliance was met.
- Include startup, shutdown and malfunction (SSM) emissions, if any, from the same 12-month period as reported to the Air Pollution Control Program, in accordance with 10 CSR 10- 6.050 *Startup, Shutdown and Malfunction Conditions*.

**Permit Condition 3 PM<sub>10</sub> emission limits:**

- Per Special Condition 3.A of St. Louis County construction permit 8024, incorporated in this operating permit as Permit Condition 3, track and record the emissions of Particulate Matter less than 10 um in diameter (PM<sub>10</sub>) from the recycler rock crusher (F1, F2, R2, S1, S2, and C1-19) to ensure that the emissions of PM<sub>10</sub> will not exceed 15.0 tons in any twelve month period.
- Record at a minimum the following information:
  - The monthly production of recycled rock & concrete in tons; use the composite emission factor from CP #8024 - 0.1294 lbs PM<sub>10</sub>/ton.
- Calculate monthly PM<sub>10</sub> emissions by multiplying the throughput by the emission factor indicated.
- Calculate rolling 12-month emissions of PM<sub>10</sub> by adding current month's emissions to previous eleven months emissions.



- Compare the PM<sub>10</sub> emission total to limit and indicate whether or not compliance was met.
- Include startup, shutdown and malfunction (SSM) emissions, if any, from the same 12 month period as reported to the Air Pollution Control Program, in accordance with IO CSR 10- 6.050 *Startup, Shutdown and Malfunction Conditions*.

# 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 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.

## INSTALLATION DESCRIPTION

Simpson Construction Materials, LLC produces asphaltic concrete. Processes include cold aggregate transfer, drying, asphalt oil heating, hot asphalt loadout, hot asphalt silo loading, and product and fuel storage. This facility has taken voluntary limits on CO, SO<sub>2</sub>, and NO<sub>x</sub> emissions in order to obtain this Intermediate operating permit.

It is not on the list of named sources and fugitive emissions do not count towards potential-to-emit calculations.

## Updated Potential to Emit for the Installation and Reported Air Pollutant Emissions, in tons per year

Pollutants	Potential Emissions <sup>1</sup>	Reported Emissions				
		2018	2017	2016	2015	2014
PM <sub>10</sub>	5,915.16	6.52	10.14	17.23	27.58	15.66
PM <sub>2.5</sub>	356.85	2.92	4.60	7.74	16.61	13.82
SO <sub>x</sub>	115.63	5.49	8.31	6.41	3.84	2.95
NO <sub>x</sub>	157.94	7.48	11.33	8.75	5.24	4.02
VOCs	50.42	2.39	3.62	2.79	1.35	1.04
CO	531.87	25.23	38.21	29.50	17.55	13.47
Total HAPs <sup>2</sup>	10.34	0.49	0.74	4.83	0.35	0.27

<sup>1</sup>Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.

<sup>2</sup> From St. Louis County Construction Permit 8024, the potential emissions of formaldehyde is 4.2 tons per year, with other individual HAP’s being emitted in smaller amounts.

## 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, 2017;
- 2) 2018 Emissions Inventory Questionnaire, received March 31, 2019;
- 3) St. Louis County construction permit #8024, Issued June 20, 2017;
- 4) WebFIRE; and
- 5) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

**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.

10 CSR 10-5.310, *Liquefied Cutback Asphalt Paving Restricted*

This rule does not apply because the installation does not produce or use liquefied cutback asphalt.

10 CSR 10-5.500, *Control of Emissions from Volatile Organic Liquid Storage*

This rule is not applicable because the volume of the storage tanks at this facility is less than 40,000 gallons.

10 CSR 10-6.400 Restriction of Emissions of Particulate Matter from Industrial Processes – all units are exempt under (1)(A)7 (fugitive emissions), (1)(A)12 (less than .5 tph PTE), or (1)(A)15 (90% control device requirement).

EU#	Exemption	MHDR	units	EF	units	PTE (lbs/hr)
1	(1)(A)(7)					
3	(1)(A)(15)					
4	(1)(A)(12)	300.00	tons/hr	0.00082	lbs/tons	0.246
5	(1)(A)(12)	300.00	tons/hr	0.00081	lbs/tons	0.243
6	(1)(A)(7)					
7	(1)(A)(12)	1.30	MMBTU/hr	0.6	lbs/MMSCF	0.00156
7	(1)(A)(12)	1.30	MMBTU/hr	0.6	lbs/1000 gal	0.000312
8	(1)(A)(7)					
R3	(1)(A)(7)					
F1	(1)(A)(7)					
F2	(1)(A)(7)					
R1	(1)(A)(7)					
R2	(1)(A)(7)					
R4	(1)(A)(7)					
S1	(1)(A)(7)					
S2	(1)(A)(7)					
c1 - c19	(1)(A)(7)					

### **Construction Permit History**

St. Louis County construction permit #8024, Issued June 20, 2017 was issued for the construction of a new generic rock crushing plant. This permit superseded all conditions of the previous County permit.

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

40 CFR Part 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities – The asphalt batch plant located at this site was relocated from out of state in 1995. Based on information provided by the permittee, the plant was originally constructed in 1970. *40 CFR Part 60 Subpart I*, Standards of Performance for Hot Mix Asphalt Facilities, is applicable to plants which commence construction or modification after June 11, 1973. The U.S. EPA has several Applicability Determination Index (ADI) documents which state that relocation (without modification or reconstruction) is not viewed as construction for purposes of the Federal standards of performance for asphalt batch plants promulgated under section 111 of the Clean Air Act. See ADI documents for NSPS I dated August 6, 1975 and June 4, 1984.

40 CFR Part 60 Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973 and Prior to May 19, 1978*

40 CFR Part 60 Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 and Prior to July 23, 1984*

40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*

The fuel and asphalt oil tanks are exempt from Subpart Kb due to their volumes each being less than 151 cubic meters and the vapor pressure of fuel oil and asphalt being less than 15.0 kPa. The tanks are also exempt from Subparts K and Ka due to their volumes each being less than 40,000 gallons.

40 CFR Part 60 Subpart UU, *Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacturing*

This Subpart does not apply to this facility because the plant does not produce asphalt roofing products and it does not have a blowing still or other means of blowing asphalt. Further, the plant does not meet the definition of “asphalt processing plant” in 40 CFR 60.471; thus, the asphalt tanks do not meet the definition of “asphalt storage tank in 40 CFR 60.471.

40 CFR Part 60 Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants*

The only affected emissions units are the crusher (R2), Screens (S1 & S2), and the conveyors (C1-19). All are fugitive sources constructed in 2000. Therefore, the only requirement is an initial Method 9 test, which was performed on June 24, 2015. Since the construction date is before April 22, 2008, there is no 5-year repeat performance test required and no ongoing testing requirement.

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

40 CFR Part 63 Subpart LLLLL, *National Emission Standard for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing*

This Subpart does not apply to this facility because it is not a major source of HAP emissions.

40 CFR Part 63 Subpart AAAAAAA, *National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing*

This Subpart does not apply to this facility because the plant does not produce asphalt roofing products and it does not have a blowing still or other means of blowing asphalt.

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

None

**Other Regulatory Determinations**

10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants – the generic rock crushing plant is exempt under (1)(G) or (H) (see Subpart OOO in NSPS Applicability section above).

**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 Simpson Materials Co., LLC (189-1226) was placed on public notice on May 31, 2019 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://dnr.mo.gov/env/apcp/permit-public-notices.htm>.

No comments were received.