

**MISSOURI**  
DEPARTMENT OF  
NATURAL RESOURCES

# 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:** OP2017-039  
**Expiration Date:** APR 14 2022  
**Installation ID:** 077-0228  
**Project Number:** 2016-03-065

**Installation Name and Address**

Superior Solvents and Chemicals  
2055 East Blaine Street  
Springfield, MO 65803  
Greene County

**Parent Company's Name and Address**

Superior Oil Company, Inc.  
1402 North Capitol Avenue, Suite 100  
Indianapolis, IN 46202

**Installation Description:**

This is a solvent blending and distribution facility. This facility stores, handles, blends and distributes a large number of solvents and chemicals. The major operations are:

- (1) receipt, unloading and storage of bulk liquid chemicals and solvents;
- (2) loading of outgoing tankers for delivery to customers;
- (3) transfer and filling of containers for storage and for delivery to customers, from bulk storage tanks or incoming tankers; and
- (4) blending of custom solvent mixtures for bulk deliver to customers for transfer into containers.

This installation is a synthetic minor source of Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAPs).

Prepared by:  
Jill Wade, P.E.  
Operating Permit Unit

Director or Designee  
Department of Natural Resources

APR 14 2017

Effective Date

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit
None	

### 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.

#### Description of Emission Source

Two 1 MMBtu/hr boilers  
Fugitive emission off tank farm, unloading solvents, etc (EP1)  
Container filling (EP2)  
Loading rack (EP3)  
Six 1983, 10,000-gallon, above-ground storage tanks (Tanks 1 through 6, EP4)  
Two 1983, 6,500-gallon, above-ground storage tanks (Tanks 7 and 8, EP4)  
Six 1983, 4,300-gallon, above-ground storage tanks (Tanks 9, 11, 12, 14, 15, and 17, EP4)  
Three 1983, 3,100-gallon, above-ground storage tanks (Tanks 10, 13, and 16, EP4)  
Blending operation in Tank 21, (1,500 gal), Tank 22 (1,000 gal) and Tank 23 (430 gal) (EP5)  
Equipment cleaning  
Truck refueling - Diesel  
Fork truck cylinder changes  
Sampling of products from bulk loads  
Minimal laboratory operations  
Minimal particulate emissions possible from gravel areas  
Tote washing operations

## 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 PW001

10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

#### Emission Limitations:

- 1) The permittee shall discharge into the atmosphere from the entire installation no more than 99.0 tons of volatile organic compounds (VOC) in any consecutive 12-month period.
- 2) The permittee shall discharge into the atmosphere from the entire installation no more than 9.0 tons of any individual hazardous air pollutant (HAP) in any consecutive 12-month period.
- 3) The permittee shall discharge into the atmosphere from the entire installation no more than 24.0 tons of all HAP combined in any consecutive 12-month period.

#### Monitoring/Record Keeping:

- 1) The permittee shall maintain an accurate record of emissions of VOC and HAP emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the VOC and HAP emissions from this facility. The permittee may continue utilizing Chempax software to track activity daily and shall generate reports and calculate emissions on a monthly basis. The recordkeeping shall contain at a minimum the following information:
  - a) Installation name;
  - b) Installation ID;
  - c) Current Month;
  - d) Current 12-month date range;
  - e) Monthly throughput for each emission unit with potential to emit VOC and HAP;
  - f) HAP and VOC emission factors for each emission unit as determined from SDS (weight % HAP/VOC  $\div$  100);
  - g) Monthly emissions (tons) of HAP and/or VOC emitted for each emission unit with potential to emit HAP and/or VOC calculated using the following equation: (amount of HAP and/or VOC containing material used per month) x (weight % (HAP/VOC)  $\div$  100)  $\div$  2000;
  - h) Total monthly emissions of HAP and VOC calculated by summing the emissions from all emission units with HAP and VOC emissions;
  - i) 12-month rolling totals of HAP and VOC emissions for the installation and the sum of all HAP and VOC emissions from startup, shutdown, and malfunction as reported to the Air Pollution Control Program's Compliance/Enforcement Section; and
  - j) Indication of compliance with Emission Limitations 1), 2), and 3).
- 2) The permittee shall maintain all records on-site for the most recent 60 months.
- 3) The permittee shall immediately make such records available to any Department of Natural Resources' personnel upon request.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the date that records show that the installation exceeded the VOC or HAP emission limitations.
- 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 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.

None.

## 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 immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

#### **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 a full EIQ for the 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.
- 4) 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.

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

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

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

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



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

**This requirement is 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 10-6.170 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.

### **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 10-6.280 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.

### **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, Compliance and 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)**

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

**10 CSR 10-6.065(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, 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.

<b>10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions</b>
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- 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 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.

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

The application utilized in the preparation of this permit was signed by Jay Baker, Chief Operating Officer. 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.



# 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.

## INSTALLATION DESCRIPTION

This is a solvent blending and distribution facility. It stores, handles, blends and distributes a large number of solvents and chemicals. The major operations are:

- (1) receipt, unloading and storage of bulk liquid chemicals and solvents;
- (2) loading of outgoing tankers for delivery to customers;
- (3) transfer and filling of containers for storage and for delivery to customers, from bulk storage tanks or incoming tankers; and
- (4) blending of custom solvent mixtures for bulk deliver to customers for transfer into containers.

The installation is not on the List of Named Installations found in 10 CSR 10-6.020(3)(B), Table 2; therefore, fugitive emissions do not count towards major source applicability.

## Emissions Summary:

Pollutants	Actual Emissions Reported (tons/year)					Potential to Emit (tons/year)
	2015	2014	2013	2012	2001	
Volatile Organic Compounds(VOC)	2.33	2.33	2.84	2.84	2.84	< 99.9
Hazardous Air Pollutants (HAPs)	0.29	0.29	0.49	0.49	0.49	< 9.0 (individual) < 24.0 (total)

- Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.
- Potential emissions for HAP (individual and total) and VOC are limited to below major levels according to Permit Condition PW001.
- CO, NO<sub>x</sub>, and SO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> potential emissions are a result of the two 1.0 MMBtu natural gas heaters and are assumed to be negligible

### **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 March 24, 2016;
- 2) 2015 Emissions Inventory Questionnaire, received March 28, 2016; and
- 3) 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 10-6.100, *Alternate Emission Limits*

This rule is not applicable because the installation is in an ozone attainment area.

10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds* is not applicable to the installation and has not been applied in this permit. 10 CSR 10-6.260(1)(A)2 exempts combustion equipment that uses exclusively pipeline grade natural gas.

10 CSR 10-6.261 *Control of Sulfur Dioxide Emissions* is not applicable to the installation and has not been applied in this permit. 10 CSR 10-6.261(1)(A) exempts individual units fueled exclusively with natural gas.

10 CSR 10-6.405 *Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating* is not applicable to the installation and has not been applied in this permit. 10 CSR 10-6.405(1)(E) states that an installation is exempt from this rule if all of the installation's applicable units are fueled only by natural gas.

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants* is not applicable to two furnace units and has not been applied in this permit. 10 CSR 10-6.261(1)(A) exempts individual units fueled exclusively with natural gas.

### **VOC and HAP Emission Sources**

The following are the current sources of volatile organic compounds (VOC) and hazardous air pollutants (HAP) at this installation. These need to be accounted for when calculating plant wide VOC and HAP emissions for Permit Condition PW001.

- Fugitive emissions off tank farm, unloading solvents, etc. (EP1)
- Container filling (EP2)

- Loading rack (EP3)
- Tanks 1 through 17 (EP4) – Tanks 18, 19, and 20 were removed from the facility March 2011
- Tank Blending operations
- Truck Refueling
- Equipment Cleaning

### **Construction Permit Revisions**

The Air Pollution Control Program has not issued any construction permits for this installation.

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

10 CSR 10-6.070, *New Source Performance Regulations*, and 40 CFR Part 60 Subpart Dc, *Standards of Performance for Small Industrial - Commercial - Institutional Steam Generating Units*, do not apply to the two direct fired natural gas furnaces at this installation, because they have maximum design heat input capacities of less than ten MMBtu/hr.

10 CSR 10-6.070, *New Source Performance Regulations*, and 40 CFR Part 60 Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 and prior to July 23, 1984*, do not apply to the tanks at this installation. This subpart applies only to such vessels when they have a capacity greater than 151,416 liters (40,000 gallons). All the tanks at this installation have capacities of 10,000 gallons or less. 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)*, does not apply either. This subpart applies only to such vessels when they have a capacity greater than or equal to 75 cubic meters (20,000 gallons). All the tanks at this installation were constructed in 1983, and have capacities of 10,000 gallons or less.

No other NSPS apply to this installation.

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

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations/40 CFR 63 Subpart EEEE, National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)*, does not apply to this installation. This regulation is not applicable to this facility because it applies only to major sources of HAP.

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations/ CFR 63 Subpart DDDDD, National Emission Standards for Industrial, Commercial, and Institutional Boilers and Process Heaters*, does not apply to this installation. This regulation is not applicable to this facility applies only to major sources of HAP.

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations/40 CFR 63 Subpart VVVVVV, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources*, does not apply to this installation. Various chemicals are blended and distributed at this facility; however no manufacturing takes place on this site.

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations/40 CFR 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional*

*Boilers Area Sources*, does not apply to this installation. The two direct fired natural gas furnaces are gas fired as defined by the subpart and thus not subject.

10 CSR 10-6.075, *Maximum Achievable Control Technology Regulations/40 CFR 63 Subpart CCCCCC, National Emission Standards for Hazardous Air Pollutants for source Category: Gasoline Dispensing Facilities*, does not apply to this installation because the trucks are refueled with diesel not gasoline.

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

10 CSR 10-6.080, *Emission Standards for Hazardous Air Pollutants/40 CFR 61 Subpart J, National Standards for Equipment Leaks (Fugitive Emission Sources) of Benzene* does not apply to this installation, because it does not handle benzene. For the same reason, Subpart Y, *Benzene Emissions From Benzene Storage Vessels*; Subpart BB, *Benzene Emissions From Benzene Transfer Operations*; and Subpart FF, *Benzene Waste Operations*, do not apply.

In the permit application and according to Air Pollution Control Program records, there was no indication that any Missouri Air Conservation Law, Asbestos Abatement, 643.225 through 643.250; 10 CSR 10-6.080, *Emission Standards for Hazardous Air Pollutants, Subpart M, National Standards for Asbestos*; and 10 CSR 10-6.250, *Asbestos Abatement Projects - Certification, Accreditation, and Business Exemption Requirements* apply to this installation. The installation is subject to these regulations if they undertake any projects that deal with or involve any asbestos containing materials. None of the installation's operating projects underway at the time of this review deal with or involve asbestos containing material. Therefore, the above regulations were not cited in the operating permit. If the installation should undertake any construction or demolition projects in the future that deal with or involve any asbestos containing materials, the installation must follow all of the applicable requirements of the above rules related to that specific project.

#### **Other Regulatory Determinations**

None.

#### **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 Superior Solvents and Chemicals (077-0228) was placed on public notice as of March 10, 2017 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm>. On April 4, 2017 the Air Pollution Control Program received comments from Mark Smith, EPA Region 7. The comments are addressed below in the order in which they appear within the letter.

\*\*\*\*\*

**Comment #1:** Plant Wide Permit Condition PW001 establishes an emission limitation of no more than 99.0 tons of VOC and no more than 9.0 tons of any individual HAP and 24.0 tons of any combined hap in any consecutive 12-month period. Additionally, the permit condition requires the permittee to maintain an accurate record of emissions of VOC and HAP emitted to the atmosphere and to record the monthly and 12-month totals of VOC and HAP and continue to utilize Chempax software to track activity daily and generate reports and calculate emissions on a monthly basis.

Based on EPA's response in the order granting in part a petition for objection to the operating permit for Yuhuang Chemical, Inc., Methanol Plant in St. James Parish, LA, Permit Condition PW001 may not be enforceable. In the petition response, EPA says that if a permit applicant agrees to restrict a facility's PTE, only limits that meet certain enforceability criteria may be used to restrict the PTE and the permit must include terms and conditions such that the source cannot legally exceed the limits. One of the key concepts in evaluating the enforceability of PTE limits is whether the limits are enforceable as a practical matter. Moreover, the concept of federal enforceability has also been interpreted to encompass a requirement for practical enforceability. In order for emission limits to be enforceable as a practical matter, the permit must clearly specify how (emphasis added) emissions will be measured or determined for purposes of demonstrating compliance with the limits. Thus, limitations must be supported by monitoring, record keeping and reporting requirements sufficient to enable regulators and citizens to determine whether the limits have been exceeded, and if so, to take appropriate action.

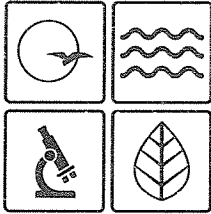
This draft permit for Superior Solvents, does not adequately justify how (emphasis added) the VOC and HAP emissions are to be measured or determined of purposes of demonstrating compliance. Additionally, the permit should explain and specify the principal concepts, procedures and calculations utilized in the Chempax software for tracking and calculating emissions of VOC and HAP.

Therefore in order to ensure that the unit specific emission limits intended to restrict PTE are enforceable as a practical matter, MDNR is encouraged to ensure the final permit clearly states or demonstrates what (emphasis added) Chempax monitors and how (emphasis added) Chempax uses the monitored information to calculate actual emissions for demonstrating compliance with the emission limits from the entire installation.

**Response to Comment:** Monitoring/Recordkeeping 1) from Permit Condition PW001 has been revised to add the following in order to clarify what and how the permittee should monitor to demonstrate compliance with the installation wide VOC and HAP limits.

The recordkeeping shall contain at a minimum the following information:

- a) Installation name;
- b) Installation ID;
- c) Current Month;
- d) Current 12-month date range;
- e) Monthly throughput for each emission unit with potential to emit VOC and HAP;
- f) HAP and VOC emission factors for each emission unit as determined from SDS (weight % HAP/VOC  $\div$  100);
- g) Monthly emissions (tons) of HAP and/or VOC emitted for each emission unit with potential to emit HAP and/or VOC calculated using the following equation: (amount of HAP and/or VOC containing material used per month) x (weight % (HAP/VOC)  $\div$  100)  $\div$  2000;
- h) Total monthly emissions of HAP and VOC calculated by summing the emissions from all emission units with HAP and VOC emissions;
- i) 12-month rolling totals of HAP and VOC emissions for the installation and the sum of all HAP and VOC emissions from startup, shutdown, and malfunction as reported to the Air Pollution Control Program's Compliance/Enforcement Section; and
- j) Indication of compliance with Emission Limitations 1), 2), and 3).



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

APR 14 2017

Mr. Jay Baker  
Superior Solvents and Chemicals  
2055 East Blaine Street  
Springfield, MO 65803

Re: Superior Solvents and Chemicals, 077-0228  
Permit Number: OP2017-039

Dear Mr. Baker,

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:jwj

Enclosures

c: PAMS File: 2016-03-065



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