



## 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 here in.

**Intermediate Operating Permit Number:** OP2010-051A  
**Expiration Date:** June 3, 2015  
**Installation ID:** 213-0003  
**Project Number:** 2010-07-051

**Installation Name and Address**

Table Rock Asphalt Construction Co., Inc.  
3269 State Hwy 248  
Branson, MO 65616  
Taney County

**Parent Company's Name and Address**

Table Rock Asphalt Construction Co., Inc.  
PO Box 1165  
Branson, MO 65616

**Installation Description:**

Table Rock Asphalt Co., Inc. operates four plants: an asphalt plant, a concrete plant, an old rock crushing plant, and a new rock crushing plant. The asphalt plant is a batch plant and has maximum hourly design rate (MHDR) of 250 tons per hour (tph). The concrete plant is a truck mix plant and has an MHDR of 265 tph. The old rock crushing plant has an MHDR of 300 tph. (The old rock crushing plant has a primary crusher located in an underground mine and this equipment has to stay in the mine and cannot operate outside the mine.) The new rock crushing plant has an MHDR of 200 tph. The facility is a synthetic minor source of Particulate Matter less than or equal to 10 microns in diameter (PM<sub>10</sub>).

SEP 23 2011

Effective Date

  
Director or Designee  
Department of Natural Resources

## Table of Contents

<b>I. INSTALLATION DESCRIPTION AND EQUIPMENT LISTING .....</b>	<b>4</b>
<b>II. PLANT WIDE EMISSION LIMITATIONS.....</b>	<b>6</b>
PERMIT CONDITION PW001 .....	6
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
PERMIT CONDITION PW002 .....	7
10 CSR 10-6.070 New Source Performance Regulations 40 CFR Part 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants	
PERMIT CONDITION PW003 .....	13
10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)	
<b>III.EMISSION UNIT SPECIFIC EMISSION LIMITATIONS .....</b>	<b>14</b>
PERMIT CONDITION 001 .....	14
10 CSR 10-3.060 Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating	
PERMIT CONDITION 002 .....	15
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
PERMIT CONDITION 003 .....	18
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
PERMIT CONDITION 004 .....	19
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
PERMIT CONDITION 005 .....	19
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
PERMIT CONDITION 006 .....	20
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants	
PERMIT CONDITION 007 .....	21
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds	
<b>IV. CORE PERMIT REQUIREMENTS .....</b>	<b>23</b>
<b>V. GENERAL PERMIT REQUIREMENTS.....</b>	<b>30</b>
<b>VI. ATTACHMENTS .....</b>	<b>34</b>
ATTACHMENT A .....	35
Fugitive Emission Observations	
ATTACHMENT B .....	36
Opacity Emission Observations	
ATTACHMENT C .....	37
Method 9 Opacity Observations	
ATTACHMENT D .....	38
Inspection/Maintenance/Repair/Malfunction Log	
ATTACHMENT E .....	39
Daily Ambient PM <sub>10</sub> Impact Tracking Record	

ATTACHMENT F.....	40
Plantwide PM <sub>10</sub> Compliance Record	
ATTACHMENT G.....	41
10 CSR 10-3.060 Compliance Demonstration	
ATTACHMENT H.....	42
New Rock Crushing Plant PM <sub>10</sub> Compliance Record	
ATTACHMENT I.....	43
Monthly Production/Raw Material Compliance Record	

## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Table Rock Asphalt Co., Inc. operates four plants: an asphalt plant, a concrete plant, an old rock crushing plant, and a new rock crushing plant. The asphalt plant is a batch plant and has maximum hourly design rate (MHDR) of 250 tons per hour (tph). The concrete plant is a truck mix plant and has an MHDR of 265 tph. The old rock crushing plant has an MHDR of 300 tph. (The old rock crushing plant has a primary crusher located in an underground mine and this equipment has to stay in the mine and cannot operate outside the mine.) The new rock crushing plant has an MHDR of 200 tph. The facility is a synthetic minor source of Particulate Matter less than or equal to 10 microns in diameter (PM<sub>10</sub>).

Reported Air Pollutant Emissions, tons per year					
Year	Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)
2010	4.91	2.72	1.10	0.36	0.61
2009	4.86	2.73	1.10	0.36	0.61
2008	6.13	4.20	1.71	0.60	1.03
2007	9.19	5.52	2.25	0.79	1.35
2006	9.30	4.84	1.96	0.66	1.12

### 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
EP-26	Oil Heater

Concrete Plant	
EP-11	Aggregate Storage Bins
EP-12	Aggregate Batcher
EP-13	Cement Silo
EP-14	Cement Batcher
EP-15	Fly Ash Silo
EP-16	Mixer Truck

Asphalt Plant	
EP-23	Cold Feed Bins
EP-24	Dryer W/Cyclone
EP-25	Elevator

<b>Old Rock Crushing Plant</b>	
EP-10	Stock Pile
EP-21	Stock Pile 1/2" Base
EP-31	Screen
EP-32	Secondary Crusher Impact
EP-33	Screen
EP-34	Stockpile Base
EP-35	Stockpile Concrete Rock
EP-36	Haul To Stockpile
EP-37	Stockpile Chips
EP-38	Stockpile Rock 1-2"
EP-39	Storagepile - Lime
EP-40	Haul To Lime Stockpile
EP-41	Haul To HMC Stockpile
EP-42	Haul To Stockpile 1" Base
EP-47	Pug Mill

<b>New Rock Crushing Plant</b>	
EP-09	Stockpile Rock
EP-43	Screen Deck
EP-44	Secondary Crusher
EP-45	Shot Rock Stockpile
EP-46	Primary Crusher
EP-48	Hauling To Storage Pile
EP-49	Conveyor
EP-50	Conveyor
EP-51	Conveyor
EP-52	Conveyor

**EMISSION UNITS WITHOUT LIMITATIONS**

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

Description of Emission Source

EP-27                      Fuel Storage

## II. Plant Wide Emission Limitations

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

### **PERMIT CONDITION PW001**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit 032009-006, Issued March 11, 2009

#### **Emission Limitation:**

1. Special Condition 2: National Ambient Air Quality Standards (NAAQS) Limitation for Particulate Matter Less Than Ten Microns in Diameter ( $PM_{10}$ )
  - a) For the rock crushing/asphalt/concrete installation (213-0003), the permittee shall ensure, while operating at this site, that the ambient impact of  $PM_{10}$  at or beyond the nearest property boundary does not exceed  $150 \mu\text{g}/\text{m}^3$  in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6).
  - b) To demonstrate compliance, the permittee shall maintain a daily record of material processed. Attachment E, *Daily Ambient  $PM_{10}$  Impact Tracking Record*, or other equivalent form(s), shall be used for this purpose.

#### **Operational Limitations:**

1. Special Condition 5: Operational Limits
  - a) The permittee shall not process more than 620,000 tons of rock in any consecutive 12-month period from the existing rock crushing plant.
  - b) The permittee shall not process more than 79,940 tons of sand, 119,920 tons of rock (aggregates) and 37,970 tons of cement in any consecutive 12-month period from the existing concrete plant.
  - c) The permittee shall not produce more than 60,000 tons of asphalt in any consecutive 12-month period from the existing asphalt plant.
  - d) Attachment I, or other equivalent forms generated by the permittee, shall be used to ensure compliance with the operational limits of the existing rock crushing plant, cement plant, and asphalt plant.
2. Special Condition 8: Prohibition Against Concurrent Operations Without Further APCP Review
  - a) The rock crushing/concrete/asphalt installation (213-0003) is prohibited from operating whenever any other installation(s) are located at this site.
3. Special Condition 9: Restriction on Process Configuration of Primary Emission Point(s)
  - a) The maximum hourly design rates of the rock crushing plants are equal to the sum of the design rate(s) of the primary emission point(s). The permittee has designated the following unit(s) as the primary emission point(s) of the installation: Primary Screen (EP-31) for the existing rock crushing plant and Primary Crusher (EP-46) for the new rock crushing plant. Bypassing the primary emission point(s) for processing is prohibited.
4. Special Condition 10: Restriction on Minimum Distance to Nearest Property Boundary
  - a) The primary emission point of all plants shall be located at least 500 feet from the nearest property boundary whenever it is operating at this site. The primary emission point for each plant are as follows: Primary Screen (EP-31) for the existing rock crushing plant, Primary Crusher

(EP-46) for the new rock crushing plant, Rotary Dryer (EP-24) for the asphalt plant, and Concrete Mixer (EP-16) for the concrete plant.

5. Special Condition 11: Restriction on the Use of Diesel Engines
  - a) The permittee shall use primary electrical power to operate all equipment at the site. No diesel engines or other combustion equipment shall be used at the site except for the rotary dryer (EP-24) and the asphalt oil heater (EP-26).

**Monitoring/Record Keeping:**

1. Special Condition 12: Record keeping Requirement
  - a) The permittee shall retain all records required by this permit for not less than five (5) years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

1. Special Condition 13: Reporting Requirement
  - a) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedances of the limitations imposed by this permit.
2. The permittee shall report any deviations from the emission limitation, operational limitations, monitoring/record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

**PERMIT CONDITION PW002**  
10 CSR 10-6.070 New Source Performance Regulations  
40 CFR Part 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants

**Standards:**

1. Affected facilities shall meet the stack emission limits and compliance requirements in Table 2 of this subpart within 60 days after achieving the maximum production rate at which the affected facility shall be operated, but not later than 180 days after initial startup as required under §60.8. The requirements in Table 2 of this subpart apply for affected facilities with capture systems used to capture and transport particulate matter to a control device. [§60.672(a)]

**Table 2 to Subpart OOO — Stack Emission Limits for Affected Facilities With Capture Systems**

For...	The permittee shall meet a PM limit of ...	And an opacity limit of...	And demonstrate compliance with these limits by conducting...
Affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	0.05 g/dscm (0.022 gr/dscf) <sup>a</sup>	Seven percent for dry control devices	An initial performance test according to §60.8 of this part and §60.675 of this subpart
Affected facilities that commence construction, modification, or reconstruction on or after April 22, 2008	0.032 g/dscm (0.014 gr/dscf) <sup>a</sup>	Seven percent for dry control devices on individual enclosed storage bins	An initial performance test according to §60.8 of this part and §60.675 of this subpart

<sup>a</sup>Exceptions to the PM limit apply for individual enclosed storage bins and other equipment. See §60.672(d) through (f).

2. Affected facilities shall meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility shall be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems. [§60.672(b)]

**Table 3 to Subpart OOO — Fugitive Emission Limits**

For...	Fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility...	Fugitive emissions limit for crushers at which a capture system is not used...	The permittee shall demonstrate compliance with these limits by conducting...
Affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	Ten percent opacity	15 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart.
Affected facilities that commence construction, modification, or reconstruction on or after April 22, 2008	Seven percent opacity	12 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart; and periodic inspections of water sprays according to §60.674(b) and §60.676(b); and a repeat performance test according to §60.11 of this part and §60.675 of this subpart within five years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in §60.674(b) and §60.676(b) are exempt from this five-year repeat testing requirement.

3. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section. [§60.672(d)]

4. If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility shall comply with the emission limits in Paragraphs (a) and (b) of this section, or the building enclosing the affected facility or facilities shall comply with the following emission limits: [§60.672(e)]
  - a) Fugitive emissions from the building openings (except for vents as defined in §60.671) shall not exceed seven percent opacity; and [§60.672(e)(1)]
  - b) Vents (as defined in §60.671) in the building shall meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart. [§60.672(e)(2)]
5. Any baghouse that controls emissions from only an individual, enclosed storage bin is exempt from the applicable stack PM concentration limit (and associated performance testing) in Table 2 of this subpart but shall meet the applicable stack opacity limit and compliance requirements in Table 2 of this subpart. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions. [§60.672(f)]

**Monitoring:**

1. Any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility shall perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system. The permittee shall initiate corrective action within 24 hours and complete corrective action as expediently as practical if the permittee finds that water is not flowing properly during an inspection of the water spray nozzles. The permittee shall record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under §60.676(b). [§60.674(b)]
  - a) If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the five-year repeat testing requirement specified in Table 3 of this subpart provided that the affected facility meets the following criteria: [§60.674(b)(1)]
    - i) The permittee conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to Paragraph (b) of this section and §60.676(b), and [§60.674(b)(1)(i)]
    - ii) The permittee designates which upstream water spray(s) shall be periodically inspected at the time of the initial performance test required under §60.11 of this part and §60.675 of this subpart. [§60.674(b)(1)(ii)]
  - b) If an affected facility that routinely uses wet suppression water sprays ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than water sprays during the monthly inspection (for example, water from recent rainfall), the logbook entry required under §60.676(b) shall specify the control mechanism being used instead of the water sprays. [§60.674(b)(2)]

**Test Methods/Procedures:**

1. In conducting the performance tests required in §60.8, the permittee shall use as reference methods and procedures the test methods in appendices A-1 through A-7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in Paragraph (e) of this section. [§60.675(a)]
2. The permittee shall determine compliance with the PM standards in §60.672(a) as follows: [§60.675(b)]

- a) Except as specified in Paragraphs (e)(3) and (4) of this section, Method 5 of Appendix A-3 of this part or Method 17 of Appendix A-6 of this part shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR Part 60, Appendix A-3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter. [§60.675(b)(1)]
  - b) Method 9 of Appendix A-4 of this part and the procedures in §60.11 shall be used to determine opacity. [§60.675(b)(2)]
  - c) In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the permittee shall use Method 9 of Appendix A-4 of this part and the procedures in §60.11, with the following additions: [§60.675(c)(1)]
    - i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet). [§60.675(c)(1)(i)]
    - ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources ( e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) shall be followed. [§60.675(c)(1)(ii)]
    - iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist shall not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible. [§60.675(c)(1)(iii)]
    - iv) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9 (40 CFR Part 60, Appendix A-4), the duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations shall be one hour (ten six-minute averages). [§60.675(c)(2)(i)]
    - v) The duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than one hour at a time. [§60.675(c)(2)(ii)]
  - d) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations shall be 30 minutes (five six-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart shall be based on the average of the five six-minute averages. [§60.675(c)(3)]
3. To demonstrate compliance with the fugitive emission limits for buildings specified in §60.672(e)(1), the permittee shall complete the testing specified in Paragraph (d)(1) and (2) of this section. Performance tests shall be conducted while all affected facilities inside the building are operating. [§60.675(d)]
- a) If the building encloses any affected facility that commences construction, modification, or reconstruction on or after April 22, 2008, the permittee shall conduct an initial Method 9 (40 CFR Part 60, Appendix A-4) performance test according to this section and §60.11. [§60.675(d)(1)]
  - b) If the building encloses only affected facilities that commenced construction, modification, or reconstruction before April 22, 2008, and the permittee has previously conducted an initial Method 22 (40 CFR Part 60, Appendix A-7) performance test showing zero visible emissions,

then the permittee has demonstrated compliance with the opacity limit in §60.672(e)(1). If the permittee has not conducted an initial performance test for the building before April 22, 2008, then the permittee shall conduct an initial Method 9 (40 CFR Part 60, Appendix A-4) performance test according to this section and §60.11 to show compliance with the opacity limit in §60.672(e)(1). [§60.675(d)(2)]

4. The permittee may use the following as alternatives to the reference methods and procedures specified in this section: [§60.675(e)]
  - a) For the method and procedure of Paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used: [§60.675(e)(1)]
    - i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream. [§60.675(e)(1)(i)]
    - ii) Separate the emissions so that the opacity of emissions from each affected facility can be read. [§60.675(e)(1)(ii)]
  - b) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met: [§60.675(e)(2)]
    - i) No more than three emission points may be read concurrently. [§60.675(e)(2)(i)]
    - ii) All three emission points shall be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points. [§60.675(e)(2)(ii)]
    - iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer shall stop taking readings for the other two points and continue reading just that single point. [§60.675(e)(2)(iii)]
  - c) Method 5I of Appendix A-3 of this part may be used to determine the PM concentration as an alternative to the methods specified in Paragraph (b)(1) of this section. Method 5I (40 CFR Part 60, Appendix A-3) may be useful for affected facilities that operate for less than one hour at a time such as (but not limited to) storage bins or enclosed truck or railcar loading stations. [§60.675(e)(3)]
  - d) In some cases, velocities of exhaust gases from building vents may be too low to measure accurately with the type S pitot tube specified in EPA Method 2 of Appendix A-1 of this part [*i.e.*, velocity head <1.3 mm H<sub>2</sub>O (0.05 in. H<sub>2</sub>O)] and referred to in EPA Method 5 of Appendix A-3 of this part. For these conditions, the permittee may determine the average gas flow rate produced by the power fans (*e.g.*, from vendor-supplied fan curves) to the building vent. The permittee may calculate the average gas velocity at the building vent measurement site using Equation 1 of this section and use this average velocity in determining and maintaining isokinetic sampling rates.

$$V_e = \frac{Q_f}{A_e} \text{ Equation 1}$$

Where:

$V_e$  = average building vent velocity (feet per minute);

$Q_f$  = average fan flow rate (cubic feet per minute); and

$A_e$  = area of building vent and measurement location (square feet). [§60.675(e)(4)]

5. For performance tests involving only Method 9 (40 CFR Part 60 Appendix A-4) testing, the permittee may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a seven-day advance notification. [§60.675(g)]

6. If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the permittee may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility. [§60.675(i)]

**Record Keeping/Reporting:**

1. For affected facilities (as defined in §§60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, the permittee shall record each periodic inspection required under §60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The permittee shall retain the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Administrator upon request. [§60.676(b)(1)]
2. The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR Part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f). [§60.676(f)]
3. The Subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart. [§60.676(h)]
4. A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator. [§60.676(i)]
  - a) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the permittee to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. [§60.676(i)(1)]
  - b) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant. [§60.676(i)(2)]
5. Notifications and reports required under this subpart and under Subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b). [§60.676(k)]
6. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
7. All records shall be retained for five (5) years.
8. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
9. The permittee shall report any deviations from the standards, monitoring, test methods/procedures, and record keeping/reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

**PERMIT CONDITION PW003**

10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

**Emission Limitation:**

The permittee shall emit less than 100 tons of PM<sub>10</sub> per consecutive 12-month period from the entire installation.

**Monitoring/Record Keeping:**

1. The permittee shall maintain records of PM<sub>10</sub> emitted into the atmosphere using Attachment F or an equivalent form generated by the permittee.
2. The permittee shall retain all records required by this permit for not less than five (5) years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, no later than ten (10) days after the end of the month during which records indicate that the source has exceeded the 100 ton limit.
2. The permittee shall report any deviations from the emission limitation, monitoring/record keeping, and reporting requirements of this permit condition in the annual monitoring report and 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 001</b>			
10 CSR 10-3.060 Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating			
<b>Emission Unit</b>	<b>Description</b>	<b>MHDR (MMBtu/hr)</b>	<b>Fuel</b>
EP-26	Oil Heater	2	Diesel

**Emission Limitation:**

The permittee shall not emit particulate matter in excess of 0.60 pounds per million BTU of heat input from EP-26 Oil Heater.

**Operational Limitation:**

The permittee shall calibrate, maintain, and operate the emission units according to the manufacturer's specifications and recommendations.

**Monitoring/Record Keeping:**

1. Maintain a maintenance log noting all inspections, malfunctions, and repairs using Attachment D or an equivalent form generated by the permittee.
2. Records may be kept in either written or electronic form.
3. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
4. All records shall be retained for five (5) years.
5. Attachment G contains calculations which demonstrate that the emission unit EP-26 Oil Heater shall never exceed the emission limitation while burning the specified fuel.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
2. The permittee shall report any deviations from the emission limitation, operational limitation, monitoring/record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 002</b>	
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
<b>Emission Unit</b>	<b>Description</b>
EP-09	Stockpile Rock
EP-10	Stock Pile
EP-21	Stock Pile 1/2" Base
EP-34	Stockpile Base
EP-35	Stockpile Concrete Rock
EP-36	Haul To Stockpile
EP-37	Stockpile Chips
EP-38	Stockpile Rock 1-2"
EP-39	Storagepile - Lime
EP-40	Haul To Lime Stockpile
EP-41	Haul To HMC Stockpile
EP-42	Haul To Stockpile 1" Base
EP-45	Shot Rock Stockpile
EP-48	Hauling To Storage Pile

**Operational Limitation:**

1. Special Condition 1: Best Management Practices
  - a) The permittee shall control fugitive emissions from all of the haul roads and stockpiles at this site by performing *Best Management Practices*, which include the usage of paving, chemical dust suppressants, or documented watering.

**Best Management Practices:**

1. Construction Industry Sites covered by the Interim Relief Policy shall maintain Best Management Control Practices (BMPs) for fugitive emission areas at their installations when in operation. Options for BMPs are at least one of the following:
  - a) For Haul Roads:
    - i) Pavement of Road Surfaces –
      - (1) The permittee may pave all or any portion of the haul roads with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement shall be applied in accordance with industry standards for such pavement so as to achieve “Control of Fugitive Emissions” while the plant is operating.
      - (2) Maintenance and/or repair of the road surface shall be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
      - (3) The permittee shall periodically water, wash and/or otherwise clean all of the paved portions of the haul road(s) as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
    - ii) Usage of Chemical Dust Suppressants –
      - (1) The permittee shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the unpaved portions of the haul roads. The suppressant shall be applied in accordance with the manufacturer’s suggested application

- rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
- (2) The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - (3) The permittee shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The permittee shall retain these records with the plant for not less than five (5) years, and the permittee shall make these records available to Department of Natural Resources' personnel upon request.
- iii) Usage of Documented Watering –
- (1) The permittee shall control the fugitive emissions from all the unpaved portions of the haul roads at the installation by consistently and correctly using the application of a water spray. Documented watering shall be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of haul roads as necessary to achieve control of fugitive emissions from these areas while the plant is operating. For example, the permittee shall calculate the total square feet of unpaved vehicle activity area requiring control on any particular day, divide that product by 1,000, and multiply the quotient by 100 gallons for that day.
  - (2) The permittee shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operation (e.g., meteorological situations, precipitation events, freezing, etc.)
  - (3) Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
  - (4) Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there shall be no traffic on the roads. The permittee shall record a brief description of such events in the same log as the documented watering.
  - (5) The permittee shall record the date and the amount of water applied for each application on the above areas. The permittee shall retain these records with the plant for not less than five years, and the permittee shall make these records available to Department of Natural Resources' personnel upon request.
- b) For Vehicle Activity Areas around Open Storage Piles:
- i) Pavement of Stockpile Vehicle Activity Surfaces –
    - (1) The permittee may pave all or any portion of the vehicle activity areas around the storage piles with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement shall be applied in accordance with industry standards for such pavement so as to achieve control of fugitive emissions while the plant is operating.
    - (2) Maintenance and/or repair of the road surface shall be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.

- (3) The permittee shall periodically water, wash and/or otherwise clean all of the paved portions of the vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
- ii) Usage of Chemical Dust Suppressants –
  - (1) The permittee shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the vehicle activity areas around the open storage piles. The suppressant shall be applied in accordance with the manufacturer's suggested application rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  - (2) The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - (3) The permittee shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The permittee shall retain these records with the plant for not less than five years, and the permittee shall make these records available to Department of Natural Resources' personnel upon request.
- iii) Usage of Documented Watering –
  - (1) The permittee shall control the fugitive emissions from all the vehicle activity areas around the storage piles at the installation by consistently and correctly using the application of a water spray. Documented watering shall be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating. (Refer to example for documented watering of haul roads.)
  - (2) The permittee shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operations (e.g., meteorological situations, precipitation events, freezing, etc.)
  - (3) Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
  - (4) Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there shall be no traffic on the roads. The permittee shall record a brief description of such events in the same log as the documented watering.
  - (5) The permittee shall record the date and the amount of water applied for each application on the above areas. The permittee shall retain these records with the plant for not less than five years, and the permittee shall make these records available to Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations from the operational limitation and best management practices requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 003</b>	
10 CSR 10-6.060 Construction Permits Required	
Construction Permit 032009-006, Issued March 11, 2009	
<b>Emission Unit</b>	<b>Description</b>
EP-43	Screen Deck
EP-44	Secondary Crusher
EP-45	Shot Rock Stockpile
EP-46	Primary Crusher
EP-48	Hauling To Storage Pile
EP-49	Conveyor
EP-50	Conveyor
EP-51	Conveyor
EP-52	Conveyor

**Special Condition:**

1. Special Condition 3: Annual Emission Limit of Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>)
  - a) The permittee shall ensure that the new rock crushing plant emits less than 15 tons of PM<sub>10</sub> into the atmosphere in any 12-month period.
  - b) To demonstrate compliance, the permittee shall maintain a monthly record of material processed and PM<sub>10</sub> emitted. Attachment H, *Monthly PM<sub>10</sub> Emissions Tracking Record*, or other equivalent form(s) shall be used for this purpose.

**Record Keeping:**

1. Special Condition 12: Record keeping Requirement
  - a) The permittee shall retain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

1. Special Condition 13: Reporting Requirement
  - a) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedances of the limitations imposed by this permit.
2. The permittee shall report any deviations from the special condition, record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 004</b>	
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009	
<b>Emission Unit</b>	<b>Description</b>
EP-32	Secondary Crusher Impact
EP-33	Screen
EP-44	Secondary Crusher
EP-47	Pug Mill

**Operational Limitation:**

1. Special Condition 4: Usage of Wet Suppression Control System on Equipment
  - a) The permittee shall install and operate wet spray devices to restrict the emission of particulate matter. These wet spray devices shall be used to control fugitive emissions whenever these units are in operation.
  - b) Watering may be suspended during periods of freezing conditions, when use of the wet spray devices may damage the equipment. During these conditions, the permittee shall adjust the production rate to control the fugitive emissions from these units. The permittee shall record a brief description of such events in a daily log.

**Record Keeping:**

1. Special Condition 12: Record keeping Requirement
  - a) The permittee shall retain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations from the operational limitation, record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 005</b>		
10 CSR 10-6.060 Construction Permits Required Construction Permit 032009-006, Issued March 11, 2009		
<b>Emission Unit</b>	<b>Description</b>	<b>Control Device from 2008 EIQ</b>
EP-13	Cement Silo	CD-3 Dust Filter
EP-14	Cement Batcher	None Reported
EP-15	Fly Ash Silo	CD-4 Dust Filter
EP-16	Mixer Truck Loading	CD-3 Dust Filter
EP-24	Rotary Dryer W/Cyclone	CD-24 Baghouse
EP-25	Hot Elevator	CD-24 Baghouse

**Operational Limitations:**

1. Special Condition 6: Baghouse(s) Control System Requirements
  - a) The permittee shall install and operate baghouse(s) to restrict the emission of particulate matter. The baghouse(s) shall be used whenever these units are in operation. The baghouse(s) shall be installed on the following units: Rotary Dryer with Cyclone (EP-24) and Hot Elevator (EP-25)

for the existing asphalt plant, Cement Silo (EP-13), Cement Batcher (EP-14), Fly Ash Silo (EP-15), and Mixer Loading (EP-16) for the existing concrete plant.

- b) The permittee shall install instruments to monitor the operating pressure drop across the baghouses. All instruments and control equipment shall be calibrated, maintained, and operated according to the manufacturer's preventive maintenance recommendations. The permittee shall check and record the pressure drop across the baghouse filter once per operating day during silo loading. The baghouse operating pressure drop shall be maintained according to manufacturer's specifications.
- c) The permittee shall conduct and document a quarterly inspection and maintenance of the baghouse for structural component failures, for leaks and wear, and for the cleaning sequence of the baghouse. Replacement bags shall be kept on hand at all times to replace defective bags (The bags shall be made of fibers appropriate for the operating conditions expected to occur). All inspections, corrective actions, and instrument calibrations shall be recorded.

**Record Keeping:**

1. Special Condition 12: Record keeping Requirement

- a) The permittee shall retain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations from the operational limitations, record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 006</b>	
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants	
<b>Emission Unit</b>	<b>Description</b>
EP-23	Cold Feed Bins
EP-24	Dryer w/ Cyclone
EP-25	Elevator
EP-26	Oil Heater

**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.
- 2. Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six minutes in any sixty minutes air contaminants with an opacity up to 60 percent.

**Monitoring:**

- 1. The permittee shall conduct opacity readings on these emission units using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.

2. The following monitoring schedule shall be maintained:
  - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
  - b) Observations shall be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
  - c) Observations shall be made once per month. If a violation is noted, monitoring reverts to weekly.
3. If the source reverts to weekly monitoring at any time, monitoring frequency shall progress in an identical manner from the initial monitoring frequency.

**Record Keeping:**

1. The permittee shall maintain records of all observation results (see Attachments B & C, or equivalent forms generated by the permittee), noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units,
  - b) All emission units from which visible emissions occurred, and
2. The permittee shall maintain records of any equipment malfunctions and maintenance using Attachment D.
3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition.
4. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
5. All records shall be retained for five years.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
2. The permittee shall report any deviations from the emission limitation, monitoring, record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

<b>PERMIT CONDITION 007</b>	
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds	
<b>Emission Unit</b>	<b>Description</b>
EP-26	Oil Heater

**Emission Limitations:**

1. The permittee shall not cause or allow emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of 8 pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three hour time period.
2. The permittee shall not cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 *Ambient Air Quality Standards*.

Pollutant	Concentration by Volume	Remarks
Sulfur Dioxide (SO <sub>2</sub> )	0.5 ppm (1300 µg/m <sup>3</sup> )	3-hour average not to be exceeded more than once per year
	75 ppb	1-hour average; 3-year average of the 99 <sup>th</sup> percentile of the daily maximum 1-hour average at each site monitor within an area
Hydrogen Sulfide (H <sub>2</sub> S)	0.05 ppm (70 µg/m <sup>3</sup> )	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m <sup>3</sup> )	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H <sub>2</sub> SO <sub>4</sub> )	10 µg/m <sup>3</sup>	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m <sup>3</sup>	1-hour average not to be exceeded more than once in any 2 consecutive days

**Monitoring/Record Keeping:**

1. The permittee shall retain an accurate record of the sulfur content of fuel as fired.
2. The permittee shall retain a record of the monthly emission calculations for sulfur dioxide that demonstrates compliance with the limitations of this regulation.
3. The permittee shall monitor the sulfur content of each delivery of fuel (fuel oil no. 2/diesel).
4. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
5. All records shall be retained for five years.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
2. The permittee shall report any deviations from the emission limitations, monitoring/record keeping, and reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

## IV. Core Permit Requirements

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

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

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

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

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

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

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

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

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(5)(B)1.A(III)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request. [10 CSR 10-6.065, §(5)(C)(1) and §(6)(C)3.B]

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

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee may be required by the Director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall submit a full EIQ for the 2011, 2014, 2017, and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 5) Full paper EIQs shall be submitted to the Air Pollution Control Program by no later than April 1<sup>st</sup> after the end of the reporting year. Full electronic EIQs shall be submitted via MoEIS by no later than May 1<sup>st</sup> after the end of the reporting year.
- 6) Emission fees are due by no later than June 1<sup>st</sup> after the end of each reporting year. The fees shall be payable to the Missouri Department of Natural Resources.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

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

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

### **10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

#### **Emission Limitation:**

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

#### **Monitoring:**

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

#### **Record Keeping:**

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

- a) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
- b) Whether the visible emissions were normal for the installation.
- c) Whether equipment malfunctions contributed to an exceedance.
- d) Any violations and any corrective actions undertaken to correct the violation.

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

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

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

**This requirement is not federally enforceable.**

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

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

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

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

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance

- shall bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
- b) The placement of the required warning statement shall comply with the requirements pursuant to §82.108.
  - c) The form of the label bearing the required warning statement shall comply with the requirements pursuant to §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
    - a) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices pursuant to §82.156.
    - b) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment pursuant to §82.158.
    - c) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to §82.161.
    - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances shall comply with record keeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
    - e) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to §82.156.
    - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
  - 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
  - 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
  - 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82*

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

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the Director.

- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

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

### **10 CSR 10-6.065, §(5)(E)2 and §(6)(C)1.B Permit Duration**

This permit is issued for a term of five years, commencing on the date of issuance. This permit shall 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's 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. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in 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 shall 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 shall 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 shall be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

**10 CSR 10-6.065 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)**

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

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

**10 CSR 10-6.065(5)(C)1.A General Requirements**

- 1) The permittee shall 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 shall be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that shall 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 annually (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 shall 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's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances shall 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 shall require in order to determine the compliance status of this installation.

**10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions

limitations. To establish an emergency- or upset-based defense, the permittee shall 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 shall 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 shall 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 shall provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

The application utilized in the preparation of this permit was signed by Mr. Todd Davis, General 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 permittee shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the permittee to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit shall 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) The Missouri Department of Natural Resources or EPA determines that the permit shall be reopened and revised to assure compliance with applicable requirements.

**10 CSR 10-6.065 §(5)(E)1.A and §(6)(E)1.C Statement of Basis**

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

## **VI. Attachments**

Attachments follow.





**Attachment C**  
Method 9 Opacity Observations

Company						Observer		
Location						Observer Certification Date		
Date						Emission Unit		
Time						Control Device		
Hour	Minute	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							
SUMMARY OF AVERAGE OPACITY								
Set Number	Time				Opacity			
	Start	End	Sum	Average				

Readings ranged from \_\_\_\_\_ to \_\_\_\_\_ % opacity.

Was the emission unit in compliance at the time of evaluation?                       
YES NO Signature of Observer



**Attachment E**  
Daily Ambient PM<sub>10</sub> Impact Tracking Record

Distance to Nearest Property Boundary: 500 feet

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_ (Month, Day, Year)  
(Copy this sheet as needed.)

Date							
Existing Rock Crushing Plant	Daily Production (tons)						
	Ambient Impact Factor (µg/m <sup>3</sup> /ton)	0.03646					
	<sup>1</sup> Daily PM <sub>10</sub> Impact (µg/m <sup>3</sup> )						
Asphalt Plant	Daily Production (tons)						
	Ambient Impact Factor (µg/m <sup>3</sup> /ton)	0.03180					
	<sup>1</sup> Daily PM <sub>10</sub> Impact (µg/m <sup>3</sup> )						
Concrete Plant	Daily Production (tons)						
	Ambient Impact Factor (µg/m <sup>3</sup> /ton)	0.02600					
	<sup>1</sup> Daily PM <sub>10</sub> Impact (µg/m <sup>3</sup> )						
New Rock Crushing Plant	Daily Production (tons)						
	Ambient Impact Factor (µg/m <sup>3</sup> /ton)	0.03696					
	<sup>1</sup> Daily PM <sub>10</sub> Impact (µg/m <sup>3</sup> )						
<sup>2</sup> Background PM <sub>10</sub> Level (µg/m <sup>3</sup> )		20.00					
<sup>3</sup> TOTAL PM <sub>10</sub> Level (µg/m <sup>3</sup> )							

Note 1: The Daily PM<sub>10</sub> Impact (µg/m<sup>3</sup>) for each plant is calculated by multiplying the Daily Production (tons) by the matching Ambient Impact Factor.

Note 2: Background PM<sub>10</sub> Level (µg/m<sup>3</sup>) is from Haul Roads and Stockpiles.

Note 3: The TOTAL PM<sub>10</sub> Level (µg/m<sup>3</sup>) is calculated by summing the Daily PM<sub>10</sub> Ambient Impact(s) and the Background PM<sub>10</sub> Level. A TOTAL PM<sub>10</sub> Level of less than 150 µg/m<sup>3</sup> in any 24-hour period indicates compliance.



**ATTACHMENT G**  
 10 CSR 10-3.060 Compliance Demonstration

This attachment may be used to demonstrate that the listed emission units are in compliance with 10 CSR 10-3.060, *Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*. Installation's Total Heat Input (Q) in MMBtu/hr:

<b>Emission Unit</b>	<b>Description</b>	<b>MHDR (MMBtu/hr)</b>
EP-26	Oil Heater	2
<b>Total Q</b>		2

The allowable PM emission limit for indirect heating sources having a total equipment heat input capacity rating of ten million Btu or less is 0.60 pounds for each million Btu per hour input.

<b>Emission Unit</b>	<b>Description</b>	<b>Emission Factor</b>	<b>Emission Factor (lb/MMBtu)</b>	<b>Emission Limit (lb/MMBtu)</b>	<b>Is the Emission Unit in compliance?</b>
EP-26	Oil Heater	2.3 lbs/1000 gallons	0.02	0.60	YES

Emission factors were taken from FIRE. The emission unit is always in compliance with the regulation without the aid of a control device, therefore, CAM is not applicable.





# STATEMENT OF BASIS

## **Voluntary Limitations**

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

## **Permit Reference Documents**

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

- 1) Intermediate Operating Permit Application, received November 30, 2007
- 2) Intermediate Operating Permit Amendment Request, received July 26, 2010
- 3) 2008 and 2010 Emissions Inventory Questionnaires
- 4) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition
- 5) Construction Permit 032009-006, Issued March 11, 2009

## **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.

The permittee did not include 10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds* or 10 CSR 10-3.060 *Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating* within their permit application. The facility operates EP-26 Oil Heater which is an indirect heating source and is greater than 0.3 MMBtu/hr and thus subject to both of these regulations.

## **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* is not applicable because the installation is in an ozone attainment area.

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Processes* is not applicable to the concrete plant or the rock crushing plants because all of the particulate matter emission sources are regulated by 10 CSR 10-6.070 *New Source Performance Regulations* and the provisions of 40 CFR Part 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants*. The regulation is not applicable to EP-23 Cold Feed Bins, EP-24 Dryer w/ Cyclone, and EP-25 Hot

Elevator associated with the asphalt plant because the source emits less than 0.5 lbs PM/hr. The regulation is not applicable to EP-26 Oil Heater because the heater is an indirect heating source.

### **Construction Permit Revisions**

The following revisions were made to construction permits for this installation:

Special Condition No. 14 of Construction Permit 032009-006:

- The conditions of this permit supersede all special conditions found in the previously issued construction permit(s) (0693-017, 0393-003, 0491-009) from the Air Pollution Control Program, therefore the special conditions of the superceded construction permits were not included within this operating permit.
- Special Condition 7 requires the installation to comply with 40 CFR Part 60, Subparts I and OOO. It has since been determined that the installation is not subject to Subpart I; therefore, this part of the condition was not incorporated into this permit. The permittee is still subject to Subpart OOO and Subpart OOO requirements have been incorporated into this permit (see Permit Condition PW002).

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

40 CFR Part 60, Subpart I – *Standards of Performance for Hot Mix Asphalt Facilities* is not applicable to this installation and has not been applied within this operating permit. EP-24 Dryer w/ Cyclone and EP-25 Hot Elevator were originally constructed in 1967 with a maximum hourly design rate of 110 tons/hr. The permittee bought the equipment in 1988 and installed the equipment at the installation in 1991; however multiple EPA determinations have stated that relocation and reassembly of an asphalt batch plant does not constitute reconstruction under Subpart I (see EPA's Applicability Determination Index control numbers I006 and I010.) The asphalt plant was relocated to the installation under Construction Permit 0491-009 issued April 17, 1991 which limited the plant to 60,000 tons/yr of asphalt production. In subsequent years, debottlenecking occurred increasing the asphalt plant's maximum hourly design rate to 250 tons/hr; however, the plant continued to operate under the 60,000 tons/yr asphalt production limitation. Construction Permit 032009-006 issued March 11, 2009 superceded Construction Permit 0491-009, but included a new 60,000 tons/yr asphalt production limit. As the debottlenecking of the asphalt plant did not cause an increase in emissions due to the more restrictive 60,000 tons/yr limit, the plant is considered unmodified under Subpart I; however, if the permittee should at any time violate the 60,000 tons/yr limitation, obtain approval to remove the 60,000 tons/yr limitation, or obtain approval to increase the 60,000 tons/yr limitation the permittee shall be subject to and shall comply with Subpart I.

40 CFR Part 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants* is applicable to this installation and has been applied within this operating permit (see Permit Condition PW002). This regulation is applicable to all of the emission units associated with the concrete plant and the rock crushing plants as the facility has constructed/reconstructed since August 31, 1983 and the majority of the processes at the installation involve limestone and sand.

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

The installation is an area source for HAPs.

40 CFR Part 63, Subpart AAAAAAA – *National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing* is not applicable to this installation. The affected source for asphalt processing operations is the collection of all blowing stills, as defined in §63.11566, at an asphalt processing operation. [§63.11559(b)(1)].

“Asphalt processing operation means any operation engaged in the preparation of asphalt flux at stand-alone asphalt processing facilities, petroleum refineries, and asphalt roofing facilities. Asphalt preparation, called “blowing,” is the oxidation of asphalt flux, achieved by bubbling air through the heated asphalt, to raise the softening point and to reduce penetration of the oxidized asphalt. An asphalt processing facility includes one or more asphalt flux blowing stills.”  
[§63.11566]

The installation does not operate any asphalt flux blowing stills and is, therefore, not subject to this regulation.

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

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

### **Greenhouse Gas Emissions**

On May 13, 2010, EPA issued the GHG Tailoring Rule which set the major source threshold for CO<sub>2</sub>e to be 100,000 tons/year within 40 CFR Part 70. As of July 1, 2011, all Title V operating permits are required to include GHG emissions. Potential emissions of greenhouse gases (CO<sub>2</sub>e) for this installation are calculated to be 494.83 tons/year, classifying the installation as a minor source of GHGs. Please note that the potential emissions of greenhouse gases from this installation are only for stationary sources as §70.2 defines emission unit as “any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under Section 112(b) of the Act.”

### **Other Regulatory Determinations**

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants* is not applicable to the concrete plant or the rock crushing plants because all of the opacity emission sources are regulated by 10 CSR 10-6.070 *New Source Performance Regulations* and the provisions of 40 CFR Part 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants*.

This permit is based upon the following calculated potential emissions for the facility:

<b>Pollutant</b>	<b>Potential to Emit (tons/year)<sup>1</sup></b>
CO	1.13
CO <sub>2e</sub>	494.83
NO <sub>x</sub>	1.88
PM <sub>10</sub>	100.00
PM <sub>2.5</sub>	0.06
SO <sub>x</sub>	4.61
VOC	0.66
HAPs	0.002

<sup>1</sup>Potential emissions are based upon 8,760 hours of uncontrolled annual operation unless otherwise noted:

- The potential emissions include the 100 tons/year installation wide emission limitation (see Permit Condition PW003). Without this limitation potential emissions are over the major source threshold. The facility must demonstrate compliance with this limitation in order to maintain this Intermediate operating permit.

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

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

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

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

Prepared by:

---

Alana L. Rugen  
Environmental Engineer

CERTIFIED MAIL: 70093410000190189312  
RETURN RECEIPT REQUESTED

Mr. Todd Davis  
Table Rock Asphalt Construction Co., Inc.  
PO Box 1165  
Branson, MO 65615

Re: Table Rock Asphalt Construction Co., Inc., 213-0003  
Permit Number: OP2010-051A

Dear Mr. Todd Davis:

The Missouri Air Pollution Control Program has received and your reviewed your July 2010 request to remove 40 CFR Part 60, Subpart I and Construction Permit 032009-006 requirements from your current operating permit, OP2010-051.

The Missouri Air Pollution Control Program has determined that 40 CFR Part 60, Subpart I is not applicable to the installation at this time and has removed Subpart I requirements from your operating permit. This determination is based upon the fact that the asphalt plant was originally constructed in 1967, with a maximum hourly design rate of 110 tons per hour. The asphalt plant has operated under Special Condition 1 of Construction Permit 0491-009 and then Special Condition 5.C of Construction Permit 032009-006 limiting the asphalt production to 60,000 tons per year based upon a rolling 12-month total. This 60,000 tons per year limit remained in place throughout modifications/reconstructions on the asphalt plant which have increased the plant's maximum hourly design rate to 250 tons per hour. As the modifications to the asphalt plant have not resulted in any increase in annual particulate emissions, the asphalt plant continues to be an existing source exempt from 40 CFR Part 60, Subpart I; however, if the permittee should at any time violate the 60,000 tons per year production limit or obtain approval to remove or increase the limit, the facility will be subject to and have to comply with 40 CFR Part 60, Subpart I.

The Missouri Air Pollution Control Program cannot remove the conditions of Construction Permit 032009-006 from your operating permit. As long as the equipment remains functional and on site, the special conditions of Construction Permit 032009-006 are still applicable and are required to be listed within the operating permit by §70.7(a)(1)(iv). If a piece of equipment is not used during a monitoring/reporting period, you may simply state "this emission unit was not operated during the monitoring/reporting period" on the appropriate record keeping form.

Mr. Todd Davis  
Page Two

Enclosed with this letter is your amended intermediate operating permit, OP2010-051A. Please review this document carefully. Operation of your installation in accordance with the rules and regulations cited in this document is necessary for continued compliance. It is very important that you read and understand the requirements contained in your permit.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 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 do not hesitate to contact Alana Rugen at the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS/kjc

Enclosures

c: Southwest Regional Office  
PAMS File: 2010-07-051