



Missouri Department of Natural Resources  
Air Pollution Control Program

## INTERMEDIATE STATE PERMIT TO OPERATE

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

**Intermediate Operating Permit Number:** OP2010-012  
**Expiration Date:** JAN 11 2015  
**Installation ID:** 099-0012  
**Project Number:** 2008-05-023

**Installation Name and Address**

H. Trautman Quarry, Inc.  
8799 Trautman Quarry Road  
Pevely, MO 63070  
Jefferson County

**Parent Company's Name and Address**

Bussen Quarries, Inc.  
5000 Bussen Road  
St. Louis, MO 63129

**Installation Description:**

H. Trautman Quarry, Inc. operates a rock crushing plant in Pevely, Missouri. The installation activities consist of blasting, drilling, transporting, crushing, screening, storing, and hauling of raw and processed limestone rock. Particulate matter emissions result from these activities.

JAN 12 2010

Effective Date

Director or Designee  
Department of Natural Resources

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**EMISSION UNITS WITH LIMITATIONS**

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

Emission Unit #	Description of Emission Unit	Make/Model/Serial #	Date of Manufacture
EU0010	Pep Screen, 2618, 108 ft <sup>2</sup>	Pep, Model #VVIIIMGB 8430, S/N 1665	2002
EU0020	Storage Bin - Base	Belt Conveyor Co, S/N 102787	1986
EU0030	Storage Bin - Loadout	Belt Conveyor Co, S/N 971132	1997
EU0040	Storage Bin - Loadout	Grace Mobile, S/N 0304774	2003
EU0050	Conveyor #7	Marco, S/N 69336-1	1991
EU0060	Conveyor #8	Marco, S/N 69336-2	1991
EU0070	Conveyor #9	Homemade	1991
EU0080	Conveyor #10	Belt Conveyor Co, S/N 86-41-1	1986
EU0090	Conveyor #11	Belt Conveyor Co, S/N 86-41-2	1986
EU0100	Conveyor #12	Kolman/Athey, S/N 86-220-30-125	1986
EU0110	Conveyor	Pep, S/N 1664	2002
EU0120	Conveyor	Pep, S/N 02161	2002
EU0130	Conveyor	Pep, S/N 02162	2002
EU0140	Conveyor	Pep, S/N 02163	2002
EU0150	Conveyor	Marco, S/N 85729.1A	2002
EU0160	Conveyor	Marco, S/N 85729.2A	2002
EU0170	Conveyor – Bin Discharge	Grace, S/N 971132	1997
EU0180	Conveyor – Folding Channel	Grace, S/N 971132	1997
EU0190	Conveyor – Bin Discharge	Grace, S/N 03047	2003

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### EMISSION UNITS WITHOUT LIMITATIONS

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

Reference #	Description of Emission Unit
EP01	Drilling/Blasting
EP02	Truck Loading Fragmented Stone
EP03	Haul Road #1 – Quarry to Crusher
EP04	Truck Unloading Fragmented Stone at Primary Crusher
EP05	Primary Impact Crusher – Missouri Rogers S/N 4654/ROK 158
EP06	Scalping Screen – Simplicity S/N 2512-M11-6-1358-S
EP07	Middle Screen – Simplicity S/N 3512-M11-809-S
EP08	West Screen – Simplicity S/N 3516-M14C-1357-S
EP09	Secondary Compression Crusher – Symons Cone 5.5' short head S/N 5805
EP10	Conveyor – Marco S/N 21615-1, Top of Plant Conveyor – Marco S/N 21615-2, Cone Return Conveyor – Marco S/N 21615-3, West Shaker Conveyor – Marco, #1 Minus Conveyor – Homemade, Primary Belt Conveyor – Homemade, Bin #5 Shuttle
EP11	Storage Pile Group #1
EP12	Storage Pile Group #2
EP13	Haul Road #2 – Plant to Storage Piles
EP14	500 Gallon Fuel Tank – Gasoline RVP-7
EP15	20,370 Gallon Fuel Tank #1 – Mobile Equipment Distillate Fuel Oil #2 (Constructed in 1970s) 250 Gallon Fuel Tank #2 – Taxable Distillate Fuel Oil #2 250 Gallon Fuel Tank #2 – Hotsy Distillate Fuel Oil #2
EP16	Truck Loading Crushed Stone

### DOCUMENTS INCORPORATED BY REFERENCE

This permit incorporates the following documents by reference:

- 1) Construction Permit No. 052003-015, Issued April 22, 2003

## II. Plant Wide Emission Limitations

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

### Permit Condition PW001

10 CSR 10-6.065

Operating Permits

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

#### Emission Limitation:

The permittee shall discharge into the atmosphere from the entire installation less than 100 tons of particulate matter less than or equal to 10 microns in aerodynamic diameter (PM<sub>10</sub>) in any consecutive 12-month period.

#### Monitoring/Record Keeping:

The permittee shall maintain an accurate record of emissions of PM<sub>10</sub> emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the PM<sub>10</sub> emissions from this installation. Example form is attached as Attachment A (Plant-wide Emissions Tracking Record). The permittee may use this form, or forms of its own, so long as the forms used will accurately demonstrate compliance with the PM<sub>10</sub> emission limitation (less than 100 tons per consecutive 12-month period of PM<sub>10</sub>).

#### Reporting:

The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

### Permit Condition PW002

10 CSR 10-6.060

Construction Permits Required

Construction Permit No. 052003-015, Special Conditions 1 & 2 - Moisture Content Testing Requirement

#### Moisture Content Testing:

- 1) Moisture Content Testing Requirement for Inherent Moisture Content:
  - a) Particulate emissions will be controlled by the moisture content of the processed rock, which was claimed by the installation to be greater than or equal to 1.5 percent by weight at the time this request was approved. The installation shall conduct moisture content tests in accordance with Special Condition 1A of these Site Specific Conditions of Construction Permit No. 052003-015 in order to substantiate the inherent moisture content claim while the installation is operating at this site. [Construction Permit 052003-015, Special Condition 1A]

- b) The installation shall conduct moisture content test(s) as required by Special Condition 1A of Construction Permit 052003-015 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, ASTM C-566, Standard Test Method for Total Moisture Content of Aggregate by Drying or other moisture content testing method(s) approved by the Director. Thereafter a moisture content test shall be conducted at least once every two years, during the months of June through September, while the installation is operating at this site. Rock samples shall be obtained prior to the primary emission unit. [Construction Permit 052003-015, Special Condition 1B]
  - c) Two copies of a written report of the moisture content test shall be submitted to the Director within 30 days of completion of the required tests and shall include the wet weight, dry weight, drying time and moisture content of each rock sample, the test date, and the name and title of the individual performing the moisture content analysis. The installation shall maintain a record of the above testing information and make it immediately available upon request by Department of Natural Resources' personnel. [Construction Permit 052003-015, Special Condition 1C]
  - d) If the first test should indicate the inherent moisture content of the rock is less than 1.5% by weight, a second test will be required within thirty (30) days. If two (2) consecutive series of test results should indicate the final moisture content of the rock is less than 1.5% by weight, then the installation will immediately amend this permit or submit a modification request to account for the revised information. [Construction Permit 052003-015, Special Condition 1D]
- 2) Moisture Content Testing of Stockpiles Requirement:
- a) Particulate emissions will be controlled by the moisture content of the stockpiled rock, which was documented by the installation to be greater than or equal to 1.5 percent by weight at the time this request was approved. The installation shall conduct periodic moisture content tests in accordance with Special Condition 2B of these Site Specific Conditions of Construction Permit 052003-015 in order to substantiate the continued compliance with the above moisture content of the stockpiled rock while the installation is operating at this site. [Construction Permit 052003-015, Special Condition 2A]
  - b) The installation shall conduct moisture content test(s) as required by Special Condition 2A of Construction Permit 052003-015 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, ASTM C-566, Standard Test Method for Total Moisture Content of Aggregate by Drying or other moisture content testing method(s) approved by the Director. The first test must occur within 45 days of the startup of operation. A second test will be done within one year of the first test during the months of June through September, or on an alternate schedule if requested by the installation and approved by the Director. Thereafter a moisture content test shall be conducted at least once every two years, during the months of June through September, while the installation is operating at this site. Rock samples shall be obtained from the stockpile(s). [Construction Permit 052003-015, Special Condition 2B]
  - c) Two copies of a written report of the moisture content test shall be submitted to the Director within 30 days of completion of the required tests and shall include the wet weight, dry weight, drying time and moisture content of each rock sample, the test date, and the name and title of the individual performing the moisture content analysis. The installation shall maintain a record of the above testing information and make it immediately available upon request by Department of Natural Resources' personnel. [Construction Permit 052003-015, Special Condition 2C]

- d) If the first test should indicate the final moisture content of the stockpiled rock is less than 1.5% by weight, a second test will be required within thirty (30) days. If two (2) consecutive series of test results should indicate the final moisture content of the rock is less than 1.5 % by weight, the installation will immediately amend this permit or submit a modification request to account for the revised information. [Construction Permit 052003-015, Special Condition 2C]

### III. Emission Unit Specific Emission Limitations

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

<b>EU0010 through EU0190 Screens, Conveyors and Storage Bins</b>			
Emission Unit	Description	Manufacturer/Model #	2008 EIQ Reference #
EU0010	Pep Screen, 2618, 108 ft <sup>2</sup>	Pep, Model #VVIIM, S/N 1665	EP25
EU0020	Storage Bin - Base	Belt Conveyor Co., S/N 102787	EP10
EU0030	Storage Bin - Loadout	Belt Conveyor Co, S/N 971132	EP24
EU0040	Storage Bin - Loadout	Grace Mobile, S/N 0304774	EP27
EU0050	Conveyor #7	Marco, S/N 69336-1	EP10
EU0060	Conveyor #8	Marco, S/N 69336-2	EP10
EU0070	Conveyor #9	Homemade	EP10
EU0080	Conveyor #10	Belt Conveyor Co, S/N 86-41-1	EP10
EU0090	Conveyor #11	Belt Conveyor Co, S/N 86-41-2	EP10
EU0100	Conveyor #12	Kolman/Athey, S/N 86-220-30-125	EP10
EU0110	Conveyor	Pep, S/N 1664	EP17
EU0120	Conveyor	Pep, S/N 02161	EP18
EU0130	Conveyor	Pep, S/N 02162	EP19
EU0140	Conveyor	Pep, S/N 02163	EP20
EU0150	Conveyor	Marco, S/N 85729.1A	EP21
EU0160	Conveyor	Marco, S/N 85729.2A	EP22
EU0170	Conveyor – Bin Discharge	Grace, S/N 971132	EP23
EU0180	Conveyor – Folding Channel	Grace, S/N 971132	EP26
EU0190	Conveyor – Bin Discharge	Grace, S/N 03047	EP28

**Permit Condition EU0010-001 through EU1100-001**  
**10 CSR 10-6.070**  
**New Source Performance Regulations**  
**40 CFR Part 60 Subpart OOO**  
**Standards of Performance for Nonmetallic Minerals Processing Plants**

**Emission Limitation:**

Storage Bins, Screens and Conveyors (Transfer Points):

Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of 40 CFR Part 60 Subpart OOO within 60 days after achieving the maximum production rate at which the

affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of 40 CFR Part 60 Subpart OOO apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

[40 CFR 60.672(b)]

1) For screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins or from any other affected facility (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008, the owner or operator must meet the following fugitive emissions limit:

a) 10 percent opacity.

[Table 3 of 40 CFR Part 60 Subpart OOO]

**Test Methods and Procedures:**

1) In determining compliance with the particulate matter standards in §60.672(b), the owner or operator shall use Method 9 of Appendix A-4 of 40 CFR Part 60 and the procedures in §60.11, with the following additions: [40 CFR 60.675(c)(1)]

a) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet). [40 CFR 60.675(c)(1)(i)]

b) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of 40 CFR Part 60, Section 2.1) must be followed.

[40 CFR 60.675(c)(1)(ii)]

c) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible. [40 CFR 60.675(c)(1)(iii)]

2) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of Subpart OOO, the duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of Subpart OOO must be based on the average of the five 6-minute averages. [40 CFR 60.675(c)(3)]

3) The owner or operator may use the following as alternatives to the reference methods and procedures specified in §673(c): [40 CFR 60.675(e)]

a) For the method and procedure of §673(c), if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used: [40 CFR 60.675(e)(1)]

i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

[40 CFR 60.675(e)(1)(i)]

ii) Separate the emissions so that the opacity of emissions from each affected facility can be read. [40 CFR 60.675(e)(1)(ii)]

b) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met: [40 CFR 60.675(e)(2)]

i) No more than three emission points may be read concurrently. [40 CFR 60.675(e)(2)(i)]

ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

[40 CFR 60.675(e)(2)(ii)]

- iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point. [40 CFR 60.675(e)(2)(iii)]
- 4) For performance tests involving only Method 9 (40 CFR Part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a 7-day advance notification. [40 CFR 60.675(g)]

**Monitoring:**

- 1) The permittee shall conduct opacity readings on the emission unit(s) 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(s) 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) Observations must be made once per month. If a violation is noted, then
  - b) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks. Should no violation of this regulation be observed during this period then monitoring reverts to monthly monitoring.
  - c) If the source reverts to monthly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.
- 3) The permittee shall conduct an annual opacity measurement on the emission units by U.S. EPA Test Method 9 with a certified Method 9 observer using the test methods and procedures described above

**Record keeping:**

- 1) The permittee shall maintain records of all observation results (see Attachment B or C), 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 other Method 9 test performed in accordance with this permit condition. (See Attachment D)
- 3) Attachments B or 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 requirements. Consult the appropriate sections in the Code of Federal Regulations (CFR), Code of State Regulations (CSR), and local ordinances for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect on the date of permit issuance.

### 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.

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

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

**10 CSR 10-6.065 Operating Permits**

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee 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.
- 3) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the Director.

**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**

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

- a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
- b) Paving or frequent cleaning of roads, driveways and parking lots;
- c) Application of dust-free surfaces;
- d) Application of water; and
- e) Planting and maintenance of vegetative ground cover.

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

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

#### **10 CSR 10-5.040 Use of Fuel in Hand-Fired Equipment Prohibited**

It shall be unlawful to operate any hand-fired fuel-burning equipment in the St. Louis, Missouri metropolitan area. This regulation shall apply to all fuel-burning equipment including, but not limited to, furnaces, heating and cooking stoves and hot water furnaces. It shall not apply to wood-burning fireplaces and wood-burning stoves in dwellings, nor to fires used for recreational purpose, nor to fires used solely for the preparation of food by barbecuing. Hand-fired fuel-burning equipment is any stove, furnace, or other fuel-burning device in which fuel is manually introduced directly into the combustion chamber.

#### **10 CSR 10-5.060 Refuse Not to be Burned in Fuel Burning Installations (Contained in State Implementation Plan)**

No person shall burn or cause or permit the burning of refuse in any installation which is designed for the primary purpose of burning fuel.

#### **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;

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- 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) H. Trautman Quarry, Inc. may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if H. Trautman Quarry, Inc. fails to comply with the provisions or any condition of the open burning permit.
- a) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the Director shall not issue a permit under this section unless the 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 10-5.160 Control of Odors in the Ambient Air**

##### **This requirement is not federally enforceable.**

No person shall emit odorous matter as to cause an objectionable odor on or adjacent to:

- 1) Residential, recreational, institutional, retail sales, hotel or educational premises.
- 2) Industrial premises when air containing odorous matter is diluted with 20 or more volumes of odor-free air; or
- 3) Premises other than those in 1. and 2 above when air containing odorous matter is diluted with four or more volumes of odor-free air.

The previously mentioned requirement shall apply only to objectionable odors. An odor will be deemed objectionable when 30% or more of a sample of the people exposed to it believe it to be objectionable in usual places of occupancy; the sample size to be at least 20 people or 75% of those exposed if fewer than 20 people are exposed.

#### **10 CSR 10-5.240 Additional Air Quality Control Measures May be Required When Sources Are Clustered in a Small Land Area**

The Air Conservation Commission may prescribe more restrictive air quality control requirements that are more restrictive and more extensive than provided in regulations of general application for:

- 1) Areas in which there are one or more existing sources and/or proposed new sources of particulate matter in any circular area with a diameter of two miles (including sources outside metropolitan area) from which the sum of particulate emissions allowed from these sources by regulations of general application are or would be greater than 2000 tons per year or 500 pounds per hour.
- 2) Areas in which there are one or more existing sources and/or proposed new sources of sulfur dioxide in any circular area with a diameter of two miles from which the sum of sulfur dioxide emissions from these sources allowed by regulations of general application are or would be greater than 1000 tons for any consecutive three months or 1000 pounds per hour.

#### **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.

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**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.

The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82*

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

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the Director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

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

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

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

### **10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General Record Keeping and Reporting Requirements**

#### 1) Record Keeping

- a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
- b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.

#### 2) Reporting

- a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
- b) The permittee shall submit a report of all required monitoring by:
  - i) April 1st for monitoring which covers the January through December time period.
  - ii) Exception. Monitoring requirements which require reporting more frequently than annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
- c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit.
- d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
  - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7 of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
  - ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

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

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

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

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

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

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

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**10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios**

None

**10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) Compliance Requirements**

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by June 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and exceedances 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, §(5)(C)1 and §(6)(C)7 Emergency Provisions**

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

limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:

- a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

#### **10 CSR 10-6.065(5)(C)5 Off-Permit Changes**

Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:

- 1) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
- 2) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
- 3) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

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

**10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause**

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;  
or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) 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 §(5)(E)1.A and §(6)(E)1.C Statement of Basis**

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

## **VI. Attachments**

Attachments follow.





**Attachment C**

**40 CFR Part 60 Subpart OOO – §60.672 Compliance Demonstration**

This attachment or an equivalent may be used to help meet the record keeping requirements of the Visible Emissions Permit Conditions.

<b>Method 22 (Outdoor) Observation Log</b>		
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 D**

**40 CFR Part 60 Subpart OOO – §60.672 Compliance Demonstration  
 Method 9 Visual Determination of Opacity**

This attachment or an equivalent may be used to help meet the record keeping requirements of Method 9 Opacity Emissions Observations.

<b>Method 9 Opacity Emissions Observations</b>	
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							

<b>SUMMARY OF AVERAGE OPACITY</b>				
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

# STATEMENT OF BASIS

## **Voluntary Limitations**

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

## **Permit Reference Documents**

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

- 1) Intermediate Operating Permit Application, received May 9, 2008; revised June 10, 2009;
- 2) 2008 Emissions Inventory Questionnaire, received June 1, 2009;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 4) Construction Permit No. 012000-005, issued December 21, 1999, for the construction of six belt conveyors and one storage bin.

## **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 10-6.080, *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*

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

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*

This regulation restricts the emission of particulate matter in the source gas of an operation or activity except where 10 CSR 10-3.060 and/or 10 CSR 10-6.070 would be applied. This regulation does not apply to this installation because 10 CSR 10-6.070 applies to the installation and 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.

**Construction Permit Revisions**

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

**None**

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

10 CSR 10-6.070, *New Source Performance Regulations*

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

40 CFR 60 Subpart OOO is applicable to the installation. The rule applies to each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, storage bin, enclosed truck or rail loading station for which for construction, reconstruction, or modification commenced after August 31, 1983. Storage piles, haul roads and drilling operations are exempted from requirements of this subpart.

The following equipment were constructed prior to the applicability date of Subpart OOO:

- Primary Impact Crusher (EP05) – Missouri Rogers S/N 4654/ROK 158, constructed in 1963;
- Secondary Compression Crusher (EP09) – Symons Cone 5.5' short head S/N 5805, constructed in 1977;
- Scalping Screen (EP06) – Simplicity S/N 2512-M11-6-1358-S, constructed in 1968;
- Middle Screen (EP07) – Simplicity S/N 3512-M11-809-S, constructed in 1968;
- West Screen (EP08) – Simplicity S/N 3516-M14C-1357-S, constructed in 1968;
- Dump Feed Hopper (EP04) Homemade, Constructed in 1968;
- Conveyor (EP10) – Marco S/N 21615-1, Top of Plant, Constructed in 1968;
- Conveyor (EP10) – Marco S/N 21615-2, Cone Return, Constructed in 1968;
- Conveyor (EP10) – Marco S/N 21615-3, West Shaker, Constructed in 1968;
- Conveyor (EP10) – Marco, #1 Minus, Constructed in 1968
- Conveyor (EP10) – Homemade, Primary Belt, Constructed in 1968;
- Conveyor (EP10) – Homemade, Bin #5 Shuttle, Constructed in 1968;

10 CSR 10-6.070, *New Source Performance Regulations*

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

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

Based on the definition of petroleum liquids in 40 CFR 60.111(b) and 60.111a(b) of the above citations and the level of reporting significance (Subpart K – 40,000 Gallons, Subpart Ka – 40,000 Gallons) the 20,370 gallon fuel tank #1 (distillate fuel oil #2) constructed in 1970s is not an affected source.

**Maximum Available Control Technology (MACT) Applicability**

None

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

See "Other Air Regulations Determined Not to Apply to the Operating Permit" section of the statement of basis

**Other Regulatory Determinations**

Crushers, Feeder, Screens, Conveyors and Storage Bins listed as units without limitation:

The sources listed as units without limitation are fugitive sources that do not emit regulated pollutants from a discrete stack or vent. These sources emit particulate matter directly into the ambient air. These sources are not subject to any specific rule except the plant wide conditions of construction permit 052003-015 and 10 CSR 10-6.170 of the Core Permit Requirements section.

**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:

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Berhanu A. Getahun  
Environmental Engineer

CERTIFIED MAIL: 70073020000315696544  
RETURN RECEIPT REQUESTED

Mr. Steve Pfaff  
H. Trautman Quarry, Inc.  
5000 Bussen Road  
St. Louis, MO 63129

Re: H. Trautman Quarry, Inc., 099-0012  
Permit Number: **OP2010-012**

Dear Mr. Pfaff:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Berhanu Getahun with the St. Louis Regional Office, 7545 S. Lindbergh, Suite 210, St. Louis, MO 63125, or by telephone at (314) 416-2960. You may also contact me with the Department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS/bgk

Enclosures

c: Ms. Tamara Freeman, U.S. EPA Region VII  
St. Louis Regional Office  
PAMS File: 2008-05-023