



INTERMEDIATE STATE PERMIT TO OPERATE

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

Operating Permit Number: OP2009-012
Expiration Date: MAY 6 2014
Installation ID: 167-0028
Project Number: 2006-06-061

Installation Name and Address

Tracker Marine - Bolivar
1402 Killingsworth
Bolivar, MO 65613
Polk County

Parent Company's Name and Address

Tracker Marine LP
2500 East Kearney
Springfield, Missouri 65803

Installation Description:

Tracker Marine operates an aluminum boat manufacturing plant in Bolivar, Missouri. Major operations include wood and aluminum cutting, welding, foam installation, paint booths, and paint booth ovens. The facility has accepted voluntary, federally enforceable emission limits of less than 100 tons of Volatile Organic Compounds (VOC), 10 tons of any individual Hazardous Air Pollutant (HAP) and 25 tons of combined HAPs in any consecutive 12-month period in order to qualify for an Intermediate State Operating Permit.

MAY - 7 2009

Effective Date

Steven J. Juler for [Signature]

Director or Designee
Department of Natural Resources

Table of Contents

I. INSTALLATION DESCRIPTION AND EQUIPMENT LISTING	3
INSTALLATION DESCRIPTION	3
EMISSION UNITS WITH LIMITATIONS	3
EMISSION UNITS WITHOUT LIMITATIONS	4
DOCUMENTS INCORPORATED BY REFERENCE	4
1. AIR POLLUTION CONTROL PROGRAM CONSTRUCTION PERMIT 082005-008, ISSUED AUGUST 12, 2005	4
II. PLANT WIDE EMISSION LIMITATIONS.....	5
PERMIT CONDITION PW001	5
10 CSR 10-6.060 Construction Permits Required.....	5
Construction Permit 082005-008, Issued August 12, 2005.....	5
10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s).....	5
III. EMISSION UNIT SPECIFIC EMISSION LIMITATIONS	6
EU0010 THROUGH EU0050 – PAINT BOOTHS	6
PERMIT CONDITION (EU0010 through EU0040)-001	6
10 CSR 10-6.060 Construction Permits Required.....	6
Construction Permit 082005-008, Issued August 12, 2005.....	6
PERMIT CONDITION (EU0010 through EU0050)-002	6
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants	6
PERMIT CONDITION (EU0010 through EU0050)-003	8
10 CSR 10-6.400 Restriction of Emission of Particulate Matter from Industrial Processes	8
EU0060 THROUGH EU0100 – PAINT BOOTH OVENS	9
PERMIT CONDITION (EU0060 through EU0100)-001	9
10 CSR 10-3.060 Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating.....	9
EU0110 – WOOD CUTTING	10
PERMIT CONDITION EU0110-001	10
10 CSR 10-6.060 Construction Permits Required.....	10
Construction Permit 082005-008, Issued August 12, 2005.....	10
IV. CORE PERMIT REQUIREMENTS	11
V. GENERAL PERMIT REQUIREMENTS.....	19
VI. ATTACHMENTS	26
ATTACHMENT A.....	27
ATTACHMENT B.....	27
ATTACHMENT C.....	27
ATTACHMENT D-1	27
ATTACHMENT D-2	27
ATTACHMENT E	27
ATTACHMENT F	27
ATTACHMENT G.....	27

I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Tracker Marine operates an aluminum boat manufacturing plant in Bolivar, Missouri. Major operations include wood and aluminum cutting, welding, foam installation, paint booths, and paint booth ovens. The facility has accepted voluntary, federally enforceable emission limits of less than 100 tons of Volatile Organic Compounds (VOC), 10 tons of any individual Hazardous Air Pollutant (HAP) and 25 tons of combined HAPs in any consecutive 12-month period in order to qualify for an Intermediate State Operating Permit.

Reported Air Pollutant Emissions, tons per year								
Year	Particulate Matter ≤ Ten Microns (PM-10)	Particulate Matter ≤ 2.5 Microns (PM-2.5)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2007	0.38	--	--	--	70.01	--	--	--
2006	2.20	0.02	--	0.57	70.00	0.09	--	--
2005	2.37	0.02	--	0.64	56.32	0.10	--	--
2004	2.13	0.83	--	1.56	54.91	0.25	--	--
2003	1.04	0.49	--	3.09	37.38	0.49	--	--

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.

Emission Unit #	Description of Emission Unit	
EU0010	Paint Booth 1A	EP-1
EU0020	Paint Booth 1B	EP-1
EU0030	Paint Booth 1C	EP-1
EU0040	Paint Booth 1D	EP-1
EU0050	Paint Booth 1E	EP-1
EU0060	Heat Treatment Oven	EP-4
EU0070	Makeup Air Unit #7	EP-4
EU0080	Makeup Air Unit	EP-4
EU0090	Makeup Air Unit	EP-4
EU0100	Makeup Air Unit	EP-4
EU0110	Wood Cutting	EP-11

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.

Description of Emission Source

Gluing Application, fugitive emission source	EP-2
Solvent Wipe-Down, fugitive emission source	EP-5
Plasma Cutters	EP-6
Space Heating, LPG/propane-fired	EP-7
Foam Cleaning, fugitive emission source	EP-9
Welders, fugitive emission source	EP-10

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

1. Air Pollution Control Program Construction Permit 082005-008, issued August 12, 2005

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.

PERMIT CONDITION PW001

10 CSR 10-6.060 Construction Permits Required
Construction Permit 082005-008, Issued August 12, 2005
10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

Emission Limitation:

- 1) Tracker Marine - Bolivar Plant shall emit less than 100 tons of Volatile Organic Compound (VOCs) from the entire installation in any consecutive 12-month period. [Voluntary Limit]
- 2) Tracker Marine - Bolivar Plant shall emit less than ten (10) tons individually of Hazardous Air Pollutants (HAPs) from the entire installation in any consecutive 12-month period. [Construction Permit 082005-008, Special Condition 2.B]
- 3) Tracker Marine - Bolivar Plant shall emit less than twenty-five (25) tons combined of Hazardous Air Pollutants (HAPs) from the entire installation in any consecutive 12-month period. [Construction Permit 082005-008, Special Condition 2.B]

Operational Specifications:

Tracker Marine - Bolivar Plant shall keep all solvents in sealed containers whenever the materials are not in use. Tracker Marine - Bolivar Plant shall provide and maintain suitable, easily read, permanent markings on all solvent containers used with this equipment. [Construction Permit 082005-008, Special Condition 3]

Monitoring/Record Keeping:

Attachment A, Attachment B and Attachment C or equivalent forms approved by the Air Pollution Control Program shall be used to demonstrate compliance with Emission Limitation Numbers 1 and 2. Tracker Marine - Bolivar Plant shall maintain 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. These records shall include Material Safety Data Sheets (MSDS) for all materials used at this installation. [Construction Permit 082005-008, Special Condition 2.C]

Reporting:

Tracker Marine - Bolivar Plant 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 the records indicate that the source exceeds the emission limitations. [Construction Permit 082005-008, Special Condition 2.D]

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.

EU0010 THROUGH EU0050 – PAINT BOOTHS			
Emission Unit	Description	Manufacturer/ Model #	2006 EIQ Reference #
EU0010	Paint Booth 1A: spray painting of boats; MHDR 10.53 gal/hr; equipped with mat filter; installed 2003	Graco spray guns	EP-1A
EU0020	Paint Booth 1B: spray painting of boats; MHDR 10.53 gal/hr; equipped with mat filter; installed 2003	Graco spray guns	EP-1B
EU0030	Paint Booth 1C: spray painting of boats; MHDR 10.53 gal/hr; equipped with mat filter; installed 2003	Graco spray guns	EP-1C
EU0040	Paint Booth 1D: spray painting of boats; MHDR 10.53 gal/hr; equipped with fiberglass filter; installed 2003	Graco spray guns	EP-1D
EU0050	Paint Booth 1E: spray painting of boats; MHDR 10.53 gal/hr; equipped with mat filter	Graco spray guns	EP-1E

PERMIT CONDITION (EU0010 through EU0040)-001
 10 CSR 10-6.060 Construction Permits Required
 Construction Permit 082005-008, Issued August 12, 2005

Operational Specifications:

- 1) Particulate Matter Control Device - Mat Filter. A mat filter must be in use at all times when the Paint Booths (EU0010, EU0020, and EU0030) are in operation and shall be operated and maintained in accordance with the manufacturer’s specifications. [[Construction Permit 082005-008, Special Condition 4](#)]
- 2) Particulate Matter Control Device - Fiberglass Filter. A fiberglass filter must be in use at all times when the Paint Booth (EU0040) is in operation and shall be operated and maintained in accordance with the manufacturer’s specifications. [[Construction Permit 082005-008, Special Condition 5](#)]

Monitoring/Record Keeping/Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

PERMIT CONDITION (EU0010 through EU0050)-002
 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants

Emission Limitation:

- 1) No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions with an opacity greater than 20 percent.

- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 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. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. 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 must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two (2) weeks for a period of eight (8) weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-
 - c) Observations must 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 will progress in an identical manner from the initial monitoring frequency.

Record Keeping:

- 1) The permittee shall maintain records of all observation results (see Attachment D-1 or D-2), 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.
- 2) The permittee shall maintain records of any equipment malfunctions. (see Attachment E)
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (see Attachment F)
- 4) Attachments D-1, D-2, E and F contain logs including these record keeping requirements. These logs, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 5) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 6) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

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 permittee determined using the Method 9 test that the emission unit exceeded the opacity limit.
- 2) The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

<p style="text-align: center;">PERMIT CONDITION (EU0010 through EU0050)-003 10 CSR 10-6.400 Restriction of Emission of Particulate Matter from Industrial Processes</p>
--

Emission Limitation:

- 1) Particulate matter shall not be emitted from each of the Paint Booths (EU0010 through EU0050) in excess of 0.62 pounds per hour.
- 2) The concentration of particulate matter in the exhaust gases shall not exceed 0.30 gr/scf.

Monitoring:

- 1) Booths equipped with mat/panel filters shall not be operated without a filter in place.
- 2) The filters shall be inspected for holes, imperfections, proper installation or other problems that could hinder the effectiveness of the filter.
- 3) The filters shall be inspected each shift before spraying begins in a booth and after installation of a new filter.
- 4) The manufacturer's recommendations shall be followed with regard to installation and frequency of replacement of the filters.

Record Keeping:

- 1) The permittee shall maintain on the premises of the installation calculations demonstrating compliance with this rule.
- 2) The permittee shall maintain records of the inspections of the filter including when they occur. Attachment E contains a log including these record keeping requirements. This log, or an equivalent form created by the permittee, must be used to certify compliance with this requirement.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 4) All records shall be maintained for five (5) years.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

EU0060 THROUGH EU0100 – PAINT BOOTH OVENS			
Emission Unit	Description	Manufacturer/ Model #	2006 EIQ Reference #
EU0060	Heat Treatment Oven: LPG-fired paint booth oven; MHDR 1.5 MMBtu/hr; installed 2001	NA	EP-04
EU0070	Makeup Air Unit #7: LPG-fired paint booth oven; MHDR 1.5 MMBtu/hr; installed 2001	NA	EP-04
EU0080	Makeup Air Unit: LPG-fired paint booth oven; MHDR 1.65 MMBtu/hr; installed 2001	NA	EP-04
EU0090	Makeup Air Unit: LPG-fired paint booth oven; MHDR 1.65 MMBtu/hr; installed 2001	NA	EP-04
EU0100	Makeup Air Unit: LPG-fired paint booth oven; MHDR 1.65 MMBtu/hr; installed 2001	NA	EP-04

PERMIT CONDITION (EU0060 through EU0100)-001
10 CSR 10-3.060 Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment
Used for Indirect Heating

Emission Limitation:

The permittee shall not emit particulate matter from each of the Paint Booth Ovens (EU0060 through EU0100) in excess of 0.48 pounds per MMBtu.

Operational Limitation:

These emission units shall be limited to burning liquid petroleum gas (LPG).

Monitoring/Record Keeping:

- 1) The permittee shall retain the potential to emit calculations in Attachment G, which demonstrate that the above emission limitation will never be exceeded. No further record keeping shall be required to demonstrate compliance with this emission limitation.
- 2) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 3) All records shall be maintained for five (5) years.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as required by 10 CSR 10-6.065(5)(A).

EU0110 – WOOD CUTTING			
Emission Unit	Description	Manufacturer/ Model #	2006 EIQ Reference #
EU0110	Wood Cutting: wood cutting process for boat parts; MHDR 0.293 ton/hr; equipped with centrifugal collector (cyclone) which vents within building	NA	EP-11

<p align="center">PERMIT CONDITION EU0110-001 10 CSR 10-6.060 Construction Permits Required Construction Permit 082005-008, Issued August 12, 2005</p>

Operational Specifications:

Particulate Matter Control Device - Cyclone. The centrifugal collector must be in use at all times when Wood Cutting (EU0110) is in operation and shall be operated and maintained in accordance with the manufacturer's specifications. [[Construction Permit 082005-008, Special Condition 6.A](#)]

Monitoring/Record Keeping:

- 1) Tracker Marine - Bolivar Plant shall maintain an operation and maintenance log for the cyclone that shall include the following: (See Attachment E) [[Construction Permit 082005-008, Special Condition 6.B](#)]
 - a) Incidents of malfunction: with impact on emissions, duration of event, probable cause, and corrective actions.
 - b) Maintenance activities: with inspection schedule, repair actions and replacements, etc.
- 2) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 3) All records shall be maintained for five (5) years.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as required by 10 CSR 10 CSR 10-6.065(5)(A).

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) 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. 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 premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department director; and

- iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) Tracker Marine - Bolivar 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 Tracker Marine - Bolivar 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 owner or operator 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 must 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(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 10-6.100 Alternate Emission Limits

Proposals for alternate emission limitations shall be submitted on Alternate Emission Limits Permit forms provided by the department. An installation owner or operator must obtain an Alternate Emission Limits Permit in accordance with 10 CSR 10-6.100 before alternate emission limits may become effective.

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) annually.
- 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 to satisfy the requirements of the Federal Clean Air Act, Title V.
- 5) The permittee shall complete required reports on state supplied EIQ forms or in a form satisfactory to the director and the reports shall be submitted to the director by June 1 after the end of each reporting period.
- 6) 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.
- 7) 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 Attachments D-1, D-2, E, &/or F, 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 10-3.090 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 10-6.220 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 (20 percent) for the specific emission units.

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.

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 U.S. EPA 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's Enforcement Section, P. O. Box 176, Jefferson City, Missouri 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 must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
 - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

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

10 CSR 10-6.065(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.

No permit revisions shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program if the increases do not require a permit revision under any other applicable requirement.

Limits cannot be placed on the number of allowances that may be held by an installation. The installation may not use these allowances, however, as a defense for noncompliance with any other applicable requirement.

Any allowances held by a Title IV installation shall be accounted for according to procedures established in rules promulgated under Title IV of the Clean Air Act.

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)1.J Emissions Trading

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, 901 North 5th Street, Kansas City, Kansas 66101, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 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 application 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's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, 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's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, 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 Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the Air Pollution Control Program 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 Air Pollution Control Program 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 written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, no later than the next annual emissions report. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. 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)12 Responsible Official

The application utilized in the preparation of this permit was signed by Larry D. Clutter, Director of EHS. 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) The Missouri Department of Natural Resources 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) The Missouri Department of Natural Resources 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 D-2

Method 22 (Outdoor) Observation Log

This record keeping sheet or an equivalent form may be used for the record keeping requirements of 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*.

Method 22 (Outdoor) Observation Log		
Emission Unit		
Observer	Date	
Sky Conditions		
Precipitation		
Wind Direction	Wind Speed	
Sketch process unit: Indicate the position relative to the source and sun; mark the potential emission points and/or the observing emission points.		
Observation Clock Time	Observation Period Duration (minute: second)	Accumulative Emission Time (minute: second)
Begin Observation		
End Observation		

ATTACHMENT G
Demonstration of Compliance with 10 CSR 10-3.060

This attachment may be used to help meet the record keeping requirements of Permit Condition (EU0060 through EU0100)-001 as long as the emission unit is limited to burning liquid petroleum gas (LPG).

The PM emission limit is based on whether the emission unit is new or existing. In the outstate Missouri area, existing is defined as being installed or under construction on February 24, 1971. The Paint Booth Ovens were installed in 2001, so they are new units for the purposes on this regulation.

The PM emission limit is also based on the total heat input rate, in MMBtu/hr, of all indirect heating units at the installation (Q). The indirect heating sources at the facility and their respective heat input rates are as follows:

EU ID #	EU Description	Heat Input (MMBtu/hr)
EU0010	Heat Treatment Oven	1.5
EU0020	Makeup Air Unit #7	1.5
EU0030	Makeup Air Unit	1.65
EU0040	Makeup Air Unit	1.65
EU0050	Makeup Air Unit	1.65
NA	Space heaters	12.0
Installation's Total Heat Input (Q)		19.95

Allowable Emission Rate (E) for New Sources

$$E = 1.31Q^{-0.338}$$

Where

E = maximum allowable PM emission rate in lb/MMBtu of heat input, rounded to two decimal places

Q = the installation's total heat input in millions of Btu/hr

$$E = 1.31(19.95)^{-0.338}$$

$$E = 0.48 \text{ lb/MMBtu}$$

Potential Emission Rate (PTE)

Liquid Petroleum Gas (LPG)

PM emission factor for LPG = 0.6 lb/10³ gallon [US EPA document AP-42 Table 1.5-1]

Heating value of LPG = 91.5 MMBtu/10³ gallon [US EPA document AP-42 Section 1.5.3.1]

Potential PM Emissions for LPG = (0.6 lb/10³ gal)/(91.5 MMBtu/10³ gal) = 0.0066 lb/MMBtu

Since the uncontrolled potential to emit rate of 0.0066 lb/MMBtu is well below the allowable emission rate of 0.48 lb/MMBtu, the unit is in compliance.

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) Intermediate Operating Permit Application, received June 12, 2006;
- 2) 2006 Emissions Inventory Questionnaire, received May 29, 2007; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

Construction Permit Revisions

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

- 1) Air Pollution Control Program Construction Permit 082005-008, issued August 12, 2005, authorized the installation of an additional paint booth.
 - a) Special Condition 1 established that the conditions of Permit 082005-008 supersede all special conditions found in previously issued construction permits including Permits 1196-010, 0599-006, 032001-005, 072003-012, and 102003-015. Therefore, the special conditions found in these previously issued construction permits are not included in the operating permit.
 - b) Special Condition 2.A established an emission limit of less than 250 tons of Volatile Organic Compounds (VOC) from the entire installation in any consecutive 12-month period. The permittee has accepted voluntary, federally enforceable emission limit of less than 100 tons of VOC in any consecutive 12-month period in order to qualify for an Intermediate State Operating Permit. Therefore, Special Condition 2.A has been revised to less than 100 tons of VOC in any consecutive 12-month period.

New Source Performance Standards (NSPS) Applicability

None

Maximum Available Control Technology (MACT) Applicability

None

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

40 CFR Part 61, Subpart M, *National Emission Standard for Asbestos*, applies to the installation because of the renovation and demolition parts of the subpart which makes the subpart applicable to all sources. It is included as a core permit requirement.

Other Regulatory Determinations

- 1) 10 CSR 3.060, *Maximum Allowable Emissions of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating*
This rule was applied to Paint Booth Ovens (EU0060 through EU0100). Attachment G contains calculations that demonstrate that the emission units will not exceed the allowable particulate matter emissions limit.
- 2) 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*
This rule was not applied to the Paint Booth Ovens (EU0060 through EU0100) based on a decision/agreement between EPA Region VII, Air Pollution Control Program's Enforcement and Air Pollution Control Program's Permitting, 10 CSR 10-6.220 is not being included in Title V Permits for natural gas or propane combustion units because by the nature of the fuel no opacity exceedances would ever be expected under normal operating conditions.
- 3) 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*
This rule was not applied to the Paint Booth Ovens (EU0060 through EU0100) because according to §(1)(A)2, combustion equipment that uses exclusively liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM) is exempt.
- 4) 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*
 - a) This rule was applied to Paint Booths 1A through 1E (EU0010 through EU0050). The calculations below verify compliance with both the PM Emission Rate and the PM Concentration provided that the required control devices are in operation and working properly:

Emission Rate Limit

Emission Rate Limit (lb/hr) $E = 4.1(P)^{0.67}$

Where: P = process weight rate

PM Emission Rate (E)

$$E = (P)(\text{Emission Factor}) \left(1 - \frac{\text{Transfer Efficiency}}{100} \right) \left[1 - \left(\frac{\text{Overall Control Efficiency}}{100} \right) \right]$$

Where: Emission Factor (lb/ton) = (% solids/100) x (2000 lb/ton)

EU #	MHDR (gal/hr)	Density (lb/gal)	Process Weight (ton/hr)	% Solids	Emission Factor (lb/ton)	Transfer Eff. (%)	Overall Control Device Eff. (%)	Controlled Emission Rate (lb/hr)	Emission Rate Limit (lb/hr)
EU0010	10.53	11.20	0.059	54	1080	75	97	0.48	0.62
EU0020	10.53	11.20	0.059	54	1080	75	97	0.48	0.62
EU0030	10.53	11.20	0.059	54	1080	75	97	0.48	0.62
EU0040	10.53	11.20	0.059	36	720	75	95	0.53	0.62
EU0050	10.53	11.20	0.059	54	1080	75	97	0.48	0.62

PM Concentration

Emission rate (gr/dscf) = Emission Rate (lb/hr) x (7000 grains/lb)/Stack flow rate (SCFM)/60(min/hr)

Flow rates converted from actual to standard conditions using the ideal gas law.

EU #	Controlled PM Emission Rate (lb/hr)	Stack Temp (°F)	Stack Flow Rate		Potential Concentration (gr/scf)	Allowable Concentration (gr/scf)
			ACFM	SCFM		
EU0010	0.48	85	12,200	11,864	0.005	0.3
EU0020	0.48	85	12,200	11,864	0.005	0.3
EU0030	0.48	85	12,200	11,864	0.005	0.3
EU0040	0.53	85	12,200	11,864	0.005	0.3
EU0050	0.48	85	12,200	11,864	0.005	0.3

- b) This rule was not applied to the Plasma Cutters (EP-6) because the according to §(1)(B)(11), emission units that at a maximum design capacity have a potential to emit less than one-half (0.5) pounds per hour of particulate matter are exempt. The following table demonstrates that these units have the potential to emit less than 0.5 lb/hr.

EU Description	MHDR (1,000 inch/hr)	Emission Factor (lb PM/1,000 inch)	PM Emission Rate (lb/hr)
Plasma cutters	14.056	0.0165	0.23

Notes: The PM emission factor was provided by Jason Smith, environmental consultant for Tracker Marine - Bolivar. The factor is based on a study published by the American Welding Society in 1994. The study gives a PM₁₀ emission factor of 0.1622 lb/1,000 inches cut of 1 inch thick material. This number was multiplied by 0.1019 inches, the thickness of the 10 gauge aluminum used by the facility, which resulted in an emission factor of 0.0165 lb/1000 inches. It was assumed that most of the particle matter produced by plasma cutting is submicron in size and, as such, is considered to be all PM₁₀, therefore PM = PM₁₀.

- c) This rule was not applied to the Paint Booth Ovens (EU0060 through EU0100) because according to §(1)(B)6, the burning of fuel for indirect heating is exempt.
- d) This rule was not applied to the Wood Cutting (EU0110), Gluing Application (EP-2) or Welders (EP-10) because according to §(1)(B)7, fugitive sources are exempt.

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:

Jason Dickneite
Environmental Engineer