

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

# DEPARTMENT OF NATURAL RESOURCES

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DEC 07 2015

Mr. Rodney Linker  
Tower Rock Stone - Ste. Genevieve Quarry  
PO Box 111  
Ste. Genevieve, MO 63670

Re: Tower Rock Stone - Ste. Genevieve Quarry, 186-0022  
Permit Number: OP2015-036

Dear Mr. Linker:

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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

A handwritten signature in black ink, reading "Michael J. Stansfield".

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

MJS:bj

Enclosures

c: PAMS File: 2013-04-064



# Part 70 PERMIT TO OPERATE

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

**Operating Permit Number:** OP2015-036  
**Expiration Date:** DEC - 7 2020  
**Installation ID:** 186-0022  
**Project Number:** 2013-04-064

**Installation Name and Address**

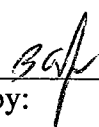
Tower Rock Stone - Ste. Genevieve Quarry  
19829 Lower Frenchman Rd.  
Ste. Genevieve, MO 63670  
Ste. Genevieve County

**Parent Company's Name and Address**

Tower Rock Stone Co.  
PO Box 50  
Columbia, IL, 62236

**Installation Description:**

Tower Rock Stone Company operates a rock crushing facility at their quarry site located north of Ste. Genevieve, Missouri. The installation operates rock-processing equipment, with activities including drilling, crushing, screening, re-screening, conveying, truck, and barge loading. The installation utilizes water spray bar technology to control the particulate emissions. The installation is a major source for PM<sub>10</sub> & NO<sub>x</sub> and is subject to NSPS 000.

  
Prepared by:  
Bern Johnson  
Operating Permit Unit

  
Director or Designee  
Department of Natural Resources

DEC 07 2015

Effective Date

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# I. Installation Description and Equipment Listing

## INSTALLATION DESCRIPTION

Tower Rock Stone Company operates a rock crushing facility at their quarry site located north of Ste. Genevieve, Missouri. The installation started its operation in April 1980 to serve the construction business sector. The installation is a major source for PM<sub>10</sub> and operates rock-processing equipment, with activities including drilling, crushing, screening, re-screening, conveying, truck, and barge loading. At present, the operations are divided into seven separate plants. The plants are designated as Phases I-VII. The installation utilizes water spray bar technology to control the particulate emissions from all its operations. The installation is subject to 40 CFR 60, Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants*.

Reported Air Pollutant Emissions, tons per year					
Pollutants	2013	2012	2011	2010	2009
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	14.49	14.91	14.39	13.82	13.76
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	2.68	3.01	0.04	0.03	0.02

\* Beginning in 2012, reported PM<sub>2.5</sub> was corrected using CEIDARS and AP-42 in MOEIS. These values do not represent a change in actual PM<sub>2.5</sub> emissions.

## EMISSION UNITS WITH LIMITATIONS

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

2013 EIQ Emission Point #	Description
EP04	Primary Crushing Phase 1 Pioneer Jaw
EP05	Primary Crushing Phase 3 Baxter Jaw
EP06	Primary Screening Phase 3
EP07	Secondary Crushing, Phase 1, 7' Cone
EP08	Secondary Crushing Phase 3, Impactor
EP09	Secondary Screening Phase 1
EP10	Secondary Screening Phase 3
EP11	Secondary/Tertiary Crushing, Phase 2, Impact
EP12	Tertiary Screening, Phase 2, 3- 8'x20'
EP13	Tertiary Crushing Phase 2, Impact
EP15	Original Configuration (EL-Jay)
EP16	Conveying/Transfer - Phase 1, 2, 3
EP20A	Product Loading Conveyed, Phase 4
EP21	Phase 5, Wobble Feeder, Hazemag
EP22	Primary Crushing, Phase 4, Allis Jaw

2013 EIQ Emission Point #	Description
EP23	Primary Screening, Scalping Screen, Allis, Phase 4
EP24	Secondary Crushing, Nordberg Cone
EP25	Tertiary Crushing, Hydrocone, Allis
EP26	Secondary Screening, P.E.P. Screen
EP26A	Secondary Screening Deister
EP27	Secondary Screening, P.E.P. Screen
EP28	Tertiary Screening, 6' x 20' Allis Screen
EP29	Tertiary Screening, 6' x 20' Allis Screen
EP30	Conveying - Phase 4
EP31	Primary Crushing - Portable
EP32	Primary Screening - Portable
EP33	Secondary Crushing- Portable
EP34	Secondary Screening - Portable
EP35	Conveying - Portable
EP36	Tertiary Screening - Portable
EP41	Primary Screening, Grizzly, phase 6
EP42	Primary Crushing, phase 6
EP43	Conveying, phase 6
EP44	Scalping Screen, phase 6
EP45	Secondary Crushing, phase 6
EP46	Secondary Screening, phase 6
EP47	Tertiary Crushing, phase 6
EP48	Tertiary Screening, phase 6
EP49	Tertiary Screening, phase 6
EP50	Tertiary Crushing, phase 6

**EMISSION UNITS WITHOUT LIMITATIONS**

The following list provides a description of the equipment that does not have unit specific limitations at the time of permit issuance. These emission units are subject to the plantwide emission limits in Section II of this permit.

2013 EIQ Emission Point #	Description
EP02	Drilling/Blasting
EP03A	Unloading
EP03B	Loading
EP17	Stockpiling Segment 1
EP17	Stockpiling Segment 2
EP18_ALL	Hauling grouped

2013 EIQ Emission Point #	Description
EP19	30,000 gal Fuel storage - diesel - standing loss
EP20B	Barge Loading
	Heated Feeder, Propane-fired
	Office and Shop Space Heaters, Propane-fired
	194.7 hp diesel generators (2)
	228 hp diesel generator
	130 hp diesel winches (2)

## II. Plant Wide Emission Limitations

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued. These conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitation or Emission Units without Limitations.

### Permit Condition PW 1

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #052001-013, Issued May 9, 2001

#### Emission Limitation:

- 1) The permittee shall not discharge more than 121.92 tons of particulate matter less than ten microns in diameter (PM<sub>10</sub>) emissions into the atmosphere from the entire installation in any consecutive twelve-month period [Special Condition 2A].
- 2) If the permittee wants to increase the PM<sub>10</sub> emission limitation established in this permit, then an ambient air quality analysis will be required and must be approved by the director before a new permit would be issued [Special Condition 8].

#### Monitoring/Record Keeping

- 1) The permittee shall maintain an accurate record of emission of PM<sub>10</sub> into the atmosphere from the entire installation, including monthly and running twelve-month totals of PM<sub>10</sub> emissions. The permittee shall use Attachment E, or an equivalent form, for this purpose [Special Condition 2B].
- 2) The permittee shall maintain 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 [Special Condition 2B].

#### 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 the permittee determines that the emission unit(s) exceeded the emission limitation listed above.
- 2) Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

### Permit Condition PW 2

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #052001-013, Issued May 9, 2001

#### Operational Limitation:

- 1) The permittee shall apply a water spray to control the emission of PM<sub>10</sub> from the fugitive emission sources including, but not limited to, all of the unpaved haul roads and vehicle activity areas around the storage piles at the installation. The permittee shall apply this documented watering control, as necessary, to maintain the high level of PM<sub>10</sub> emissions control predicted for these sources whenever conditions exist that would allow the "visible emission" of particulate matter from these sources. This documented watering control shall also be applied whenever conditions exist that would allow

visible fugitive emissions from these sources to enter the ambient air beyond the property boundaries [Special Condition 3.A].

- 2) The permittee shall apply the water application rate(s) in #1 to the road surfaces and vehicle activity areas associated with a particular operating scenario(s) in the amounts specified in Attachment G at least once every two hour period whenever that particular operating scenario(s) is being utilized. A quarter inch or more rainfall during the preceding twenty-four hour period can be substituted for one days water application. Watering may also be suspended during periods of freezing conditions when watering the haul road(s)/vehicle activity areas would be inadvisable for traffic safety reasons [Special Condition 3B].

**Monitoring/Record Keeping**

- 1) The permittee shall keep the following records (using Attachment F or equivalent), on-site, for not less than five years and shall make these records available to Department of Natural Resources' personnel upon request:  
[Special Condition 3C]
  - a) The estimated surface area of the haul road/road segments and the vehicle activity areas of the storage piles, the watering truck(s) tank capacity and the average width of spray for the watering truck(s),
  - b) Records of any watering equipment breakdowns and repairs, and
  - c) One of the following:
    - i) A daily log initialed by the responsible facility operator documenting the time, date, the road(s)/road segment(s)/vehicle activity area(s) where the water was applied, and the quantity of water applied for each application of the water on the above sources, or
    - ii) A notation that there was a quarter inch or greater amount of rainfall within the preceding twenty-four hours that was substituted for the normal daily water application, or
    - iii) A notation that the installation was not in operation during the preceding twenty-four hour period, OR
    - iv) If watering was suspended during a period of freezing conditions when watering the haul roads would be inadvisable for traffic safety reasons.

**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 the permittee determines that the emission unit(s) exceeded the operational limitation listed above.
- 2) Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

**Permit Condition PW 3**

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #052001-013, Issued May 9, 2001

**Operation Limitation:**

- 1) The permittee shall control particulate emissions by the moisture content of the processed rock, which has been demonstrated to be greater than or equal to 1.5 percent by weight. The permittee shall conduct periodic moisture content tests in accordance with the following conditions to verify on-going compliance with this moisture content assertion [Special Condition 6A].



- a) The permittee shall conduct all moisture content tests in accordance with the test methods and procedures prescribed in the American Society for Testing Materials (ASTM), Designation D-2216 Standard Test Methods for Laboratory Determination of Water (moisture) Content of Soil or Rock or other moisture content testing method(s) if approved by the director. These moisture content tests shall be conducted at least twice per year between the first of May and the end of September during each calendar year of quarry operation. An alternate testing schedule may be used if proposed by Tower Rock and approved by the director [Special Condition 6B].
- b) The permittee must notify the Air Pollution Control Program of the date on which the rock samples for testing are to be collected a minimum of thirty days prior to the proposed sampling date to assure that the date is acceptable for an observer to be present (if necessary) [Special Condition 6D].
- c) If two consecutive series of moisture test results should indicate the final moisture content of the rock is less than 1.5 percent by weight, the permittee will immediately take steps to modify or amend this permit to account for this revised moisture content information [Special Condition 6F]

### **Monitoring/Record Keeping**

- 1) The permittee shall keep the following records, on-site, for not less than five years and shall make these records available to Department of Natural Resources' personnel upon request: [Special Condition 6E]
  - a) Two copies of a written report of the moisture content tests shall be submitted to the director within thirty days of completion of the required tests and shall include, at a minimum, the following information: [Special Condition 6E].
    - i) the date(s) of the sampling collection and moisture content tests,
    - ii) the name of the testing firm or company performing the moisture content analysis, and
    - iii) the wet and dry weights of the rock sample, the drying time, and the moisture content for each rock sample.

### **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 the permittee determines that the emission unit(s) exceeded the operational limitation listed above.
- 2) Reports of any deviations from monitoring, other than the recordkeeping and reporting requirements of this permit condition, shall be submitted in the annual compliance certification, as required by Section V of this permit.

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 1</b>		
10 CSR 10-6.060 Construction Permits Required Construction Permit #052001-013, Issued May 9, 2001		
2013 EIQ Reference #	Description	Manufacturer/Model #
EP31	Primary Crushing - Portable	custom
EP32	Primary Screening - Portable	custom
EP33	Secondary Crushing- Portable	custom
EP34	Secondary Screening - Portable	custom
EP35	Conveying - Portable	custom
EP36	Tertiary Screening - Portable	custom

**Operational Limitation:**

- 1) The permittee shall locate the Phase VII portable crusher at least 1,000 feet from the nearest property boundary whenever the plant is in operation [Special Condition 7].

**Monitoring/Record Keeping**

None.

**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 the permittee determines that the emission unit(s) exceeded the operational limitation listed above.

<b>PERMIT CONDITION 2</b>		
10 CSR 10-6.070 New Source Performance Regulations 40 CFR Part 60 Subpart OOO Standards of Performance for Nonmetallic Minerals Processing Plants		
2013 EIQ Reference #	Description	Manufacturer/Model #
EP05	Primary Crushing Phase 3 Baxter Jaw	custom
EP06	Primary Screening Phase 3	custom
EP08	Secondary Crushing Phase 3, Impactor	custom
EP10	Secondary Screening Phase 3	custom
EP20A	Product Loading Conveyed, Phase 4	custom
EP21	Phase 5, Wobble Feeder, Hazemag	custom
EP22	Primary Crushing, Phase 4, Allis Jaw	custom
EP23	Primary Screening, Scalping Screen, Allis, Phase 4	custom
EP24	Secondary Crushing, Nordberg Cone	custom
EP25	Tertiary Crushing, Hydrocone, Allis	custom
EP26	Secondary Screening, P.E.P. Screen	custom

EP26A	Secondary Screening Deister	custom
EP27	Secondary Screening, P.E.P. Screen	custom
EP28	Tertiary Screening, 6' x 20' Allis Screen	custom
EP29	Tertiary Screening, 6' x 20' Allis Screen	custom
EP30	Conveying - Phase 4	custom
EP31	Primary Crushing - Portable	custom
EP32	Primary Screening - Portable	custom
EP33	Secondary Crushing- Portable	custom
EP34	Secondary Screening - Portable	custom
EP35	Conveying - Portable	custom
EP36	Tertiary Screening - Portable	custom
EP41	Primary Screening, Grizzly, phase 6	custom
EP42	Primary Crushing, phase 6	custom
EP43	Conveying, phase 6	custom
EP44	Scalping Screen, phase 6	custom
EP45	Secondary Crushing, phase 6	custom
EP46	Secondary Screening, phase 6	custom
EP47	Tertiary Crushing, phase 6	custom
EP48	Tertiary Screening, phase 6	custom
EP49	Tertiary Screening, phase 6	custom
EP50	Tertiary Crushing, phase 6	custom

**Emission Limitation:**

- 1) The permittee shall not allow fugitive emissions greater than the opacity limits in Attachment H (from Table 3 of Subpart OOO). Fugitive emissions are defined as particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation. (Note: all emission units were constructed/reconstructed between August 31, 1983 and April 22, 2008).  
 [§60.672(b)]
  - a) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this Subpart OOO. [§60.672(d)]

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in USEPA Test Method 22 (Attachment B or equivalent). The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are 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 permittee must maintain the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
  - b) Should the permittee observe no violations of this regulation during this period then-
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) 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.
- 3) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results using Attachment B (or its equivalent), 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;
  - c) Whether the visible emissions were normal for the process;
  - d) The permittee shall maintain records of any equipment malfunctions, which may contribute to visible emissions; and,
  - e) The permittee shall maintain records of all USEPA Method 9 opacity tests performed (Attachment C or equivalent).

**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 days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

<b>PERMIT CONDITION 3</b>		
10 CSR 10-6.220 New Source Performance Regulations		
Sources Installed After February 24, 1971		
2013 EIQ Reference #	Description	Manufacturer/Model #
EP04	Primary Crushing Phase 1 Pioneer Jaw – installed 1978	custom
EP07	Secondary Crushing, Phase 1, 7' Cone – installed 1978	custom
EP09	Secondary Screening Phase 1 – installed 1978	custom
EP11	Secondary/Tertiary Crushing, Phase 2, Impact – installed 1980	custom
EP12	Tertiary Screening, Phase 2, 3- 8'x20' – installed 1980	custom
EP13	Tertiary Crushing Phase 2, Impact – installed 1980	custom
EP15	Original Configuration (EL-Jay) – installed 1982	custom
EP16	Conveying/Transfer - Phase 1, 2, 3 – installed 1982	custom

**Emission Limitation:**

- 1) The permittee shall not cause or allow emissions with an opacity greater than 20 percent to be discharged into the atmosphere from any existing or new source with visible emissions.
- 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 60 minutes air contaminants with an opacity up to 60 percent.

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in U.S. EPA Test Method 22. The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are 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 permittee must maintain the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
  - b) Should the permittee observe no violations of this regulation during this period then-
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) 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.
- 3) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency. Issuance of this permit does not trigger a monitoring schedule reset.

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results, 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
  - c) Whether the visible emissions were normal for the process.
  - d) The permittee shall maintain records of any equipment malfunctions.
- 2) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition.
- 3) Attachments B, C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

**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 the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, record keeping and reporting requirements of this permit condition shall be submitted annually in the annual compliance certification and monitoring report, as required by Section V of this permit.

## IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the Code of Federal Regulations (CFR), the Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued. The following 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) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) 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(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(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(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 submit full emissions report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) The permittee may be required by the director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.

- 6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the director. The reports shall be submitted to the director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 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:**

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



The permittee shall maintain the following monitoring schedule:

- 1) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
- 2) Should no violation of this regulation be observed during this period then-
  - a) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
  - b) If a violation is noted, monitoring reverts to weekly.
  - c) Should no violation of this regulation be observed during this period then-
    - i) The permittee may observe once per month.
    - ii) If a violation is noted, monitoring reverts to weekly.
- 3) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

**Recordkeeping:**

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

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

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

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

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

**This requirement is not federally enforceable.**

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

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

**Emission Limitation:**

No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions in excess of the limits specified by this rule. This permit will contain the opacity limits identified (10, 20 or 40 percent) for the specific emission units.

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in USEPA Test Method 22. The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are 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 permittee must maintain the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
  - b) Should the permittee observe no violations of this regulation during this period then-
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) 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.
- 3) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

**Recordkeeping:**

The permittee shall maintain records of all observation results using Attachment B (or its equivalent), noting:

- 1) Whether any air emissions (except for water vapor) were visible from the emission units;
- 2) All emission units from which visible emissions occurred;
- 3) Whether the visible emissions were normal for the process;
- 4) The permittee shall maintain records of any equipment malfunctions, which may contribute to visible emissions; and,
- 5) The permittee shall maintain records of all USEPA Method 9 opacity tests performed.

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

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

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

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

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

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

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

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

## V. General Permit Requirements

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

### **10 CSR 10-6.065(6)(C)1.B Permit Duration**

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed.

### **10 CSR 10-6.065(6)(C)1.C General Record Keeping and Reporting Requirements**

- 1) Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program, Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
  - b) The permittee shall submit a report of all required monitoring by:
    - i) October 1st for monitoring which covers the January through June time period, and
    - ii) April 1st for monitoring which covers the July through December time period.
    - iii) Exception. Monitoring requirements which require reporting more frequently than semi 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, this includes deviations or Part 64 exceedances.
  - 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.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
    - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit, and no later than ten days after any exceedance of any applicable rule, regulation, or other restriction.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

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

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

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

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

permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

“None.”

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

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

- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

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

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

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

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously



emitted. The permittee shall notify the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

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

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

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

### **10 CSR 10-6.020(2)(R)39 Responsible Official**

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

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

This permit may be reopened for cause if:

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

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

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

## **VI. Attachments**

Attachments follow.



**Attachment B**  
 Opacity Emission Observations

Date	Time	Emission Source	Visible Emissions		Excess Emissions		
			No	Yes <sup>1</sup>	Cause	Corrective Action	Initial

<sup>1</sup>If there are visible emissions, the permittee shall complete the excess emissions columns.

**Attachment C**

Method 9 Opacity Emissions 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**  
 Monthly PM10 Tracking Record

This sheet covers the month of \_\_\_\_\_ in the year \_\_\_\_\_.

Scenario	Composite Factor (lbs PM/ton PM)	Monthly Tonnage (tons PM)	PM10 Emissions (lbs PM)	Scenario	Composite Factor (lbs PM/ton PM)	Monthly Tonnage (tons PM)	PM10 Emissions (lbs PM)
1	0.0048			37	0.0024		
2	0.0053			38	0.0031		
3	0.0027			39	0.0028		
4	0.0019			40	0.0057		
5	0.001			41	0.0061		
6	0.0011			42	0.0045		
7	0.0003			43	0.0057		
8	0.0058			44	0.0057		
9	0.0064			45	0.0054		
10	0.0032			46	0.0147		
11	0.0022			47	0.0151		
12	0.0011			48	0.0137		
13	0.0013			49	0.0147		
14	0.0004			50	0.0147		
15	0.0015			51	0.0053		
16	0.005			52	0.0109		
17	0.0075			53	0.0062		
18	0.004			54	0.0066		
19	0.0006			55	0.0094		
20	0.0008			56	0.0117		
21	0.0022			57	0.0112		
22	0.0014			58	0.0112		
23	0.0044			59	0.0062		
24	0.0026			60	0.0085		
25	0.0029			61	0.008		
26	0.0003			62	0.0051		
27	0.0021			63	0.008		
28	0.0022			64	0.01		
29	0.006			65	0.0109		
30	0.0036			66	0.0083		
31	0.0048			67	0.0059		
32	0.0035			68	0.0043		
33	0.0038			69	0.0022		
34	0.0031			70	0.0128		
35	0.0009			71	0.0186		
36	0.0041			72	0.0153		

Composite emission factors are from Construction Permit 052001-013  
 PM10 emissions = emission factor \* monthly tonnage





### ATTACHMENT G Documented Watering

Total Inches this Month =

Day	Rain event log Inches	Day	Inches	Day	Inches	Day	Inches	Day	Inches	Day	Inches
-----	--------------------------	-----	--------	-----	--------	-----	--------	-----	--------	-----	--------

Scenario	Usage Hours	Length	Length * Hours	Percent of Watering	Route Area 56' W	<sup>1</sup> Gallons of Rain	Gallons Applied	Segments Used and Gallons Applied					
								A	AA	R	W	V	E
1		9400			526400			A	AA	R	W	V	E
2		7560			423360			A	B	C			
3		4880			273280			D	AC	C			
4		3440			192640			AB	AC	C			
5		1760			98560			G	C				
6		2160			120960			F	C				
7		600			33600			N					
8		9400			526400			A	AA	R	W	V	E
9		7560			423360			A	B	C			
10		4880			273280			D	AC	C			
11		3440			192640			AB	AC	C			
12		1760			98560			G	C				
13		2160			120960			F	C				
14		600			33600			N					
15		4580			256480			A	O				
16		6420			359520			AA	A	O			
17		10260			574560			AB	D	AA	A	O	
18		5520			309120			L	B	M			
19		1500			84000			G	M				
20		1900			106400			F	M				
21		2320			129920			AA	T				
22		1480			82880			X	Q	T			
23		4920			275520			AB	D	Q	T		
24		5200			291200			A	AA	X			
25		5960			333760			A	AA	Q	Y		
26		400			22400			X					
27		4400			246400			AB	D	Y			
28													
29		2840			159040			H	I				
30													
31													
32		1620			90720			O					

33	6560	367360	A	AA	Q	R	S	
34	3360	188160	P	Q	R	S		
35								
36								
37	1640	91840	T	R	S			
38	5600	313600	T	R	W	V	Z	AD
39								
40	2000	112000	H	Z				
41	2840	159040	H	I				
42	4800	268800	H	I	J			
43	2000	112000	H	Z				
44	2000	112000	H	Z				
45	2000	112000	H	Z				
46	2000	112000	H	Z				
47	2840	159040	H	I				
48	4800	268800	H	I	J			
49	2000	112000	H	Z				
50	2000	112000	H	Z				
51	600	33600	N					
52	7800	436800	M	B	AA	O		
53	2600	145600	N	H	Z			
54	3440	192640	N	H	I			
55	1640	91840	T	R	S			
56	5600	313600	T	R	W	V	Z	AD
57	4640	259840	T	R	W	V	Z	
58	4640	259840	T	R	W	V	Z	
59	2320	129920	Y	Q	R	S		
60	6280	351680	Y	Q	R	W	V	Z
61	5320	297920	Y	Q	R	W	V	Z
62	1960	109760	J					
63	3880	217280	I	Z				
64	3000	168000	U	V	Z			
65	3960	221760	U	V	Z	AD		
66	7320	409920	U	V	Z	I	J	
67	2480	138880	AD	Z				
68	5280	295680	AD	I	J			
69								
70	4760	266560	Q	R	W	V	Z	
71	6920	387520	AB	AC	C	E	Z	
72	5240	293440	G	C	E	Z		

1 - Gallons of Rain = inches of rain \* sum of segment lengths \* avg road width \* 7.48

**ATTACHMENT H**

Table 3 to Subpart 000—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 owner or operator must demonstrate compliance with these limits by conducting...
Affected facilities that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	10 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	7 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 5 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 5-year repeat testing requirement.

(Note: all emission units were constructed/reconstructed between August 31, 1983 and April 22, 2008).

## STATEMENT OF BASIS

### Permit Reference Documents

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

- 1) Part 70 Operating Permit Renewal Application, received April 17, 2013;
- 2) Part 70 Operating Permit (OP2008-049) issued October 17, 2008;
- 3) Missouri Subpart OOO Voluntary Compliance form, Region VII, October 27, 1993;
- 4) Construction Permit #052001-013, issued May 9, 2001;
- 5) 2013 Emissions Inventory Questionnaire, received April 21, 2014;
- 6) WebFIRE; and
- 7) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

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

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

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

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

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes* – this regulation restricts the emission of particulate matter of any operation or activity. This regulation does not apply to this installation due to the nature of the operation, where 10 CSR 10-6.400(1)(B)(2) exempts the grinding, crushing and classifying operations at a rock quarry.

40 CFR Part 6 Subpart IIII - *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*. The rule applies to stationary engines construction or modified after the date the engine is ordered by the operator. Tower Rock Stone has five units, but all are considered mobile units and therefore not subject to Subpart IIII [60.4200(a)]. In addition, the generators are grandfathered, i.e. they were ordered before July 11, 2005 [60.4200(a)(2)]. The two winches were manufactured in March 2006 and therefore do not fall under 60.4200(a)(2)(i).

40 CFR Part 60, Subpart Ka – *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984*. This rule applies to fuel storage tanks. Tower Rock Stone has one diesel storage tank, EP-19, which has a capacity of 30,000 gallons. 40 CFR

60.111(a) states that this rule applies to tanks with 40,000 gallons or greater capacity. Therefore, Subpart Ka does not apply.

40 CFR Part 63 Subpart ZZZZ - *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*. The rule applies to sources of HAPs from RICE at major and area sources. Tower Rock Stone has five RICE units, but all are considered mobile units and therefore not subject to Subpart ZZZZ [63.6580(a)].

### **Construction Permit Revisions**

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

Construction (New Source Review) Permit 052001-013 – the Special Conditions established in this permit shall supercede all of the Special Conditions that were established in any previously issued New Source Review Permit (NSR) for this installation. Specifically, this permit superseded the following NSR permits:

- 1) Permit 0698-006 issued on June 3, 1998,
- 2) Permit 1196-008 issued on November 14, 1996,
- 3) Permit 1195-003 issued on November 2, 1995,
- 4) Permit 1291-004A issued on April 28, 1995,
- 5) Permit 0992-008 issued on August 2, 1992,
- 6) Permit 0291-004 issued on February 19, 1991,
- 7) Permit 1190-010A issued on January 23, 1991, and
- 8) Permit 1190-010 issued on November 5, 1990.

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

40 CFR Part 60, Subpart OOO – *Standards of Performance for Nonmetallic Mineral Processing Plants* – this regulation applies to most activities at installations that process rock and other minerals. It is applicable to most of the PM10 emission units at Tower Rock Stone (see Permit Condition 2).

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

None

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

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

None

### Compliance Assurance Monitoring (CAM) Applicability

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

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

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

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

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) <sup>1</sup>
CO	25.67
HAP	3.27
NO <sub>x</sub>	101.48
PM <sub>2.5</sub>	25.62
SO <sub>x</sub>	6.71
VOC	8.09
PM <sub>10</sub>	126.01
VOC	19.81

<sup>1</sup>Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation, except haul roads which are evaluated on a per mile basis.

### Other Regulatory Determinations

- 1) 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants* – the emission units listed in Permit Condition 3 are not subject to Subpart OOO, having been constructed or modified before August 31, 1983, and are therefore subject to 10 CSR 10-6.220. In the previous Operating Permit, OP2008-049, opacity was listed under 10 CSR 10-3.080 as a plantwide condition, in addition to NSPS OOO. 10 CSR 10-3.080 has been rescinded and opacity restrictions moved to 10 CSR 10-6.220.
- 2) 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds* – this rule applies to sources of sulfur emissions except certain sources such as those that use only natural gas [6.260(1)(A)2]. Due to recent federal regulations restricting the sulfur content of nonroad diesel fuel to 15 ppm, potential emissions from diesel fuel are very low. Tower Rock Stone has three small diesel generators and two small diesel winches. Because of the low-sulfur federal rules, 10 CSR 10-6.260 is not applied to the diesel generator and winches at this installation.

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

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

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

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

A draft of the Part 70 Operating Permit for Tower Rock Stone was placed on public notice on April 7, 2015, by the Missouri Department of Natural Resources (MDNR). Comments were received from Robert Cheever of Region VII of the Environmental Protection Agency. The two comments are addressed in the order in which they appear within the letter(s).

### **Comment 1**

**Permit Condition PW1** establishes an emission limitation on particulate matter less than ten microns in diameter ( $PM_{10}$ ) from the entire installation in any consecutive twelve-month period. Permit Conditions PW1 also requires the permittee to use Attachment E or equivalent to accurately demonstrate compliance with the  $PM_{10}$  emission limit. While the draft operating permit intends to restrict  $PM_{10}$ , the limit, as drafted in the operating permit, EPA cannot determine whether or not Permit Condition PW1 is enforceable as a practical matter. In its response to a petition against an operating permit issued to Hu Honua Bioenergy Facility, the Environmental Protection Agency granted the petitioners contention that the operating permit failed to ensure the enforceability as a practical matter because the permit was unclear whether all actual emissions were considered in determining compliance. Specifically, the permit failed to include emissions from malfunctions or upset conditions, although the permit did address start-up and shutdown emissions. Permit Condition PW1, in the Tower Rock Stone – Ste. Genevieve Quarry draft operating permit, is unclear whether or not start-up, shutdown, malfunction and upset emissions are considered in the determination of compliance. In addition, it is unclear whether or not all emission units with the potential to emit  $PM_{10}$  are included in the compliance determination. MDNR requires the permittee to use Attachments E (or equivalent) to demonstrate compliance. However, Permit Condition PW1 does not define the term “entire installation” with potential  $PM_{10}$  emissions. Additionally, the validity of emission factors on Attachments E cannot be verified without a legitimate reference. Therefore, EPA believes Permit Condition PW1 is not practically enforceable and recommends MDNR provide the additional detail as to how Tower Rock Stone – Ste. Genevieve Quarry  $PM_{10}$  emissions shall be measured to assure compliance with the voluntary limit.

EPA recommends MDNR revise Permit Condition PW1 in the Part 70 Operating Permit for Tower Rock Stone – Ste. Genevieve Quarry to ensure the source-wide  $PM_{10}$  emission limit is enforceable. MDNR should identify all emission units included in the entire installation, and clarify, in the operating permit, that the limit applies at all times to all actual source-wide  $PM_{10}$  emission units when determining compliance with those limits. Additionally, EPA recommends MDNR include the emission factor reference in Attachment E to validate their use.

### **Response to Comment:**

The term “Plant wide” in Section II. Plant wide Limits refers to all emission units at the installation. Those units are listed in Section I. A statement to this effect was added to the Section II heading.

Emissions from start-up, shut-down, and malfunction conditions would be included in the emission limit. However, there are no emission factors for start-up, shut-down, and especially malfunction conditions. Emissions from these conditions cannot therefore be calculated.



The PM10 composite emission factors were calculated specifically for Subpart OOO compliance. For a detailed description of the factors, see Construction Permit 052001-013. A note explaining this was added to the table in Attachment E.

**Comment 1**

The language regarding the written notification requirement for Off-Permit Changes in Section V used in operating permits has recently been modified to more closely match the wording in 10 CSR 10-6.065(5)(C)5. Therefore, EPA recommends MDNR use the newer Off-Permit Change wording in the Tower Rock Stone – Ste. Genevieve Quarry operating permit.

**Response to Comment:**

The text in Off Permit Changes in Section V has been updated.