



Missouri Department of Natural Resources
Air Pollution Control Program

PART 70

PERMIT TO OPERATE

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

Operating Permit Number: OP2012-050
Expiration Date: MAR 03 2018
Installation ID: 095-0021
Project Number: 2005-11-014

Installation Name and Address

Veolia Energy - Kansas City
115 Grand Avenue
Kansas City, MO 64106
Jackson County

Parent Company's Name and Address

Veolia Energy North America
99 Summer Street, Suite 900
Boston, MA 02110

Installation Description:

The Veolia Energy – Kansas City facility operates a district heating and cooling system that provides steam, hot water, and/or chilled water to industrial, commercial, governmental and residential facilities in the downtown Kansas City area. The installation operates four boilers that provide steam for process heating, comfort heating, or hot water. Two of the boilers operated by the installation combust coal. The installation is a major source of sulfur oxides, nitrogen oxides, and hazardous air pollutant emissions.

MAR 04 2013

Effective Date

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Veolia Energy – Kansas City operates a district heating and cooling system that provides steam, hot water, and/or chilled water to industrial, commercial, governmental and residential facilities in the downtown Kansas City area. The installation operates four boilers that provide steam for process heating, comfort heating, or hot water. Facility boilers can supply steam to a five (5) megawatt back pressure turbine generator owned and operated by Veolia Energy. Facility boilers can also supply steam to three steam-driven, water-cooled refrigeration units that are owned and operated by Veolia Energy.

Two of the installation’s boilers are primarily coal-fired and burn pipeline grade natural gas and/or fuel oil as a backup. The other two boilers burn pipeline grade natural gas or fuel oil. All boilers can use either natural gas or distillate oil to ignite the boilers. Other sources of emissions include coal storage and handling, fly ash and bottom ash storage and handling, a fuel storage tank, and two solvent parts washers. The installation is a major source of sulfur oxides (SO_x), nitrogen oxides (NO_x) and hazardous air pollutant (HAP) emissions. The facility uses an anhydrous ammonia injection system in order to control opacity from the emissions of coal-fired boilers and an electrostatic precipitator to control particulate emissions from coal-fired boiler operations. A continuous opacity monitoring system (COMS) is installed in Stacks.

The following table lists the emissions reported by the installation in the Emissions Inventory Questionnaire (EIQ) for the most recent five years.

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)
2011	358.39	354.04	6742.39	1216.87	3.99	39.50	0.02	74.80
2010	359.32	355.06	6798.32	1181.43	2.63	32.45	0.02	74.81
2009	382.18	377.31	7201.26	1275.15	3.67	36.28	0.03	79.23
2008	344.74	336.49	6294.69	1126.55	3.51	34.41	0.02	69.25
2007	28.50	7.09	6076.58	717.67	2.71	28.97	0.02	28.24

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	Emission Point No.
EU0010	Boiler 1-A: 300 MMBtu/hr; Natural Gas or Fuel Oil combustion; 1969	EP1
EU0020	Boiler 6: 483.7 MMBtu/hr; Coal, Natural Gas or Fuel Oil combustion; 1944	EP2
EU0025	Boiler 8: 507.6 MMBtu/hr; Coal, Natural Gas or Fuel Oil combustion; 1948	EP2
EU0030	Boiler 7: 517 MMBtu/hr; Natural Gas or Fuel Oil combustion; 1950	EP3
EU0040	Cold solvent cleaner (2)	N/A

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

Fly Ash Pneumatic Transfer and Storage System, EP4

Fly Ash Truck Loading, EP4

Fuel Oil Storage Tank (693,000 gallon vertical fixed roof storage tank), EP5

Coal Storage Pile, EP6

Coal Screening, Milling and Transfer Operations, EP6

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 Kansas City Air Quality Program #541, Issued February 1, 1990 and Amended
January 26, 1998

Emission / Operational Limitations:

- 1) The permittee shall not discharge more than 14,467 tons of sulfur oxides pollutants (SO_x) into the atmosphere from the entire installation during any consecutive 12-month period.
- 2) The permittee shall not exceed the following emission rates:
 - a) Pounds (lbs) SO_x per hour limit averaged over a 24-hour period = $1300 + 4.451 * (\text{Million lbs steam from solid fuel} / \text{hr})$; and
 - b) Pounds (lbs) SO_x per hour limit averaged over a 3-hour period = $1300 + 6.548 * (\text{Million lbs steam from solid fuel} / \text{hr})$.
- 3) The permittee shall not burn solid fuel with an average sulfur content greater than 3.99 percent by weight based on the last nine grab sample analyses. No single sample of solid fuel shall have a sulfur content in excess of 4.4 percent by weight.
- 4) The maximum sulfur content of fuel oil burned shall be less than or equal to 0.5% by weight.

Monitoring / Recordkeeping Requirements:

- 1) The permittee shall maintain accurate records as necessary to calculate monthly SO_x emissions associated with all facility operations. The permittee shall record all SO_x emissions on a monthly basis with a consecutive 12-month total. Attachment E contains a log satisfying these recordkeeping requirements. This log, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
- 2) The permittee shall maintain records of the average steam load for the facility each hour in pounds per hour to demonstrate compliance with Emission/Operational Limitation 2.
 - a) If any hourly steam load reading is above 328,000 pounds, the permittee shall compute and record all relevant 24-hour averages surrounding the reading.
 - b) If any 24-hour average of steam production from the combination of EU0020 and EU0025 (Boilers 6 and 8) exceeds 328,000 pounds from the burning of solid fuels, the permittee shall obtain the necessary information, including coal sulfur content analyses for the relevant time period, in order to compute the SO_x emissions and file the necessary reports if required. Attachment F shows the calculations and guidelines to be used for determining compliance with the emission limitations.
- 3) All emission estimation methods are subject to approval by the Air Quality Program.
- 4) The permittee shall maintain accurate records of the sulfur content of the solid fuel(s) used in EU0020 and EU0025 (Boilers 6 and 8). The permittee shall obtain at least one representative sample of each batch of solid fuel received and test this for sulfur content using the methods described in 10 CSR 10-6.040(1).

- 5) The permittee shall maintain the records as described in **Paragraph [a]** and/or **[b]** below that demonstrate compliance with the sulfur content limit in fuel oil:
 - a) The permittee shall maintain copies of the fuel supplier certification for each shipment of fuel oil received. These certifications shall contain at least the following information:
 1. The name of the fuel oil supplier;
 2. A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and
 3. The heating value and sulfur content of the oil.
 - b) The permittee shall maintain an accurate record of the fuel sampling/analysis performed for each shipment of fuel oil received. All sampling & analysis shall be performed in accordance with 10 CSR 10-6.040(7) and 40 CFR Part 60.46c(d)(2) and shall contain at least the following information:
 1. The location of the oil when the sample was drawn for analysis;
 2. The method used to determine the sulfur content of the oil; and
 3. The sulfur content of the oil.
- 6) The permittee shall maintain the facility's steam flow meters in accordance with the manufacturer's specifications and shall calibrate the steam flow meters at least once per year. The permittee shall maintain records of the calibrations and any steam flow meter malfunctions using the log in Attachment D or an equivalent created by the permittee.
- 7) The permittee shall maintain all records on site for the most recent 60 months.
- 8) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting Requirements:

- 1) The permittee shall submit the following reports to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108:
 - a) Whenever the 24-hour average steam production from the combination of EU0020 and EU0025 (Boilers 6 and 8) exceeds 328,000 pounds per hour from the burning of solid fuels, the permittee shall submit a report that contains adequate information to determine if an exceedance of the emission limitations shown in **Emission / Operational Limitations [2)a]** or **[2)b]** occurred. The report shall be submitted no later than seventy two (72) hours after the permittee obtains the coal sulfur content analyses for the relevant time period associated with the steam production readings.
 - b) The permittee shall report no later than seventy two (72) hours of discovery of non-compliance with any portion of this permit condition.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

III. Emission Unit Specific Emission Limitations

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

EU0010 and EU0030 – Boiler 1A and Boiler 7			
Emission Unit	Description	Manufacturer/Model # (Year Installed)	2011 EIQ Reference #
EU0010	Boiler 1A (300 MM Btu/hr capacity) [Natural gas fired; back-up fuel oil]	Babcock & Wilcox / Cyclopak (1969)	EP1
EU0030	Boiler 7 (517 MM Btu/hr capacity) [Natural gas fired; back-up fuel oil]	Combustion Engineering / (1950)	EP3

PERMIT CONDITION EU0010-001
 10 CSR 10-6.060 *Construction Permits Required*
 Construction Permit *KC AQP #541, Issued February 1, 1990 and Amended January 26, 1998*

Emission / Operational Limitations:

Boiler 1A (EU0010) shall be operated only on natural gas with No. 2 or No. 4 Fuel Oil as a standby.

Monitoring / Recordkeeping Requirements:

- 1) The permittee shall maintain records of each fuel used when operating EU0010 to document compliance with the fuel restrictions.
- 2) The permittee shall maintain all records on site for the most recent 60 months.
- 3) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting Requirements:

- 1) The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than 72 hours following the discovery of non-compliance with this permit condition.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0010-002 and EU0030-002
 10 CSR 10-2.040 *Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*
 KCMO Chapter 8 Section 5(b) *Emission of Particulate Matter (Fuel Burning Equipment Used For Indirect Heating)*

Emission Limitation:

Particulate matter shall not be emitted from the existing sources EU0010 and EU0030 in excess of 0.16 pounds per million BTU of heat input.

Operational Limitations:

Boiler 1A (EU0010) and Boiler 7 (EU0030) shall burn only natural gas or fuel oil with a sulfur content of less than or equal to 0.5% by weight.

Monitoring / Recordkeeping Requirements:

- 1) Attachment H contains a worksheet calculation demonstrating that EU0010 and EU0030 will be in compliance with the emission limitations in this permit condition by complying with the operational limitations. The permittee shall keep Attachment G with this permit.
- 2) The permittee shall maintain all records on site for the most recent five years.
- 3) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting Requirements:

Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0010-003 and EU0030-003

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

KCMO Chapter 8 Section 5(d) *Emission of Particulate Matter (Visible Air Contaminants)*

Emission Limitations:

- 1) The permittee shall not cause or permit emissions to be discharged into the atmosphere from any existing source any visible emissions with an opacity greater than 20%.
- 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%.

Monitoring Requirements:

- 1) The permittee shall conduct opacity readings on EU0010 and EU0030 using the procedures listed in the Core Permit Requirements for this rule.
- 2) The permittee shall maintain the monitoring schedule listed in the Core Permit Requirements for conducting these observations.

Recordkeeping Requirements:

- 1) The permittee shall maintain records of all opacity observations as described in the Core Permit Requirements for this rule using Attachments B and C, or equivalent forms created by the permittee.
- 2) The permittee shall maintain records of any equipment malfunctions as described in the Core Permit Requirements for this rule using Attachment D or an equivalent form created by the permittee.
- 3) The permittee shall maintain all records on site for the most recent five years.
- 4) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting Requirements:

- 1) The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than ten days after the permittee determines, using the Method 9 test, that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0010-004 and EU0030-004

10 CSR 10-6.075 *Maximum Achievable Control Technology Regulations*
40 CFR 63 Subpart DDDDD – *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters*

On December 23, 2011, EPA published a reconsideration proposal for the Boiler MACT. On February 7, 2012, EPA issued a No Action Assurance Letter establishing that EPA will exercise enforcement discretion to not pursue enforcement action for violations of certain notification deadlines within the Boiler MACT. EPA intends to issue the final reconsideration of the Boiler MACT prior to the compliance date for existing sources.

Compliance Dates:

Existing boilers shall comply with this subpart by no later than March 21, 2014. [§63.7495(b)]

Emission Limitations:

- 1) The owner or operator must meet each emission limit and work practice standard in Tables 1 through 3, and 12 of 40 CFR Part 63, Subpart DDDDD that applies to the boiler or process heater, except as provided under §63.7222. [§63.7500(a)(1)]
- 2) The owner or operator must meet each operating limit in Table 4 of 40 CFR Part 63, Subpart DDDDD that applies to the boiler or process heater. If a control device or a combination of control devices not covered in Table 4, or if the permittee wishes to establish and monitor an alternative operating limit and alternative monitoring parameters, the permittee must apply to the EPA Administrator for approval of alternative monitoring under §63.8(f). [§63.7500(a)(2)]
- 3) At all times the equipment, including associated air pollution control equipment and monitoring equipment must be operated and maintained in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance records, and inspection of the source. [§63.7500(a)(3)]
- 4) The Permittee shall meet the applicable general requirements as specified in §63.7505.
- 5) The Permittee shall refer to Table 10 in 40 CFR Part 63, Subpart DDDDD to determine which parts of the General Provisions in §63.1 through 63.15 that apply. [§63.7565]

Initial Compliance/performance testing/fuel analysis requirements:

- 1) The permitted shall refer to §63.7520 of 40 CFR Part 63, Subpart DDDDD for the procedures for demonstrating initial compliance with the emission limitations, fuel specifications and work practice standards that apply to these emission units.
- 2) The permittee shall refer to §63.7510 40 CFR Part 63, Subpart DDDD for the initial compliance requirements and compliance dates that apply to these emission units.

- 3) The permittee shall refer to §63.7515 of 40 CFR Part 63, Subpart DDDDD for the requirements to conduct subsequent performance tests, fuel analyses, or tune ups.
- 4) The permittee shall refer to §63.7520 of 40 CFR Part 63, Subpart DDDD for applicable stack testing procedures.
- 5) The permittee shall refer to §63.7521 of 40 CFR Part 63, Subpart DDDD for applicable procedures related to fuel analysis and fuel specifications.

Monitoring:

The permittee shall conduct appropriate monitoring in accordance with §63.7525 and demonstrate continuous compliance in accordance with §§63.7535, 63.7540 and 63.7541.

Notifications:

- 1) The permittee shall submit to the delegated authority all of the notifications in §63.7(b) and (c), §63.8(e), (f)(4) and (6), and §63.9(b) through (h) that apply by the dates specified. [§63.7545(a)]
- 2) If the permittee intends to switch fuels, and this fuel switch may result in the applicability of a different subcategory, the permittee shall provide 30 days prior notice of the date upon which the permittee will switch fuels. The notifications shall identify: [§63.7545(h)]
 - a) The name of the owner or operator of the affected source, the location of the source, the boiler that will switch fuels, and the date of the notice.
 - b) The currently applicable subcategory under 40 CFR Part 63, Subpart DDDDD.
 - c) The date on which the permittee became subject to the currently applicable standards.
 - d) The date upon which the permittee will commence the fuel switch.

Recordkeeping:

- 1) The permittee shall retain a copy of each notification and report that the permittee submitted to comply with 40 CFR Part 63, Subpart DDDDD, including all documentation supporting any semi-annual compliance report that the permittee submitted, according to the requirements in §63.10(b)(2)(xiv). [§63.7555(a)(1)]
- 2) The permittee shall retain records of compliance demonstrations as required in §63.10(b)(2)(viii). [§63.7555(a)(2)]
- 3) For each CEMS, COMS and continuous monitoring system the permittee shall keep records according to Paragraphs (b)(1) through (5) of §63.7555 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(b)]
- 4) The permittee must keep the records required in Table 8 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(c)]
- 5) For each boiler or process heater subject to an emission limit in Table 1, 2 or 12 of 40 CFR Part 63, Subpart DDDDD, the permittee must also keep the applicable records in Paragraphs (d)(1) through (8) of §63.7555 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(d)]
- 6) Records shall be retained in a form suitable and readily available for expeditious review, according to §63.10(b)(1). [§63.7560(a)]
- 7) As specified in §63.10(b)(1), the permittee shall retain each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.7560(b)]
- 8) The permittee shall retain each record on site, or accessible from onsite (for example, through a computer network), for at least two years after the date of each occurrence, measurement, corrective action, report, or record, according to §63.10(b)(1). The permittee may retain the records off site for the remaining three years. [§63.7560(c)]

- 9) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.

Reporting:

- 1) The permittee shall submit the compliance report required by 40 CFR Part 63, Subpart DDDDD as part of the semi-annual monitoring report and compliance certification required by Section V of this permit as allowed by §63.7550(b)(5).
- 2) The compliance report shall contain the following information: [§63.7550(c)]
 - a) Company name and address.
 - b) Statement by the responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
 - c) Date of report and beginning and ending dates of the reporting period.
 - d) Include the date of the most recent tune-up. Include the date of the most recent burner inspection if it was not done biennially and was delayed until the next schedule unit shutdown.

EU0020 and EU0025 – Boiler 6 and Boiler 8			
Emission Unit	Description	Manufacturer/Model # (Year Installed)	2011 EIQ Reference #
EU0020	Boiler 6 (483.7 MM Btu/hr capacity) [Coal-fired; natural gas and fuel oil back-up.]	Combustion Engineering (1944)	EP2
EU0025	Boiler 8 (507.6 MM Btu/hr capacity) [Coal-fired; natural gas and fuel oil back-up.]	Combustion Engineering (1948)	EP2
	Electrostatic Precipitator (ESP) [Exhaust through Stack #2]		CD1
	Anhydrous Ammonia Injection [Between boiler outlet and ESP inlet, Exhaust through Stack #2]		
	Continuous Opacity Monitor (COM) [In Stack #2]		
	Monitoring System for the Electrostatic Precipitator	Power Guard SQ-300 Management System	

PERMIT CONDITION EU0020-001 and EU0025-001
 10 CSR 10-6.060 *Construction Permits Required*
 Construction Permit *Kansas City Air Quality Program #541, Issued February 1, 1990 and Amended January 26, 1998*

Emission / Operational Limitations:

- 1) Boiler 6 and Boiler 8 (EU0020 and EU0025) shall be operated on solid fuel or natural gas with fuel oil as a standby.
 - a) Solid fuels may contain anthracite, bituminous, subbituminous, or lignite coal, coal refuse, petroleum coke, or synthetic fuels.
 - b) Any solid fuel burned shall have an average sulfur content of not more than 3.99 percent, based on the last nine grab sample analyses.
 - c) No single solid fuel sample shall have a sulfur content in excess of 4.4 percent.
 - d) The maximum sulfur content of the fuel oil used shall be less than or equal to 0.5% by weight.
- 2) The permittee shall vent the boiler exhaust through the electrostatic precipitator whenever solid fuel coal is being used as a fuel in EU0020 or EU0025. The electrostatic precipitator exhausts through Stack Number 2.

Monitoring / Recordkeeping Requirements:

- 1) The permittee shall maintain records of each fuel used when operating EU0020 or EU0025 to document compliance with the fuel restrictions.
- 2) The permittee shall operate the electrostatic precipitator in accordance with manufacturer’s specifications. The permittee shall maintain records of inspections, repairs and any electrostatic precipitator malfunctions using the log in Attachment D or an equivalent created by the permittee.
- 3) The permittee shall maintain all records on site for the most recent 60 months.
- 4) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than seventy two (72) hours following the discovery of any non-compliance with the requirements of this permit condition.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0020-002 and EU0025-002
 10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds*
 KCMO Chapter 8 Section 6(a) *Restriction of Emission of Sulfur Compounds (Indirect Heating Sources)*

Emission Limitations:

- 1) The permittee shall not cause or permit emissions of sulfur dioxide containing in excess of 7.1 pounds per million BTU of heat input averaged on any three (3)-hour time period.
- 2) The permittee shall not cause or permit emissions containing sulfur compounds from any source which cause or contribute to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards, as listed below:

Pollutant	Concentration by Volume	Remarks¹
Sulfur Dioxide (SO ₂)	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
	75 ppb	1-hour average; 3-year average of the 99 th percentile of the daily maximum 1-hour average at each site monitor within an area
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

¹ ppm = parts per million; µg/m³ = micrograms per cubic meter

Operational Limitations:

Boiler 6 (EU0020) and Boiler 8 (EU0025) shall burn only solid fuel with an average sulfur content of not more than 3.99 percent and an individual sample sulfur content of not more than 4.4 percent by

weight, pipeline grade natural gas, or fuel oil with a sulfur content of less than or equal to 0.5% by weight.

Monitoring / Recordkeeping Requirements:

Whenever EU0020 or EU0025 is burning coal:

- 1) The permittee shall maintain the following records using the log in Attachment I or an equivalent created by the permittee when burning coal in EU0020 or EU0025.
 - a) The quantity of coal burned, in tons;
 - b) The average heating value of the coal, in tons;
 - c) The average percent sulfur in the coal burned;
 - d) The calculated monthly sulfur dioxide (SO₂) emissions with a consecutive 12-month total, expressed as pounds of SO₂ emitted per million BTU of heat input.

Whenever EU0020 or EU0025 is burning pipeline grade natural gas or distillate oil:

- 2) Attachment G contains a worksheet calculation demonstrating compliance with this rule whenever EU0020 or EU0025 are burning only natural gas and/or fuel oil. The permittee shall keep Attachment G with this permit.

All scenarios:

- 3) The permittee shall maintain all records on site for the most recent five years.
- 4) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than ten days following the end of any month in which the permittee determines that the emission unit(s) exceeded the sulfur dioxide limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0020-003 and EU0025-003

10 CSR 10-2.040 *Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*

KCMO Chapter 8 Section 5(b) *Emission of Particulate Matter (Fuel Burning Equipment Used For Indirect Heating)*

40 CFR Part 64 *Compliance Assurance Monitoring*

Note: CAM applies to these units until the initial compliance date for 40 CFR Part 63 Subpart DDDDD, which is currently set at March 21, 2014 for existing boilers. On that date the requirements for Subpart DDDDD will override the requirements for CAM.

Emission Limitation:

The permittee shall not emit particulate matter from the EU0020 or EU0025 boilers in excess of 0.16 pounds per million BTU of heat input.

Operational Limitations:

The permittee shall only burn pipeline grade natural gas or distillate fuel oil with a sulfur content of less than 0.5 percent by weight as a backup to coal.

Monitoring Requirements:

Whenever EU0020 or EU0025 is burning coal OR emissions from EU0020 or EU0025 are vented to the ESP:

- 1) The permittee shall install, calibrate, maintain, and operate an electronic monitoring system for ensuring that the electrostatic precipitator is properly operating at all times when coal is being burned in EU0020 or EU0025. The following parameters shall be recorded:
 - a) Voltage readings of each ESP field; and
 - b) ESP spark rate.
 - c) Reading shall be obtained on an hourly basis and the output of the system shall be recorded using the log in Attachment J or maintained in an electronic format.
- 2) The permittee shall develop and implement an approved operation and maintenance plan consistent with the manufacturer's instructions and recommendations for routine and long-term maintenance to ensure proper operation of the ESP and to prevent malfunction and upset conditions as required by 40 CFR Part 70.6(g)(1), i.e. an emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
 - a) The plan shall incorporate manufacturer's specifications and recommendations, including the following:
 - i) ESP inspection procedures and schedules;
 - ii) ESP cleaning procedures and schedules to prevent build-up and ensure proper operation;
 - iii) ESP repair and/or component replacement procedures, including items maintained at the installation and schedule;
 - iv) Operator training procedures and schedule; and
 - v) Maintenance training procedures and schedule.
 - vi) In addition to the manufacturer's recommended maintenance procedures, the permittee shall, at a minimum of once per eighteen months, beginning with the date of issuance of this permit, perform the following tasks; 1) Cleaning of all electrodes and ductwork inside the electro-static precipitator unit. 2) Replacement of any electrode or related device that shows signs of arc damage, or other damage that would impair the operation of the ESP.
 - b) The permittee shall submit the plan to the Director for approval within 90 days of permit issuance and shall be implemented within 90 days of approval by the Director.
 - c) The permittee shall review the plan at least on an annual basis and make changes to the plan as necessary.
- 3) In addition, unless specifically stated otherwise by an applicable requirement, the permittee shall monitor indicators to detect any bypass of the control device (or capture system) to the atmosphere, if such bypass can occur based on the design of the pollutant-specific emissions unit as required by 40 CFR Part 64.3(a)(2). According to the CAM plan, the permittee will maintain records of boiler operation to provide an indication of when flue gas from either boiler is discharged to Stack 3.
- 4) The Continuous Opacity Monitoring System (COMS) shall be maintained and operated as follows:
 - a) The permittee shall install, calibrate, maintain, and operate a continuous opacity monitoring and automated data acquisition system for measuring and recording the opacity (in percent opacity) in order to provide a reasonable assurance of the performance of the electrostatic precipitator. Previously installed and certified monitoring systems that conform to provisions of the Performance Specification for COMS meet the monitoring requirements.
 - b) The installation shall conduct a daily calibration check for zero and span adjustments (span value must be eighty, ninety or one hundred percent) on the monitoring system as outlined by 40 CFR Part 60, Appendix B, Performance Specification 1.

- c) The permittee shall conduct a quarterly neutral density audit and calibration error test on the COMS.
- d) The COMS neutral density audit filters will be certified annually.
- e) The performance requirements for the COMS shall be as specified in Table 1: Veolia Energy – Kansas City Plant: CAM Monitoring Approach for ESP for Boilers 6 & 8.
- f) An excursion and its associated averaging time for each emission unit shall be as specified in Table 1: Veolia Energy – Kansas City Plant: CAM Monitoring Approach for ESP for Boilers 6 & 8.
- g) The permittee shall conduct monitoring continuously except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities, in accordance with 40 CFR Part 64.7(c). Although compliance with the PM emission limitation may be exempted in some circumstances during conditions such as startup, shutdown, and malfunction, the permittee is required to operate and maintain the source in accordance with good air pollution control practices for minimizing emissions during such periods. This requires the installation to minimize periods of startup, shutdown or malfunction, and take corrective action to restore normal operation and prevent recurrence of the problem that led to the excursion except where the excursion was related to an excused startup, shutdown, or malfunction.

TABLE 1

Veolia Energy, N.A. Kansas City Plant CAM Monitoring Approach for Boilers No. 6 and No. 8 through No. 2 (West) Stack Particulate Matter (PM) Compliance Indicator	
Particulate Matter (PM) Compliance Indicator	
Indicator	Opacity
Measurement Approach	Continuous Opacity Monitoring System (COMS)
Indicator Range	<p>Based on stack test data submitted by the Permittee, the baseline 1-hour average opacity is in the range of 10% for each boiler.</p> <p>An excursion for each boiler is defined as a 1-hour average opacity greater than 9%. Excursions trigger an inspection, corrective action, and a reporting requirement.</p> <p>Based on stack test data submitted by the Permittee, a PM exceedance has likely occurred if the 3-hour average stack opacity exceeds 11%.</p>

Performance Criteria	
Data Representativeness	<p>Unit No. 6 discharges flue gas to a dedicated duct work, without no bypass capabilities, leading to the ESP and No. 2 (West) Stack. This stack is equipped with a COMS located downstream of the ESP that complies with the applicable version of 40 CFR Part 60, Appendix B, Performance Specification 1 (PS-1).</p> <p>Unit No. 8 discharges flue gas to ductwork, which can be bypassed, leading to the ESP and No. 2 (West) Stack This stack is equipped with a COMS located downstream of the ESP that complies with the applicable version of 40 CFR Part 60, Appendix B, Performance Specification 1 (PS-1). When burning Natural Gas only as the primary fuel, Unit 8 flue gas can be bypassed to discharge to No.3 (East) Stack to allow for inspections and repairs to the ESP and No. 2 Stack.</p>
Verification of Operational Status	This COMS has been tested or upgraded to meet compliance requirements of ASTM Standard D6216-03 and United States of America Federal Register Title 40, Part 60, Appendix B, Performance Specification 1.
QA/QC Practices and Criteria	Perform a daily zero and calibration drift check, periodic cleaning of optical services and other periodic QA/QC checks.
Monitoring Frequency	Continuous [i.e. the COMS is to complete a minimum of one cycle (i.e. sampling, analyzing and data recording) for each successive 10 second period.
Data Collection Procedure	The data acquisition system is to retain all 6-minute and 1-hour block average opacity data for 60 months.
Averaging Period	The data acquisition system is to reduce the 10-second data points to 6-minute and 1-hour block averages.
Reporting	Summary information on the number, duration and cause for any excursions and COMS downtime is recorded in the Opacity Monitor Log Book, located in No. 6 Control Room, and will be reported on a Quarterly basis in accordance with applicable requirements of MO Rule 10 SCR 10-6.220.

- 5) Proper Maintenance. At all times, the permittee shall maintain the monitoring system, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment as required by 40 CFR Part 64.7(b).
- 6) Continued Operation. Except for monitoring system malfunctions, associated repairs, and required quality assurance or control activities (including calibration checks and required zero and span adjustments), the permittee shall conduct all monitoring in continuous operation at all times that the Boiler 6 and/or Boiler 8 (EU0020 and EU0025) are operating and exhausting through Stack 2. Unit operations are defined when coal is burned in a boiler OR when the boiler exhaust is directed through Stack 2. Periods when the fans are operated for maintenance or cleaning during unit outages are not considered unit operations. Data recorded during monitoring system malfunctions, associated repairs, and required quality assurance or control activities shall not be used for data averages and calculations, or fulfilling a minimum data availability requirement. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. As per 40 CFR 64.7(c), monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- 7) The permittee shall follow the following procedure in response to excursions or exceedances.

- a) As required in 40 CFR 64.7(d)(1), upon detecting an excursion or exceedance, the permittee shall restore operation of the boiler(s) (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
 - b) As provided in 40 CFR Part 64.7(d)(2), determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.
- 8) Documentation of need for improved monitoring. After approval this CAM plan, if the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the Director and, if necessary, submit a proposed modification to this operating permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

Whenever EU0020 or EU0025 is burning pipeline grade natural gas or distillate oil:

- 9) Attachment H contains a worksheet calculation demonstrating compliance with this rule whenever EU0020 or EU0025 are burning only natural gas and/or fuel oil. The permittee shall keep Attachment H with this permit.

Recordkeeping Requirements:

- 1) The permittee shall keep a record of continuous opacity monitoring system data.
- 2) The permittee shall record the daily monitoring system calibration check done on the continuous opacity monitoring system.
- 3) The permittee shall maintain records of inspections and maintenance of the ESP and the COMS system. Attachment D (Maintenance and Repair Log) contains a log satisfying these recordkeeping requirements. This log, or equivalent(s) created by the permittee, must be used to certify compliance with this requirement.
- 4) The permittee shall maintain records of any performance tests on file for a minimum of five years or until another performance test is performed, whichever is longer.
- 5) The permittee shall maintain all other records required by this permit condition, including notifications and report.
- 6) The permittee shall maintain all records on site for the most recent five years unless a longer period is specified.
- 7) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting:

Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0020-004 and EU0025-004

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

KCMO Chapter 8 Section 5(d) *Emission of Particulate Matter (Visible Air Contaminants)*

Emission Limitations:

- 1) The permittee shall not cause or permit emissions to be discharged into the atmosphere from any existing source any visible emissions with an opacity greater than 20%.
- 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%.

Operational Limitations:

The permittee shall vent the boiler exhaust through the electrostatic precipitator (ESP) whenever coal is being used as a fuel in EU0020 or EU0025. The ESP exhausts through Stack Number 2.

Monitoring Requirements:

10 CSR 10-6.220(3)(E)1., 10 CSR 10-6.220(3)(H) and KCMO Chapter 8 Section 5(d)(3)a.3.

- 1) Coal-fired steam generating units with maximum heat input rate greater than two hundred fifty (250) million British thermal units (Btus)/hour shall have a Continuous Opacity Monitoring System (COMS) installed, calibrated, maintained and operated in accordance with 40 CFR Part 60, Performance Specification 1.
 - a) The installation of opacity monitoring devices shall be required on Stack No. 2, serving Boilers 6, 7 and 8.
 - b) Source operating time includes any time fuel is being combusted and/or a fan is being operated.
 - c) Whenever EU0020 or EU0025 is burning coal OR emissions from EU0020 or EU0025 are vented to Stack 2, the permittee shall calibrate, maintain, and operate a continuous opacity monitoring and automated data acquisition system for measuring and recording the opacity (in percent opacity). Previously installed and certified monitoring systems that conform to provisions of the Performance Specification for COMS meet the monitoring requirements.
 - d) Continuous monitoring systems for measuring opacity shall complete a minimum of one (1) cycle of operation (sampling, analyzing and data recording) for each successive ten (10)-second
- From 10 CSR 10-6.220 (3) (G) and (H)
- 2) If a COMS is malfunctioning, a non-department qualified observer measurement may be used as a temporary substitute. If opacity measurements taken by a non-department qualified observer differ from visual measurements taken by a qualified department observer, the qualified department observer's opacity measurements shall be used to determine compliance.

Whenever EU0020 or EU0025 is burning pipeline grade natural gas or fuel oil AND the exhaust is not vented to Stack 2:

- 3) The permittee shall conduct opacity readings on EU0020 or EU0025 using the procedures listed in the Core Permit Requirements for this rule.
- 4) The permittee shall maintain the monitoring schedule listed in the Core Permit Requirements for conducting these observations.

Recordkeeping Requirements:

Whenever EU0020 or EU0025 is burning coal OR emissions from EU0020 or EU0025 are vented to the ESP:

- 1) The permittee shall maintain a file (hard copy or electronic version) of the following information:
 - a) All information reported in the quarterly summaries; and
 - b) All six (6)-minute opacity averages and daily Quality Assurance (QA)/Quality Control (QC) records.
- 2) The permittee shall record the daily monitoring system calibration check done on the continuous opacity monitoring system.

Whenever EU0020 or EU0025 is burning pipeline grade natural gas or distillate oil and the exhaust is not vented to Stack 2:

- 3) The permittee shall maintain records of all opacity observations as described in the Core Permit Requirements for this rule using Attachments B and C, or equivalent forms created by the permittee.

All scenarios:

- 4) The permittee shall maintain records of any equipment malfunctions as described in the Core Permit Requirements for this rule using Attachment D or an equivalent form created by the permittee.
- 5) The permittee shall maintain all records on site for the most recent five years.
- 6) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting Requirements:

- 1) The permittee shall report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than ten days after the permittee determines, using the Method 9 test, that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.
- 3) COMS Reporting. The permittee shall submit a quarterly written report to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108. All quarterly reports shall be postmarked no later than the thirtieth day following the end of each calendar quarter and shall include the following emissions data:
 - a) A summary including total time for each cause of excess emissions and/or monitor downtime;
 - b) Nature and cause of excess emissions, if known;
 - c) The six (6)-minute average opacity values greater than the opacity emission requirements (The average of the values shall be obtained by using the procedures specified in the Reference Method used to determine the opacity of the visible emissions);
 - d) The date and time identifying each period during which the COMS was inoperative (except for zero and span checks), including the nature and frequency of system repairs or adjustments that were made during these times; and
 - e) If no excess emissions have occurred during the reporting period and the COMS has not been inoperative, repaired or adjusted, this information shall be stated in the report.

PERMIT CONDITION EU0020-005 and EU0025-005

10 CSR 10-6.075 *Maximum Achievable Control Technology Regulations*
40 CFR 63 Subpart DDDDD – *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters*

On December 23, 2011 EPA published a reconsideration proposal for the Boiler MACT. On February 7, 2012 EPA issued a No Action Assurance Letter establishing that EPA will exercise enforcement discretion to not pursue enforcement action for violations of certain notification deadlines within the Boiler MACT. EPA intends to issue the final reconsideration of the Boiler MACT prior to the compliance date for existing sources.

Compliance Dates:

Existing boilers shall comply with this subpart by no later than March 21, 2014. [§63.7495(b)]

Emission Limitations:

- 1) The owner or operator must meet each emission limit and work practice standard in Tables 1 through 3, and 12 of 40 CFR Part 63, Subpart DDDDD that applies to the boiler or process heater, except as provided under §63.7222. [§63.7500(a)(1)]
- 2) The owner or operator must meet each operating limit in Table 4 of 40 CFR Part 63, Subpart DDDDD that applies to the boiler or process heater. If a control device or a combination of control devices not covered in Table 4, or if the permittee wishes to establish and monitor an alternative operating limit and alternative monitoring parameters, the permittee must apply to the EPA Administrator for approval of alternative monitoring under §63.8(f). [§63.7500(a)(2)]
- 3) At all times the equipment, including associated air pollution control equipment and monitoring equipment must be operated and maintained in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance records, and inspection of the source. [§63.7500(a)(3)]
- 4) The permittee shall meet the applicable general requirements as specified in §63.7505.
- 5) The permittee shall refer to Table 10 in 40 CFR Part 63, Subpart DDDDD to determine which parts of the General Provisions in §63.1 through 63.15 that apply. [§63.7565]

Initial Compliance/performance testing/fuel analysis requirements:

- 1) The permittee shall refer to §63.7520 of 40 CFR Part 63, Subpart DDDDD for the procedures for demonstrating initial compliance with the emission limitations, fuel specifications and work practice standards that apply to these emission units.
- 2) The permittee shall refer to §63.7510 40 CFR Part 63, Subpart DDDD for the initial compliance requirements and compliance dates that apply to these emission units.
- 3) The permittee shall refer to §63.7515 of 40 CFR Part 63, Subpart DDDDD for the requirements to conduct subsequent performance tests, fuel analyses, or tune ups.
- 4) The permittee shall refer to §63.7520 of 40 CFR Part 63, Subpart DDDD for applicable stack testing procedures.
- 5) The permittee shall refer to §63.7521 of 40 CFR Part 63, Subpart DDDD for applicable procedures related to fuel analysis and fuel specifications.

Monitoring:

The permittee shall conduct appropriate monitoring in accordance with §63.7525 and demonstrate continuous compliance in accordance with §§63.7535, 63.7540 and 63.7541.

Notifications:

- 1) The permittee shall submit to the delegated authority all of the notifications in §63.7(b) and (c), §63.8(e), (f)(4) and (6), and §63.9(b) through (h) that apply by the dates specified. [§63.7545(a)]
- 2) If the permittee intends to switch fuels, and this fuel switch may result in the applicability of a different subcategory, the permittee shall provide 30 days prior notice of the date upon which the permittee will switch fuels. The notifications shall identify: [§63.7545(h)]
 - a) The name of the owner or operator of the affected source, the location of the source, the boiler that will switch fuels, and the date of the notice.
 - b) The currently applicable subcategory under 40 CFR Part 63, Subpart DDDDD.
 - c) The date on which the permittee became subject to the currently applicable standards.
 - d) The date upon which the permittee will commence the fuel switch.

Recordkeeping:

- 1) The permittee shall retain a copy of each notification and report that the permittee submitted to comply with 40 CFR Part 63, Subpart DDDDD, including all documentation supporting any semi-annual compliance report that the permittee submitted, according to the requirements in §63.10(b)(2)(xiv). [§63.7555(a)(1)]
- 2) The permittee shall retain records of compliance demonstrations as required in §63.10(b)(2)(viii). [§63.7555(a)(2)]
- 3) For each CEMS, COMS and continuous monitoring system the permittee shall keep records according to Paragraphs (b)(1) through (5) of §63.7555 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(b)]
- 4) The permittee must keep the records required in Table 8 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(c)]
- 5) For each boiler or process heater subject to an emission limit in Table 1, 2 or 12 of 40 CFR Part 63, Subpart DDDDD, the permittee must also keep the applicable records in Paragraphs (d)(1) through (8) of §63.7555 of 40 CFR Part 63, Subpart DDDDD. [§63.7555(d)]
- 6) Records shall be retained in a form suitable and readily available for expeditious review, according to §63.10(b)(1). [§63.7560(a)]
- 7) As specified in §63.10(b)(1), the permittee shall retain each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.7560(b)]
- 8) The permittee shall retain each record on site, or accessible from onsite (for example, through a computer network), for at least two years after the date of each occurrence, measurement, corrective action, report, or record, according to §63.10(b)(1). The permittee may retain the records off site for the remaining three years. [§63.7560(c)]
- 9) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.

Reporting:

- 1) The permittee shall submit the compliance report required by 40 CFR Part 63, Subpart DDDDD as part of the semi-annual monitoring report and compliance certification required by Section V of this permit as allowed by §63.7550(b)(5).
- 2) The compliance report shall contain the following information: [§63.7550(c)]
 - a) Company name and address.
 - b) Statement by the responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.
 - c) Date of report and beginning and ending dates of the reporting period.

- d) Include the date of the most recent tune-up. Include the date of the most recent burner inspection if it was not done biennially and was delayed until the next schedule unit shutdown.

EU0040 – Cold Solvent Parts Washer			
Emission Unit	Description	Manufacturer/Model #	2011 EIQ Reference #
EU0040	Cold Solvent Parts Washer	N/A	N/A

<p>PERMIT CONDITION EU0040-001 10 CSR 10-2.210 Control of Emissions from Solvent Metal Cleaners KCMO Chapter 8 Section 8(a) Restriction of Emission of VOC From Solvent Metal Cleaning</p>

Emission / Operational Limitation:

- 1) The permittee shall not use cleaning solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) at twenty degrees Celsius (20°C) in the EU0040 Cold Solvent Parts Washer.
- 2) The EU0040 cold cleaner shall have a cover which will prevent the escape of solvent vapors from the solvent bath while in the closed position or an enclosed reservoir which will limit the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner.
- 3) The cover on the EU0040 Cold Solvent Parts Washer shall be closed whenever parts are not being handled in the cleaner or the solvent must drain into an enclosed reservoir except when performing maintenance or collecting solvent samples.
 - a) The EU0040 cold cleaner shall have a drainage facility which will be internal so that parts are enclosed under the cover while draining.
 - b) If an internal drainage facility cannot fit into the cleaning system and the solvent volatility is less than six-tenth pounds per square inch (psi) measured at 100 degrees F, then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath.
 - c) Cleaned parts shall be drained in the freeboard area for at least 15 seconds or until the dripping ceases, whichever is longer.

Monitoring / Recordkeeping Requirements:

- 1) A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment.
- 2) Only persons trained in at least the operational and equipment requirements specified in this rule for their particular solvent metal cleaning process shall be permitted to operate the equipment. The supervisor of any person who operates a solvent metal cleaning process shall receive equal or greater operational training than the operator. Refresher training shall be given to all solvent metal cleaning equipment operators at least once per calendar year.
- 3) If the EU0040 cold cleaner fails to perform within the operating parameters established, the unit shall be shut down immediately and shall remain shut down until trained service personnel are able to restore operation of the unit within established parameters.
- 4) Solvent leaks shall be repaired immediately or the degreaser shall be shut down until the leaks are repaired.
- 5) Any waste material removed from a cold cleaner shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA:

- a) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or
- b) Stored in closed containers for transfer to a contract reclamation service; or a disposal facility approved by the director and EPA.

Waste solvent shall be stored in closed containers only.

- 6) The permittee shall maintain records which include for each purchase of cold cleaning solvent:
 - a) The name and address of the solvent supplier;
 - b) The date of purchase;
 - c) The type of solvent; and
 - d) The vapor pressure of the solvent in mmHg at twenty degrees Celsius (20°C).
- 7) The permittee shall keep records of all types and amounts of solvent containing waste material from EU0040 operations which are transferred to either a contract reclamation service or to a disposal facility and all amounts distilled on the premises. The records also shall include maintenance and repair logs for both the degreaser and any associated control equipment. These records shall be kept current and made available for review on a monthly basis. The director may require additional recordkeeping if necessary to adequately demonstrate compliance with this rule.
- 8) A record shall be kept of solvent metal cleaning training for each employee.
- 9) The permittee shall maintain these records on site for a minimum of 5 years.
- 10) The permittee shall immediately make these records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting:

Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the Code of Federal Regulations (CFR) 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 / KCMO Chapter 8 Section 8-4 Open Burning

- 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 regulations 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) Land clearing of vegetative debris, provided all burning occurs -
 - i) Outside of any incorporated area or municipality and outside of the Kansas City metropolitan area, Springfield-Greene County area, and the St. Louis metropolitan area;
 - ii) At least two hundred (200) yards from the nearest occupied structure; and
 - iii) Land clearing of vegetative debris that does not meet the conditions of Subparagraphs d)(1) and d)(2) of this rule may be open burned provided an open burning permit is obtained as found in Paragraph 3) below;
 - c) 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;
- d) Fire training exercises. Fires set for the purposes of training fire fighters and industrial employees in fire fighting methods provided that -
- i) The training is conducted in accordance with National Fire Protection Association standards, NFPA 1403, Standard on Live Fire Training Evolutions (2002 Edition), for fire fighters and NFPA 600, Standard on Industrial Fire Brigades (2005 Edition), for industrial employees. The provisions of NFPA 1403 and 600 shall apply and are hereby incorporated by reference in this rule, as published by the National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322. This rule does not incorporate any subsequent amendments or additions. These exercises include, but are not limited to, liquefied gas propane fueled simulators, flashover simulators and stationary live burn towers; and
 - ii) Acquired structures to be used for training exercises are subject to the requirements of 10 CSR 10-6.080, subsection (3)(M), National Emission Standard for Asbestos. These requirements include, but are not limited to, inspection of and notification to the director. All petroleum-based products are to be removed from any acquired structure that is to be burned as part of a training exercise;
- 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 fee set forth in KCMO Ordinance Chapter 8, Section 8-20 shall be submitted prior to the issuance of an operating permit. The terms and conditions imposed by any such permit must be approved by the chief fire prevention inspector. The site and air curtain configuration must be approved by the air quality section. The operator of the burn site must comply with all written instructions on his permit, and all applicable fire ordinances. The burning shall take place only during daylight hours. The permit may be revoked if Veolia Energy - Kansas City fails to comply with the conditions or any provisions of the permit.
- 4) Veolia Energy - Kansas City 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 Veolia Energy - Kansas City fails to comply with the provisions or any condition of the open burning permit.
- 5) 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.

- 6) Reporting and Recordkeeping. 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.
- 7) 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 / KCMO Chapter 8 Section 8-15 Start-up, Shutdown, and Malfunction Condition
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- 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 or KCMO Chapter 8, Section 8-3.

- 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 / KCMO Chapter 8 Section 8-10 Review of New Sources and Modifications; Permit For Construction or Major Modification

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 or Kansas City Air Quality Program 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 / KCMO Chapter 8 Section 8-9

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) 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 the deadline specified in 10 CSR 10-6.110 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 / KCMO Chapter 8 Section 8-18. Rules For Controlling Emissions During Periods 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 / KCMO Chapter 8 Section 8-5(e) Emission of Particulate Matter (Preventing Fugitive Particulate Matter From Becoming Airborne)

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 or that the size of the fugitive particulate matter found beyond the premises where it originates exceeds 40 microns. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

Monitoring:

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

The permittee shall maintain the following monitoring schedule:

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

Recordkeeping:

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

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

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-2.070 Restriction of Emission of Odors / KCMO Chapter 8 Section 8-7 Restriction of Emission of Odors

This requirement is not federally enforceable.

- 1) 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.
- 2) No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived at the point of complaint in a residential area

when one volume of odorous air is diluted with two 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 / KCMO Chapter 8 Section 5(d) Emission of Particulate Matter (Visible Air Contaminants)

Emission Limitation:

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

Monitoring:

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in 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 / KCMO Chapter 8 Section 8-9 Restriction of Emission of Hazardous Air Pollutants

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
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- 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 recordkeeping 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:
- Monitoring methods outlined in 40 CFR Part 64;
 - Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, “Operating Permits”, and incorporated into an operating permit; and
 - 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:
- Monitoring methods outlined in 40 CFR Part 64;
 - A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, “Operating Permits”, and incorporated into an operating permit; and
 - 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:
- Applicable monitoring or testing methods, cited in:
 - 10 CSR 10-6.030, “Sampling Methods for Air Pollution Sources”;
 - 10 CSR 10-6.040, “Reference Methods”;
 - 10 CSR 10-6.070, “New Source Performance Standards”;
 - 10 CSR 10-6.080, “Emission Standards for Hazardous Air Pollutants”;or
 - 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 Recordkeeping and Reporting Requirements

- 1) Recordkeeping
 - 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' or Kansas City Air Quality Program personnel upon request.
- 2) Reporting
 - a) All reports shall be submitted to the Air Pollution Control Program, Enforcement Section, P. O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108.
 - b) The permittee shall submit a report of all required monitoring by:
 - i) October 1st for monitoring which covers the January through June time period, and
 - ii) April 1st for monitoring which covers the July through December time period.
 - iii) Exception. Monitoring requirements which require reporting more frequently than semi-annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
 - c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit, including deviations or Part 64 exceedances.
 - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in Paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice

- must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.
- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
 - iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semi-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.

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 or to the Kansas City Air Quality Program, upon receipt of a written request and within a reasonable time, any information that the Air

Pollution Control Program or the Kansas City Air Quality 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 or to the Kansas City Air Quality Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semi-annually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
 - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108. 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 or the Kansas City Air Quality 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 or the Kansas City Air Quality Program 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 and to the Kansas City Air Quality Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under Section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
 - a) Before making a change under this provision, the permittee shall provide advance written notice to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program or the Kansas City Air Quality Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA, the Air Pollution Control Program and the Kansas City Air Quality 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, the Air Pollution Control Program and the Kansas City Air Quality 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, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, 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 Brian P. Kirk, General Manager. On August 27, 2009, the Air Pollution Control Program was informed that Jeff Dykes, General Manager is now the responsible official. 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 A Fugitive Particulate Emissions Observation Log

This recordkeeping sheet or something similar may be used to show compliance with Core Permit Requirements for 10 CSR 10-6.170.

Date	Time	Visible Emissions ¹					Abnormal Emissions		Initial
		Beyond Boundary?		< Normal	Normal	> Normal	Cause ³	Corrective Action	
		No	Yes ²						

¹ Visible emissions, excluding water vapor
² Fugitive emissions beyond the facility boundary are a violation of the rule. If this has occurred, also enter the cause and corrective action.
³ Include whether or not an equipment malfunction contributed to the exceedance.

DUPLICATE THIS FORM AS NEEDED

Attachment B
Record of Visible Observations Performed

This recordkeeping sheet or something similar may be used to show compliance with Core Permit Requirements for 10 CSR 10-6.220.

Date	Time	Emission Unit # / Equipment Name	Visible Emissions ¹			Abnormal Emissions		Initial
			Test Method ²	< Normal	Normal	> Normal	Cause ³	

¹ Visible emissions, excluding water vapor
² Test method should be either Method 22 or Method 9. If more than one test is run, enter each on a separate line.
³ Include whether or not an equipment malfunction contributed to the exceedance.

DUPLICATE THIS FORM AS NEEDED

Attachment C
 Opacity Emission Observations (Method 9)

This recordkeeping sheet or something similar may be used to satisfy the recordkeeping requirements of Core Permit Requirements for 10 CSR 10-6.220.

Company _____ Observer _____
 Location _____ Observer Certification Date _____
 Date _____ Type Installation _____
 Time _____ Point of Emission _____
 Control Device _____

Hour	Min	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							

SUMMARY OF AVERAGE OPACITY				
Set Number	Time		Opacity	
	Start	End	Sum	Average

Readings ranged from _____ to _____ % opacity.
 The source was in compliance at the time evaluation was made: Yes No

(Signature of Observer)

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Attachment D
Inspection, Maintenance, Repair and Malfunction Log

Date / Time	Emission Unit # / Equipment Name	Description of Activity / (Type: <i>Scheduled Inspection / Preventive Maintenance / Emergency Repair</i>)	Malfunction					Description of Repair / Corrective Action	Initials
			Malfunction	Impact	Duration	Cause			

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Attachment E
Sulfur Oxides Emission Tracking

This recordkeeping sheet or something similar may be used to demonstrate compliance with PW001.

Month / Year	Fuel Combusted (units)	Average Sulfur Content (% by Weight)	Coal Average Heating Value (Btu/lb)	Emission Factor (pounds/unit) ¹	Monthly Sulfur Oxides Emissions (tons)	12-Month Rolling Total Sulfur Oxides Emissions (tons) ²
	Coal (tons)					
	Other Solid Fuel (tons)					
	Fuel Oil (1000-gallons)					
	Natural Gas (MM CF)	N/A		0.6		
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Fuel Oil (1000-gallons)					
	Natural Gas (MM CF)	N/A		0.6		
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Fuel Oil (1000-gallons)					
	Natural Gas (MM CF)	N/A		0.6		
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Fuel Oil (1000-gallons)					
	Natural Gas (MM CF)	N/A		0.6		
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Fuel Oil (1000-gallons)					
	Natural Gas (MM CF)	N/A		0.6		
	Monthly Total:					

¹ Emission factors shall be based on the most current data, including fuel sulfur content, control efficiency + any upset conditions.

² A 12-Month Rolling total of less than 14,467 tons of sulfur oxides indicates compliance.

DUPLICATE THIS FORM AS NEEDED

Attachment F

Three-Hour and 24-Hour SO_x Limitations Based on Boiler Steam Load

SO_x EMISSION ESTIMATE METHOD BY COAL ANALYSIS

reacted sulfur = [(tons coal)(% sulfur in coal)] - [(tons coal)(% ash from coal)(% sulfur in ash)]

SO_x emissions = (reacted sulfur)(molecular wt. of SO₂) ÷ (molecular wt. of sulfur)

SO_x emissions = (reacted sulfur)(2)

Assumptions: 100% of SO_x emissions is SO₂
Molecular weight of SO₂ = 64
Molecular weight of sulfur = 32

DERIVATION OF 3-HOUR AND 24-HOUR SO_x LIMITATIONS IN TERMS OF BOILER STEAM LOAD

Assume stack flow rate and boiler steam load are linear and calculate new slope in terms of boiler load

max flow rate, boilers 6 & 8 = 434160 acfm

max boiler steam load, boilers 6 & 8 = 675 Mlbs

New 24-hour slope

$(0.00692) \times (\text{max flow rate}) \div (\text{max boiler load})$

$(0.00692) \times (434160 \text{ acfm}) \div (675 \text{ Mlbs steam}) = 4.451$

New 3-hour slope

$(0.01018) \times (434160 \text{ acfm}) \div (675 \text{ Mlbs steam}) = 6.548$

New SO_x emission limit equations - permit 541 amendment, Item 1(b)

lbs SO_x per hour limit averaged over a 24-hour period = 1300 + 4.451(Mlbs steam/hr)

lbs SO_x per hour limit averaged over a 3-hour period = 1300 + 6.548(Mlbs steam/hr)

ACTUAL SO_x EMISSIONS FOR ANY GIVEN BOILER STEAM LOAD AND SULFUR CONTENT

A. Coal burned (lbs/hr) = boiler load (lbs steam/hr) x net enthalpy (Btu/lb steam) ÷ boiler efficiency(%) ÷ HHV coal (Btu/lb coal)

B. SO_x emissions (lbs/hr), neglecting ash sulfur content = coal burned (lbs/hr) x sulfur content (%/100) x 2

Combine equations A and B: **SO_x emissions (lbs per hour) = boiler load (Mlbs steam/hr) x sulfur content (%/100) x 210.27**

Assumptions: all sulfur in coal converts to SO₂
boiler efficiency = 85%
steam temp = 675 °F
steam pressure = 650 psig
steam enthalpy = 1337 Btu/lb
feedwater temp = 380 °F
feedwater pressure = 900 psig
feedwater enthalpy = 983 Btu/lb
net enthalpy = 983 Btu/lb
coal heating value (HHV) = 11000 Btu/lb

DERIVATION OF REPORTING LEVEL (328,000 lbs/hr) FOUND IN PERMIT CONDITION ITEM 2(b) AND 3(a)

Assume a sulfur content of 4.0% in equation A/B above

SO_x emissions (lbs per hour) = boiler load (Mlbs steam/hr) x sulfur content (%/100) x 210.27

SO_x emissions (lbs per hour) = boiler load (Mlbs steam/hr) x (4.0/100) x 210.27

SO_x emissions (lbs per hour) = boiler load (Mlbs steam/hr) x 8.4108

Set 24-hour SO_x limit equal to above equation A/B with 4.0 % sulfur content and solve for boiler load

lbs SO_x per hour limit averaged over a 24-hour period = 1300 + 4.451(Mlbs steam/hr)

SO_x emissions (lbs per hour) = boiler load (Mlbs steam/hr) x sulfur content (%/100) x 210.27

$1300 + 4.451(\text{boiler load in Mlbs steam/hr}) = 8.4108(\text{boiler load in Mlbs steam/hr})$

Boiler load = 328.299 Mlbs steam/hr

Note: The reporting level of 328,000 lbs steam is an “unconfirmed exceedance” in the permit conditions because the sulfur content is assumed to be the permitted maximum of 4.0%. The report required by Item 3(a) confirms if an exceedance has occurred based on actual sulfur content during the period in question.

Attachment G

Emission of Sulfur Dioxide – Compliance Documentation for Natural Gas and Fuel Oil

Veolia Energy – Kansas City has the potential to emit sulfur compounds from four indirect heating sources subject to 10 CSR 10-6.260. The following discussion presents the allowable emission rate for and documents that the sources burning pipeline grade natural gas and/or fuel oil limited to 0.5% by weight sulfur will be in compliance with the rule since their potential to emit will remain below the regulatory allowable emission rate.

A. Indirect Heating Sources

According to 10 CSR 10-6.260 (3)(C)2.B., the indirect heating sources at the installation, may not emit more than 7.1 pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three-hour time period.

1) Assumptions:

- a) The heating value of No. 2 Fuel Oil is 140 MMBtu/1000 gallons. [AP42, Chapter 1.3]
- b) The average heating value of natural gas is 1,020 BTU/scf. [AP42, Chapter 1.4]
- c) The emission factor for boilers burning No. 2 Fuel Oil is 142S for SO₂ + 2S for SO₃, lbs/1000gal, where S = the weight percent of sulfur, or 0.5 maximum. The calculated emission factor is 72 lbs/1000 gal fuel oil burned. [AP42, Table 1.3-1]
- d) The emission factor for boilers burning natural gas is 0.6 for SO₂. [AP42, Table 1.4-2]

2) Potential SO₂ Emission Factors:

Potential SO₂ emissions factors for each source were calculated using the following formulas:

$$\text{No. 2 Fuel Oil, Potential SO}_2 \text{ EF (lbs/MMBtu)} = \frac{[\text{Max Capacity MMBtu}]}{\text{Hr}} \times \frac{[1000 \text{ gal}]}{140 \text{ MMBtu}} \times \frac{[\text{Emission Factor, lbs}]}{1000 \text{ gal}} = 0.514$$

$$\text{Natural Gas, Potential SO}_2 \text{ EF (lbs/MMBtu)} = \frac{[\text{Max Capacity MMBtu}]}{\text{Hr}} \times \frac{[\text{MMcf}]}{1020 \text{ MMBtu}} \times \frac{[\text{Emission Factor, lbs}]}{\text{MMcf}}$$

Table G-1: Review of Emission Factors for Each Indirect Heating Source

Emission Source	Fuel Used	Maximum Capacity (MMBTU/hr)	Emission Limit from 10CSR10-6.260 (3)(C)2.B.	Emission Factor (lbs/MMBtu)
EU0010: Boiler 1-A	No. 2 or No. 4 Fuel Oil	300	7.1 lbs/MMBtu	0.514
EU0020: Boiler 6	No. 2 or No. 4 Fuel Oil	483.7	7.1 lbs/MMBtu	0.514
EU0025: Boiler 8	No. 2 or No. 4 Fuel Oil	507.6	7.1 lbs/MMBtu	0.514
EU0030: Boiler 7	No. 2 or No. 4 Fuel Oil	517	7.1 lbs/MMBtu	0.514
EU0010: Boiler 1-A	Natural Gas	300	7.1 lbs/MMBtu	0.001
EU0020: Boiler 6	Natural Gas	483.7	7.1 lbs/MMBtu	0.001
EU0025: Boiler 8	Natural Gas	507.6	7.1 lbs/MMBtu	0.001
EU0030: Boiler 7	Natural Gas	517	7.1 lbs/MMBtu	0.001

3) Summary and Conclusions:

Sources will always be in compliance with the emission limit of 7.1 lbs/MMBtu when burning pipeline grade natural gas or No. 2 or No. 4 Fuel Oil limited to 0.5% by weight sulfur since the calculated emission factors, based on the potential fuels used, are less than the regulatory limit.

Attachment H

Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating – Compliance Documentation for Natural Gas and Fuel Oil

Veolia Energy – Kansas City has the potential to emit particulate matter less than ten microns (PM₁₀) from four indirect heating sources subject to 10 CSR 10-2.040. The following discussion calculates the allowable emission rate for these sources and documents that burning pipeline grade natural gas and/or fuel oil limited to 0.5% by weight sulfur will be in compliance with the rule since their potential to emit will remain below the regulatory allowable emission rate.

A. Emission Limitations

Table H-1 lists the indirect heating sources located at the facility. These sources are subject to 10 CSR 10-2.040. If the source was installed after February 15, 1979 it is considered to be a new indirect heating source; otherwise it is considered to be an existing source. The regulations affecting these sources were reviewed as follows:

Table H-1: Total Heat Input for All Indirect Heating Sources			
Emission Source	Date Installed	Regulatory Applicability	Maximum Capacity (MMBtu/hr)
EU0010: Boiler 1-A	1969	10CSR10-2.040 [Existing Source]	300
EU0020: Boiler 6	1944	10CSR10-2.040 [Existing Source]	483.7
EU0025: Boiler 8	1948	10CSR10-2.040 [Existing Source]	507.6
EU0030: Boiler 7	1950	10CSR10-2.040 [Existing Source]	517
Total Installation Heat Input – Existing Sources (Q):			1,808.30
Total Installation Heat Input – Existing + New Sources (Q):			1,808.30

- 1) For existing indirect heating sources with a heating capacity between 10 MMBtu/hr and 5,000 MMBtu/hr, the emission limitation is calculated to be 0.16 lbs / MMBtu/hr input, using the following equation:

$$E = 1.09(Q)^{-0.259}$$

Where E = the maximum allowable particulate emission rate in pounds per million Btu of heat input and Q = the installation heat input for all existing sources in millions of Btu/hr.

$$E = 1.09(1,808.30)^{-0.259} = 0.16 \text{ lbs/MMBtu}$$

All of the existing boilers are subject to this limit.

- 2) For new indirect heating sources with a heating capacity between 10 MMBtu/hr and 1,000 MMBtu/hr, the emission limitation is calculated to be 0.10 lbs / MMBtu/hr input, using the following equation:

$$E = 0.80(Q)^{-0.301}$$

Where E = the maximum allowable particulate emission rate in pounds per million Btu of heat input and Q = the installation heat input for all new and existing sources in millions of Btu/hr.

$$E = 0.80(1,808.30)^{-0.301} = 0.10 \text{ lbs/MMBtu}$$

No units are currently subject to this limit. Any existing source which is altered, repaired, or rebuilt at a cost of 30% or more of its replacement cost, exclusive of routine maintenance, would be considered to be a new source and subject to the reduced limit.

B. Compliance with Emission Limitations

- 1) Assumptions:

- a) The heating value of No. 2 Fuel Oil is 140 MMBtu/1000 gallons. [AP42, Chapter 1.3]
- b) The average heating value of natural gas is 1,020 BTU/scf. [AP42, Chapter 1.4]

Attachment H, continued

- c) The emission factor for sources burning No. 2 Fuel Oil is 2 lbs/1000gal. [AP42, Table 1.3-1]
- d) The emission factor for sources burning natural gas is 7.6 lbs/MMscf. [AP42, Table 1.4-1]

2) **Potential PM₁₀ Emission Factors:**

Potential PM₁₀ emissions factors for each source were calculated using the following formulas:

$$\text{No. 2 Fuel Oil, Potential PM}_{10} \text{ EF (lbs/MMBtu)} = \frac{[\text{Max Capacity MMBtu}]}{\text{Hr}} \times \frac{[1000 \text{ gal}]}{140 \text{ MMBtu}} \times \frac{[\text{Emission Factor, lbs}]}{1000 \text{ gal}} = 0.016$$

$$\text{Natural Gas, Potential PM}_{10} \text{ EF (lbs/MMBtu)} = \frac{[\text{Max Capacity MMBtu}]}{\text{Hr}} \times \frac{[\text{MMcf}]}{1020 \text{ MMBtu}} \times \frac{[\text{Emission Factor, lbs}]}{\text{MMcf}} = 0.007$$

Table H-2: Review of Emission Factors for Each Indirect Heating Source

Emission Source	Fuel Used	Maximum Capacity (MMBTU/hr)	Emission Limit from 10CSR10-2.040 (lbs/MMBtu)	Emission Factor (lbs/MMBtu)
EU0010: Boiler 1-A	No. 2 or No. 4 Fuel Oil	300	0.16	0.016
EU0020: Boiler 6	No. 2 or No. 4 Fuel Oil	483.7	0.16	0.016
EU0025: Boiler 8	No. 2 or No. 4 Fuel Oil	507.6	0.16	0.016
EU0030: Boiler 7	No. 2 or No. 4 Fuel Oil	517	0.16	0.016
EU0010: Boiler 1-A	Natural Gas	300	0.16	0.007
EU0020: Boiler 6	Natural Gas	483.7	0.16	0.007
EU0025: Boiler 8	Natural Gas	507.6	0.16	0.007
EU0030: Boiler 7	Natural Gas	517	0.16	0.007

3) **Summary and Conclusions:**

Sources will always be in compliance with the emission limit of 0.16 lbs/MMBtu when burning pipeline grade natural gas or No. 2 or No. 4 fuel oil limited to 0.5% by weight sulfur since the calculated emission factors, based on the potential fuels used, are less than the regulatory limit..

Attachment I

Emission of Sulfur Dioxide – Compliance Documentation for Solid Fuels

This recordkeeping sheet or something similar may be used to demonstrate compliance with EU0020-002 and EU0025-002 when these units are burning solid fuels.

Month / Year	Fuel Combusted (units)	Average Sulfur Content (% by Weight) ¹	Solid Fuel Average Heating Value (Btu/lb) ¹	Emission Factor (pounds/unit)	Monthly Sulfur Dioxide Emission Rate (lbs / MMBtu)	12-Month Rolling Total Sulfur Dioxide Emission Rate (lbs / MMBtu) ²
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					
	Coal (tons)					
	Other Solid Fuel (tons)					
	Monthly Total:					

² A monthly and 12-Month Rolling total of less than 7.1 lbs/MMBtu indicates compliance.

DUPLICATE THIS FORM AS NEEDED

Attachment J
 Electrostatic Precipitator Daily Monitoring Log

Time Hr	Field 1 V kV	F1 S Rate S/min	Field 2 V kV	F2 S Rate S/min	Field 3 V kV	F3 S Rate S/min	Field 4 V kV	F4 S Rate S/min	Field 5 V kV	F5 S Rate S/min

Notes: All values are hourly averages
 V = Secondary (plate) voltage
 S Rate = spark rate

Attachment K

Emission of Particulate Matter from Industrial Processes – Documentation of Compliance

Veolia Energy – Kansas City has the potential to emit particulate matter from two units subject to 10 CSR 10-6.400. The following discussion calculates the allowable emission rate for these sources and documents that these sources will be in compliance with the rule since their potential to emit will remain below the regulatory allowable emission rate.

- 1) Allowable emissions for sources with a process weight of 60,000 pounds per hour (30 tons per hour) or less were calculated using the following equation:

$$E = 4.10P^{0.67}$$

- 2) Allowable emissions for sources with a process weight greater than 60,000 pounds per hour (30 tons per hour) were calculated using the following equation:

$$E = 55.0P^{0.11} - 40$$

- 3) For both equations:
 E = rate of emission in lb/hr; and
 P = process weight rate in tons per hour (tons/hr)

- 4) Table K-1 presents the maximum calculated emission rate and the allowable emission rate for each affected source.

Table K-1						
Emission Unit	Maximum Design Capacity (tons/hr)	Emission Factor (lbs/ton)	Control Device, Efficiency	Uncontrolled PM Emission Rate (lbs/hr)	Controlled PM Emission Rate (lbs/hr)	Allowable PM Emission Rate (lbs/hr)
EU0050, Fly Ash Pneumatic Transfer and Storage System	7.2	0.46	None	3.31	3.31	15.39
Fly Ash Truck Loading	70	0.1088	None	7.62	7.62	47.77

- 5) Both sources will be in compliance with this rule since their maximum potential emission rate is less than the calculated allowable emission rate.

STATEMENT OF BASIS

Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received November 3, 2005; revised January 28, 2010;
- 2) 2011 Emissions Inventory Questionnaire, received March 27, 2012; and
- 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 Kansas City Air Quality Program #541, Issued February 1, 1990, and amended January 26, 1998.

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

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

None.

Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

State-Enforceable Banked emissions agreement dated September 30, 1988

The previous permit listed this as the basis to limitations on sulfur emissions. This agreement was issued to Kansas City Power and Light at the time when this installation was part of KCP&L. This agreement restricted sulfur emissions to 7.1 lbs SO₂ / MM Btu but also capped SO₂ emissions at less than 259 tons per calendar year. The reviewer determined that this agreement has been superseded by the emission SO₂ emission limit for Trigen in 10 CSR 10-6.260 Table 1 and the plant wide sulfur oxide limits from construction permit 541.

Construction Permit Revisions

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

None

New Source Performance Standards (NSPS) Applicability

Subpart D - *Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971*

This rule is applicable to fossil-fuel-fired steam generating units of more than 250 million British thermal units per hour (MMBtu/hr) heat input rate which commenced construction or modification after August 17, 1971. Changes to an existing fossil-fuel-fired steam generating unit to accommodate the use of combustible materials, other than fossil fuels as defined in this subpart, shall not bring that unit under the applicability of this subpart. This rule was determined not to be applicable to Boilers #1, #6, #7 or #8, although each is a fossil-fueled boiler with a rated capacity of greater than 250 MM Btu/hr. These units were each constructed prior to 1971 and have not been reconstructed or modified since installation so as to become subject to the rule.

40 CFR Part 60 Subpart Da, *Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978*

This rule is applicable to electric utility steam generating units greater than 250 million British thermal units per hour heat input of fossil fuel (either alone or in combination with any other fuel) for which construction, modification, or reconstruction is commenced after September 18, 1971. This rule was determined not to be applicable to Boilers #1, #6, #7 or #8, although each is a fossil-fueled boiler with a rated capacity of greater than 250 MM Btu/hr. These units were each constructed prior to 1978 and have not been reconstructed or modified since installation so as to become subject to the rule. In addition, Trigen – Kansas City Energy Corporation is not an electric utility.

40 CFR Part 60 Subpart Db, *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units*

This rule is applicable to steam generating units that commence construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 100 MMBtu/hr. This rule was determined not to be applicable to Boilers #1A, #6, #7, and #8 although each boiler has a rated heat capacity of greater than 100 MM Btu/hr. These boilers were all installed prior to 1971 and none has been reconstructed or modified since they were installed so as to meet the definition under this rule.

40 CFR Part 60 Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

This rule is applicable to steam generating units that have a maximum heat input capacity greater than or equal to 10 MMBtu/hr to 100 MMBtu/hr for which construction, modification, or reconstruction is commenced after June 9, 1989. This rule was determined not to be applicable to the boilers at the installation since all have a rated heat capacity of greater than 100 MMBtu/hr.

40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*

This rule was determined not to be applicable to the fuel oil storage tank although the capacity is greater than 75m³. This tank was constructed in 1968 and has not been reconstructed or modified since installation so as to meet the definition under this rule.

40 CFR Part 60 Subpart Y, *Standards of Performance for Coal Preparation Plants*

This rule is applicable to the following systems in coal preparation plants which process more than 200 tons per day and that commence construction or modification after October 24, 1974. Affected systems include thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying

equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems.

This rule was determined to be not applicable to the installation because the affected systems were constructed prior to 1974 and have not been reconstructed or modified since they were installed so as to meet the definition under this rule.

Maximum Achievable Control Technology (MACT) Applicability

40 CFR Part 63, Subpart DDDDD – *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (Boiler MACT)* is applicable to Boilers 1A, 6, 7 and 8 and has been applied within this permit (see Permit Condition EU0020-005 and EU0025-005 and Permit Condition EU0010-004 and EU0030-004). The standards applied within this operating permit are those promulgated March 21, 2011. If these standards should later be delayed, amended, or replaced, the permittee shall comply with the delayed, amended, or replacement standards. If the standards are rescinded the permittee shall no longer be required to comply with these permit conditions. Please note:

- On December 23, 2011, EPA published a reconsideration proposal for the Boiler MACT.
- On February 7, 2012, EPA issued a No Action Assurance Letter establishing that EPA will exercise enforcement discretion to not pursue enforcement action for violations of certain notification deadlines within the Boiler MACT. EPA intends to issue the final reconsideration of the Boiler MACT prior to the compliance dates for existing sources. To view the No Action Assurance Letter visit: http://www.epa.gov/ttn/atw/boiler/boiler_ciswi-no_action_2012-02-07.pdf
- For the latest information on the implementation of the Boiler MACT visit: <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

None

Compliance Assurance Monitoring (CAM) Applicability

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

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

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

Boilers 6 and 8 (EU0020 and EU0025) meet the applicability criteria for 40 CFR Part 64, Compliance Assurance Monitoring (CAM), because these units each have the uncontrolled potential to emit particulate matter above the major source threshold levels (as defined by Part 70) and utilize control devices (as defined by 40 CFR §64.1) to comply with 10 CSR 10-3.060.

When the compliance date for 40 CFR Part 63 Subpart DDDDD arrives (which is currently set at March 21, 2014), these boilers will become subject to the MACT rule, which will then supersede the requirements of CAM.

The permittee submitted a revised Compliance Assurance Monitoring plan in June 2012. This accepted Compliance Assurance Monitoring plan has been incorporated into Permit Conditions EU0020-003 and EU0025-003.

Greenhouse Gas Emissions

This installation is a major source for greenhouse gases. Major stationary sources are required by the Clean Air Act (CAA) to obtain Part 70 operating permits. While Part 70 permits generally do not establish new emissions limits, they consolidate applicable requirements, as defined in Missouri State Regulations 10 CSR 10-6.020(2)(A)23, into a comprehensive air permit. At the time of permit issuance, there were no applicable GHG requirements for this source.

Note that this source is subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO₂ emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO₂ emissions were not included within this permit. An estimate of CO₂ emissions are included in the statement of basis. The applicant is required to report the data directly to EPA. The public may obtain CO₂ emissions data for this installation by visiting EPA's Clean Air Markets website at: <http://camddataandmaps.epa.gov/gdm/index.cfm>.

Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) ¹
CO	132.1
CO ₂ e	1,373,000
HAP	225.9
NO _x	2466.9
PM ₁₀	666.2
PM _{2.5}	32.5
SO _x	2306.5
VOC	23.5

¹Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted

Other Regulatory Determinations

10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*
 KCMO Chapter 8 Section 5(a) *Emission of Particulate Matter (Industrial Processes)*

This rule was determined not to be applicable to the bottom ash system at the installation because these materials are conveyed and handled as a slurry, and have a minimal potential to emit particulate matter.

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:

Jill Wade, P.E.
Environmental Engineer

Mr. Jeff Dykes
Veolia Energy - Kansas City
115 Grand Avenue
Kansas City, MO 64106

Re: Veolia Energy - Kansas City, 095-0021
Permit Number: **OP2012-050**

Dear Mr. Dykes:

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

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

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Jill Wade at the Department of Natural Resources, 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:jwk

Enclosures

c: Kansas City Regional Office
PAMS File: 2005-11-014

Michael Stoppa
Regional EH&S Manager - Central Region
Veolia Energy - Kansas City
115 Grand Avenue
Kansas City, MO 64106

RE: Part 70 Operating Permit, Project: 2005-11-014
Response to Comments

Dear Mr.Stoppa:

The Missouri Air Pollution Control Program (APCP) has received comments submitted during the public comment period on the draft Part 70 Operating Permit for Veolia Energy – Kansas City. The APCP has revised your draft operating permit in response to all comments received. Enclosed is the APCP's response to these comments and a copy of the revised operating permit which is being submitted to the Environmental Protection Agency (EPA) for their review.

The EPA has 45 days from the receipt of this operating permit to notify the Missouri APCP of any objections. If the EPA has no objections, your operating permit will be issued shortly after this period. If the EPA does have objections, additional changes or revisions may be required to the operating permit to respond to the EPA's comments.

If you have any questions or additional comments, please contact me at the departments' 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.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

Jill Wade, P.E.
Environmental Engineer

WJ/ct initials

Enclosure: Proposed Final Title V Operating Permit
Response to Public Comments

c: PAMS File 2005-11-014
Kansas City Regional Office

MEMORANDUM

DATE:

TO: Michael Stoppa – Veolia Energy Kansas City

FROM: Jill Wade, Environmental Engineer

SUBJECT: Response to Public Comments

Comments were received on September 27, 2012 from Mark Smith, Air Permitting and Compliance Branch Chief at Environmental Protection Agency Region 7 and on October 5, 2012 from the Great Rivers Environmental Law Center. The comments are addressed in the order in which they appear within the letter(s).

Comment #1: Section 1. **Installation Description and Equipment Listing** includes a list of emission units with limitations and emission units without limitations. The Veolia Energy draft Part 70 OP shows Fly Ash Pneumatic Transfer and Storage System (EU0050/EP4) and Fly Ash Truck Loading (EU0055/EP4) on both lists. Also, the **Installation Description** identifies fly ash and bottom ash storage and handling as other source of emissions. However, there are no Plant Wide Emission Limitations or Emission Unit Specific Emission Limitations permit conditions addressing EU0050 and EU0055.

Response to Comment: The Fly Ash Pneumatic Transfer and Storage System and Fly Ash Truck Loading should be listed as emission units without limitations because they are sources of fugitive emissions. The tables have been updated accordingly. Although these sources do not have specific emission regulations that apply to them they are still apart of the installation and so will remain a part of the installation description.

Comment #2: The **Installation Description** in Section 1. Includes a table of reported air emissions, in tons per year and the table shows the emissions inventory for the years 2007 through 2011 (last five years). However, the Statement of Basis only references the 2007 Emissions Inventory Questionnaire, received June 4, 2008. Additionally, the emission unit information table presented at the introduction to Permit Condition EU0010-001 and Permit Condition EU0020-001 and EU0025-002 reference the 2007 EIQ at the top of the emission point column. EPA recommends that MDNR update the list of permit reference documents and the EIQ reference numbers in the two tables to reflect the latest available data.

Response to Comment: The Statement of Basis has been corrected to reference the latest submitted EIQ which is the 2011 EIQ which was submitted on March 27, 2012. The

emission unit information tables for all permit conditions have also been corrected to reference the 2011 EIQ.

Comment #3: Permit Conditions EU0010-004 and EU0030-004 and EU0020-005 and EU0025-005 incorporate the requirements of MACT Subpart DDDDD. Based on our review, EPA has several suggestions to offer for MDNR's consideration.

In item 1 under **Emission Limitations**: replace the words "this subpart" following Tables 1 through 3, and 12 with the words "40 CFR Part 63, Subpart DDDDD."

In item 2 under **Emission Limitations**: replace the words "this subpart" following Table 4 (in the first line) with the words "40 CFR Part 63, Subpart DDDDD." Also delete the words "to this subpart" following the words Table 4 (in the third line) and correct the spelling of the word "establish."

In item 4 under **Emission Limitations**: modify the wording to say "The Permittee shall meet the applicable general requirements as specified in §63.7505."

Item 5 under **Emission Limitations**: as written does not appear to require the permittee to perform any action. Therefore EPA recommends that MDNR consider the following: "The permittee shall refer to Table 10 in 40 CFR Part 63, Subpart DDDDD to determine which parts of the General Provisions in §63.1 through §63.15 apply."

The five requirements listed under **Initial Compliance/performance testing/fuel analysis requirements** as written do not appear to require the permittee to act. Therefore, EPA recommends the following change: "The permittee shall demonstrate initial compliance in accordance with §63.7510, as applicable."

The two requirements listed under **Monitoring**: as written do not appear to require the permittee to act. Therefore, EPA recommends the following change: "The permittee shall conduct appropriate monitoring in accordance with §63.7525 and demonstrate continuous compliance in accordance with §§63.7535, 63.7540 and 63.7541."

In item 2.B) under **Notifications**: replace the words "this subpart" with "50 CFR Part 63, Subpart DDDDD."

In item 3, under **Recordkeeping**: there is no reference to the location of paragraphs (b)(1) through (5) of this section. This is confusing and the section should be identified by citation.

In item 4, under **Recordkeeping**: replace the words "to this subpart" with "of 40 CFR Part 63, Subpart DDDDD."

In item 5, under **Recordkeeping**: replace the words "to this subpart" with "of 40 CFR Part 63, Subpart DDDDD." Also, there is no reference to the location of paragraphs (d)(1) through (8) of this section. This is confusing and the section should be identified by citation.

Response to Comment: All of the requested changes were made in an effort to clarify the requirements of the 40 CFR Part 63, Subpart DDDDD.

Comment #4: Item 4 f) under the **Monitoring Requirements**: for Permit Condition EU0020-003 and EU0025-refers to Table 1: Trigen-Kansas City Energy Corporation and Table 1 identifies the site as Veolia Energy, N.A., Kansas City Plant EPA recommends MDNR correct the reference.

Response to Comment: This correction has been made to the draft permit.

Comment #5: Item 1)a) under the **Monitoring Requirements**: for Permit Condition EU0020-004 and EU0025-004 indicates installation of opacity monitoring devices shall be

required on Stack 2, serving boilers 6, 7 and 8. However, the Permit Condition as written only covers boilers 6 (EU0020) and 8 (EU0025).

EPA recommends that MDNR add EU0030, Boiler 7 to the Permit Condition, if the boiler discharges through stack 2 and is required to have an opacity monitoring device.

Response to Comment: Although Stack 2 serves Boiler #7, it is not because Boiler #7 that it is required to have a COMS installed. Boiler #7 burns natural gas and fuel oil and the COMS is only required for units that use coal as fuel, such as Boilers 6 and 8. For this reason Boiler #7 (EU0030) was not included in this permit condition.

Comment #6: EPA recommends that MDNR include, in the Statement of Basis the preapproved authority for allowing the General Manager to serve as the facility "Responsible Official."

Response to Comment: It is the programs belief that the General Manager is a functionally equivalent title for one who is in charge of a principal business function, or performs similar policy and decision-making functions for the corporation. Therefore, the draft was not changed.

Comment #7: The Statement of Basis section titled **Maximum Achievable Control Technology (MACT) Applicability** indicates that 40 CFR Part 63, Subpart DDDDD is applicable to Boilers 6 and 8 and has been applied within this permit (see Permit Condition EU0020-005 and EU0025-005). However, the Veolia-Kansas City draft Part 70 operating permit also includes a Permit Condition EU0100-004 and EU0030-004 written around Boilers 1-A and 7 that incorporates the requirements associated with 40 CFR Part 63, Subpart DDDDD.

EPA recommends that MDNR modify this section of the Statement of Basis to include all of the boilers and all of the applicable Permit Conditions applicable to the MACT Standard.

Response to Comment: Boilers 1A and 7 are also subject to 40 CFR Part 63, Subpart DDDDD so the explanation in the Statement of Basis was corrected to include these units and their corresponding permit conditions (Permit Condition EU0010-004 and EU0030-004).

Comment #8: The Statement of Basis for the Veolia-Kansas City Part 70 draft operating permit includes a potential-to-emit table in the section titles Updated Potential to Emit for the Installation. The table indicates the CO₂e potential-to-emit is 156.7 tons/year; based on each emission unit being evaluated at 8,760 hours of uncontrolled operating. The Veolia Energy Kansas City 2010 report to the EPA as required by the Mandatory Greenhouse Reporting Rule indicates the facilities actual 2010 CO₂e emission were 2000,929 metric tons.

EPA recommends that MDNR determine an updated CO₂e potential-to-emit and modify the table in the Statement of Basis accordingly.

Response to Comment: The CO₂e potential-to-emit has been corrected in the Updated Potential to Emit table in the Statement of Basis.

Comment #9:

I. The Plant Emits Large Quantities of Air Pollutants with No Emissions Limitations

The Veolia Generating Station emits large quantities of CO₂ into the atmosphere. The DNR should set limits on the facility's CO₂ emissions. On December 15, 2009 EPA, pursuant to section 202(a) of the Clean Air Act formally found that six greenhouse gases (including CO₂) taken in combination, endanger the public health and welfare of current and future generations. 74 Fed. Reg. 66496 (December 15, 2009). EPA determined further that the "body of scientific evidence compellingly supports this finding," and that the "major assessments by the U.S. Global Climate Research Program (USGCRP), the intergovernmental Panel on Climate Change (IPCC),

and the National Research Council (NRC) serve as the primary scientific basis" for the finding. 4 Fed. Reg. at 66497. EPA found the following effects would occur:

- Increases in ambient ozone are expected to occur over broad areas of the country and they are expected to increase serious adverse health effects in large population areas.
- The impact on mortality and morbidity associated with increases in average temperatures;
- The evidence concerning how human induced climate change may alter extreme weather events and the increase in risk of the occurrence and intensity of events such as hurricanes and floods; .
- Elevated carbon dioxide concentrations and climate changes can lead to changes in aeroallergens that could increase the potential for allergenic illnesses;
- Certain groups, including children, the elderly and the poor are most vulnerable to these climate-related health effects; and
- The presence of numerous and far-ranging risks to food production and agriculture, forestry, water resources, sea level rise and coastal areas, energy, infrastructure, and settlements, and ecosystems and wildlife.

74 Fed. Reg. at 66497 - 66498.

A primary purpose of Missouri's Air Conservation Law is to protect the health, general welfare and physical property of the people. § 643.030. R.S. Mo. Consistent with this purpose. Missouri law requires the Air Conservation Commission or the Director of the DNR to issue a written cease and desist order upon a determination that a person is engaging or may engage in any activity or is discharging or causing to be discharged into the ambient air any air contaminant, and such activity or discharge constitutes a clear and present danger to the public health or public welfare or the environment. § 643.090, R.S. Mo.

A determination of endangerment to public health and welfare of current and future generations has now been made by the EPA. 74 Fed. Reg. 66496 (December 15, 2009). In the absence of the Commission or Director making a like determination as authorized by § 643.090 and conducting the necessary follow-up action to address the danger, the DNR is neglecting its duty to protect the health and welfare of the people.

Once there is a determination that a discharge of an air contaminant constitutes a clear and present danger to the public health or public welfare or the environment, the Commission or the Director is required to issue a written cease and desist order to the person discharging air contaminant. Section 643.090.2, R.s. Mo. Given the DNR's statutory obligation to eliminate the danger to the public health, public welfare or the environment, the DNR should include CO₂ emission limitations within the permit.

Response to Comment: Carbon dioxide is not currently a regulated air pollutant under 40 CFR 70.2. The Missouri Air Pollution Control Program will address Veolia Energy – Kansas City Plant's CO₂ emissions in the Title V permit when Missouri regulations are revised to include CO₂ requirements.

Comment #10:

II. The DNR Should Impose More Frequent Monitoring and Reporting Requirements to Facilitate Citizen Enforcement

All permits issued pursuant to the Clean Air Act must have monitoring requirements that are sufficient to assure compliance with permit emission limits. 42 U.S.c. § 7661c(c). The

transparency that is provided by reports of adequately monitored permit limitations provides the basis for citizens to file suit for permit violations under the Clean Air Act citizen suit provision. The D.C. Circuit set forth a three part test to determine what monitoring requirements should be established in a Title V permit as part of permit conditions:

- (1) where there are monitoring requirements already contained in existing regulations or permits; the permitting authority must incorporate those requirements into the permit;
- (2) where no previously established monitoring requirements exist for an emission limit, the permitting authority must add "periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit"; and
- (3) where monitoring requirements exist that correspond to an emission limit but that monitoring is not sufficient to assure compliance with the permit limit, the permit writer must remedy that deficiency by supplementing inadequate monitoring to make the requirement sufficient to assure compliance.

Sierra Club v. EPA, 536 F.2d 613, 675 (D.C. Cir. 2008); *see also In re United States Steel Corporation - Granite City Works*, Petition No. V-2009-03, Order Responding to Petitioner's Request that the Administrator Object to Issuance of State Operating Permit at 5-7.

As will be explained below, Permit Condition EU0010-003 and EU0030-003 has inadequate monitoring requirements and should be revised so that compliance with permit limitations will be assured. Revision of this permit condition will give regulators and the public the ability to determine whether or not the facility is in compliance with applicable law. Although citizens have the right to enforce violations of the Veolia Generating Station's permit through a citizen suit- this right is severely hampered by an inability to access the monitoring data that the permit requires the applicant to collect but not report. In 1970, the Clean Air Act was amended to include a citizen suit provision to remedy the lack of enforcement of environmental laws by agency authorities. Citizens could take on the role of "private attorneys general" to ensure compliance with the law. One Senate report stated "citizen suits are a proven enforcement tool. They operate as Congress intended-to both spur and supplement ... government enforcement actions. They have deterred violators and achieved significant compliance gains." S. REP. No. 99-50, at 28 (1985). Enabling citizen suits to be filed also promotes law enforcement when government agencies do not have sufficient funding to undertake enforcement actions. Indeed, three out of four judicial opinions involving enforcement of environmental laws resulted from the initiation of a citizen suit. James R. May.

Now More Than Ever: Trends in Environmental Citizen Suits at 30, 10 Widener L. Rev. 1. 4 (2003).

The Veolia Generating Station draft permit thwarts Congress' purpose behind the citizen suit provision in the 1970 Clean Air Act Amendment. Throughout the draft permit the facility is required to monitor various parameters, testing, and other information on a regular basis, but only report what it monitors as infrequently as semiannually. *See. e.g.* ~ Permit Condition EU0010-002 through EU0030-002, Draft permit, pp. 8-9. The self-reporting of emission violations and/or operating violations by the facility does not provide sufficient transparency that would enable private citizens to know whether the entity is in compliance with the law. The draft permit should be revised to include not only appropriate monitoring requirements but also reporting requirements detailing all records that demonstrate the satisfaction of permit conditions for each instance a criterion is monitored (or else, on a regular basis where the criterion is

monitored continuously). This is the only meaningful way that private citizens can have access to monitoring data.

Response to Comment #10: Submittal of the monitoring data in question more frequently than semi-annually would be burdensome not only on the installation, but to the permitting authority as well. It is not the goal of the Clean Air Act to be overly burdensome. The permittee is required to retain this information on site for a minimum of five years should this information need to be reviewed. Missouri Department of Natural Resources' employees may review it at any time upon request. Public citizens may request to review this data as well, so long as the data is not entitled to confidential treatment under 10 CSR 10-6.210 [10 CSR 10-6.110(3)(C)]. Public citizens may request to review any of the recordkeeping data required by this permit by submitting a request to Missouri's Air Pollution Control Program under Missouri's Sunshine Law. Air Pollution Control Program personnel will then request the information from the facility in order to complete the Sunshine request. If the installation fails to provide the information to Missouri's Air Pollution Control Program, the installation will be in direct violation of the provisions of the operating permit and a Notice of Violation shall be issued.

This method of record retention has been proven effective over the past 30 years. Requiring the installation to submit this data more than semi-annually would require unnecessary usage of resources by both the installation and the Missouri Air Pollution Control Program. The permit requires the installation to report all issues of exceedances or possible exceedances semi-annually. This allows the Missouri Air Pollution Control Program to respond quickly to violations of the standards without having these exceedances obscured by copious amounts of compliant data.

Comment #11:

A. Emission Units without limitations

The draft permit identifies the following emissions units as not having limitations: 1) fly ash pneumatic transfer and storage system (EP4); 2) fly-ash truck loading (EP4); 3) coal storage pile (EP6); and 4) coal screening, milling and transfer operations (EP6). Draft permit, p. 5. The fly ash pneumatic transfer and storage system (EU0050) and fly ash truck loading (EU0055) emission units are listed under the "Emission Units without Limitations" heading. However, they are also listed under the "Emission Units with Limitations" heading in the prior section. Draft permit p. 4. The status of these emissions units should be clarified by limiting each unit to only one designation. In the case that the DNR does require emission limits placed on EU0050 or EU0055, corresponding monitoring, recordkeeping and reporting requirements must also be included in the permit.

The coal storage pile (EP6) and coal screening, milling and transfer operations (EP6) of the facility are also designated as "Emission Units without Limitations." Draft permit p. 5. White 40 CFR § 60.254(c) only requires a fugitive coal dust emissions control plan to be submitted for coal storage piles with coal transfer equipment constructed, reconstructed, or modified after May 27, 2009, the DNR should require the Veolia facility to control these sources of pollution in its permit. The Core Permit Requirement that references 10 CSR 10-6.170 states that "[t]he permittee shall not cause or allow to occur any handling, transporting or storing of any material .. without applying reasonable measures as may be required to prevent. .. fugitive

particulate matter emissions to go beyond the premises of origin " Draft permit p. 30. This emission limitation should be applied to the facility's coal pile and coal screening, milling and transfer operations because of the potential for fugitive particulate matter emissions to go beyond the premises of origin. Reasonable control measures, such as application of water, should be applied as an operational limitation. Monitoring, recordkeeping and reporting requirements must also be included in the permit.

If monitoring requirements are included for the facility's coal storage pile and coal screening, milling and transfer operations, they must be more stringent than the Core Permit Requirement that references 10 CSR 10-6.170. Draft permit pp, 30-31. According to this requirement the permittee must conduct weekly tests for eight consecutive weeks after the permit is issued. Draft permit, p. 31. Should no violation be noted, observations are to be made once every two weeks for a period of eight weeks. If no violations are observed during this time frame, observations need be made only monthly. Simply put, this monitoring program is inadequate because it fails to capture data 96% of the time. This is not sufficient to ensure compliance with the 20% opacity limit. Using the three steps from the Sierra Club case mentioned above to determine appropriate monitoring standards for these emission units, it is clear that step 3 requires the permit writer to impose monitoring that will assure compliance with this permit condition.

Response to Comment 11: The Fly Ash Pneumatic Transfer and Storage System and Fly Ash Truck Loading should be listed as emission units without limitations because they are sources of fugitive emissions. The tables have been updated accordingly.

All sources of fugitive emissions at this facility, including coal screening, milling and transfer operations (EP6) are regulated under 10 CSR 10-6.170 which is listed in the Core Permit Requirements and includes standard wording for monitoring and recordkeeping. The monitoring schedule included has been employed by the Missouri Air Pollution Control Program for many years. The schedule provides an incentive (i.e. reduced monitoring) for remaining in compliance. The schedule begins with weekly monitoring to ensure compliance with the fugitive emissions limitation. After 8 readings (8 weeks ~ 2 months) demonstrating compliance at this monitoring frequency, the installation is allowed to decrease monitoring to once every two weeks. After 4 readings (8 weeks ~ 2 months) demonstrating compliance at this monitoring frequency, the installation is allowed to decrease monitoring to once each month. If at any time the installation exceeds the standard they are required to revert back to weekly monitoring beginning the schedule again. This schedule has been proven effective by its many years of practical implementation. Increased monitoring would reduce the incentive to remain in compliance and prove unnecessarily burdensome to the installation. The installation does not have a history of habitually violating this schedule for these emission units. If the installation should demonstrate frequent violations the Missouri Air Pollution Control Program's Enforcement Section has the right to issue Notice of Violations and require a compliance plan.

Comment #12:

B. Inadequacies of Specific Emissions Units

1. Permit Condition PW001

This permit condition applies to the plant-wide emissions of sulfur oxides. Draft permit. pp. 6-7. Sulfur oxides have emission limitations measured by tons of the pollutant over a 12-month period, pounds of the pollutant per hour averaged over a 24-hour period, and pounds of the

pollutant per hour averaged over a 3-hour period. The limitations are inadequate because they do not incorporate the new 1-hour standard for SO₂ that EPA has established.

The draft permit incorporates SIP regulations that govern SO₂ emissions and preclude certain sources of SO₂ emissions, including the Veolia facility, from causing or contributing to concentrations exceeding the sulfur-related ambient air quality standards. On June 22, 2010, EPA revised the primary National Ambient Air Quality Standard (NAAQS) for SO₂ by establishing a new 1-hour standard at a level of 75 parts per billion (ppb). 75 Fed. Reg. 35520 (June 22, 2010). The standard took effect on August 23, 2010. EPA expects the revised standard to yield health benefits that include reduced hospital admissions, emergency room visits, work days lost due to illness, and cases of aggravated asthma and chronic bronchitis, especially for children, the elderly, and people with asthma. Before issuing any final Title V permit renewal for the Veolia Plant, DNR must evaluate, through air quality modeling, whether SO₂ emissions allowed under the draft permit would cause violations of the NAAQS and, if so, set a 1-hour SO₂ emission limit at the level needed to ensure that emissions from the Veolia units do not violate the NAAQS.

Missouri's Air Conservation Law was enacted for the purpose of "maintain[ing] purity of the air resources of the state to protect the health, general welfare and physical property of the people: . . ." Mo. Rev. Stat. § 643.090 (2010). The state would achieve this purpose by controlling air pollution, including SO₂. If there is any conflict between federal and state standards with respect to emissions limitations, the stricter of the two must apply. While Missouri has yet to incorporate the new 1-hour SO₂ standard into its own state regulations, it will have to in the future to conform to federal law. State regulations specifically note that the purpose of the ambient air quality standards is to "provide long-range goals for ambient air quality throughout Missouri in order to protect the public health and welfare." 10 CSR 10-6.010. The draft permit however, allows emissions of SO₂ that would likely violate this standard by causing exceedances of the recently promulgated 1-hour SO₂ NAAQS. Accordingly, the facility's permit should be revised to include the new 1-hour SO₂ NAAQS in the provisions that preclude the plant from causing or contributing to ambient air quality exceedances.

The NAAQS are based upon years of research and extensive notice and comment and must be set at a level adequate to protect public health with an adequate margin of safety. 42 U.S.C. § 7409(b). Through this process, U.S. EPA established the new 1-hour SO₂ NAAQS because a substantial body of scientific evidence demonstrates that "exposure to SO₂ in even very short time periods--such as five minutes--causes decrements in lung function, aggravation of asthma, and respiratory and cardiovascular morbidity" and that the then-existing NAAQS were inadequate to protect public health from such impacts. These findings were thoroughly documented in an Integrated Science Assessment completed as part of the NAAQS evaluation, and in the final NAAQS rule itself, *Final Rule*, 75 Fed. Reg. at 35,524 – 35,529. Based on this strong scientific evidence, U.S. EPA has estimated that the 1-hour SO₂ NAAQS will prevent 2,300-5,900 premature deaths and 54,000 asthma attacks a year. Put another way, levels of SO₂ air pollution above the standard in the NAAQS are expected to cause thousands of premature deaths and tens of thousands of asthma attacks every year.

Thus, the specific limit in the 1-hour SO₂ NAAQS of 196.2 micrograms per cubic meter is dispositive *authority* that SO₂ concentrations above that level would not protect the public health and welfare. Approval of such levels of emissions would contradict 10 CSR 10-6.010. In order to avoid this result, DNR must carefully evaluate whether the SO₂ emissions allowed by the draft permit would cause exceedances of the 1-hour SO₂ NAAQS and, if so, revise the draft permit to include an SO₂ limit that assures that such exceedances will not occur.

In evaluating compliance with the 1-hour SO₂ NAAQS, DNR should carry out air quality dispersion modeling. Due to the generally localized impacts of SO₂, U.S. EPA has historically considered monitoring alone to be neither an adequate tool nor the most appropriate tool to identify all maximum concentrations of SO₂. *Final Rule*. 75 Fed. Reg. at 35,551. Instead, the approach called for under the new NAAQS employs modeling as the primary method of determining SO₂ concentrations for large stationary sources. *Id.* at 35,553 (“EPA has determined that it is appropriate and efficient to principally use modeling to assess compliance for medium to larger sources, and to rely more on monitoring for groups of smaller sources and sources not as conducive to modeling.”) As U.S. EPA has concluded with regard to the short term 1-hour SO₂ standard, dispersion modeling of stationary sources is especially important and “more technically appropriate, efficient, and effective than [monitoring] because it takes into account fairly infrequent combinations of meteorological and source operating conditions that can contribute to peak ground-level concentrations of SO₂.” *Id.* at 35,554. As such, DNR should model both the actual and maximum allowable emissions from the Veolia Plant in order to ensure that such emissions are not causing exceedances of the 1-hour SO₂ NAAQS.

In order for the Permit's SO₂ emissions standard to be stringent enough to avoid exceedances of the 1-hour SO₂ NAAQS, DNR must ensure that the averaging time for the standard matches the averaging time upon which NAAQS compliance is measured. As U.S. EPA noted in guidance to the 1-hour SO₂ NAAQS, compliance with that standard must be demonstrated on the basis of a 1-hour averaging period. As previously discussed, it is well documented that the health data relied upon by EPA in promulgating the new 1-hour SO₂ NAAQS overwhelmingly indicated that increased asthma attacks and hospital visits are attributable to short term concentrations of sulfur compound concentrations in the air. *See* 75 Fed. Reg. at 35550. Due to the extreme effects of even short-term exposure to SO₂ pollution, it is vitally important to require compliance with an SO₂ emissions limit measured on the same 1-hour averaging time as the NAAQS is based.

In addition to emission limitations being inadequate, this permit condition has inadequate reporting requirements in that reports are to be submitted only after an exceedance of the limitation has occurred and on a semiannual basis. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Response to Comment #12: Plant wide permit condition PW001 includes special conditions that were established by Construction Permit KC AQP #541, Issued February 1, 1990 and Amended January 26, 1998. The SO₂ limits that were included in that construction permit were evaluated at the time of application and were set at adequate levels following thorough evaluation by the Kansas City Air Pollution Control Program. It is not the purpose of this operating permit to reevaluate previously issued construction permits, but rather to incorporate the special conditions of the construction permits into one document.

Permit Condition PW001 requires the facility to maintain monthly SO₂ emissions calculations as well as running 12-month totals of SO₂ emissions. The facility is required to report within 72 hours if these calculations indicate an exceedance of the emission limit established by Permit Condition PW001. The facility is also required by Permit Condition EU0020-002 and EU0025 -002 to maintain the following:

- a) The quantity of coal burned, in tons;
- b) The average heating value of the coal, in tons;
- c) The average percent sulfur in the coal burned;

- d) The calculated monthly sulfur dioxide (SO₂) emissions with a consecutive 12-month total, expressed as pounds of SO₂ emitted per million BTU of heat input.

The facility is required to report to the department no longer than 10 days following the end of the month that records indicate that the emission units exceeded the sulfur dioxide limits. We believe that the monitoring, recordkeeping and reporting is adequate to ensure that the permittee is not exceeding the sulfur dioxide limits set in the permit, and therefore modeling was not required for this facility.

Comment #13:

Permit Condition EU0010-001

This permit condition applies to one of the facility's natural gas-fired boilers. It requires that Boiler 1A be "operated only on natural gas with number 2 or 4 fuel oil as a standby." Draft permit, p. 8. This permit condition is inadequate in that it should be applied to Boiler 7 (EU0030) as well. The reporting requirements of this condition are also inadequate. Any deviations are only required to be reported semiannually. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Response to Comment #13: The statement requiring Boiler 1A to "operate only on natural gas with number 2 or 4 fuel as standby" was included in the operating permit as a special condition to Construction Permit KC AQP #541, Issued February 1, 1990 and Amended January 26, 1998. This construction permit only applies to emission unit EU001 (Boiler 1A) and thus the condition is not applied to Boiler 7 as well. However, the description of Boiler #7 states that the boiler will use natural gas and fuel oil as backup. The permittee is required to maintain monthly records of fuel usage to document compliance with the fuel restrictions and to report no later than 72 hours following discovery of non-compliance with this permit condition, therefore additional monthly reporting is not believed to be necessary.

Comment #14:

Permit Condition EU0010-002 and EU0030-002

This permit condition applies to emissions of particulate matter from fuel burning equipment used for indirect heating. Draft permit, pp. 8-9. The reporting requirements for this permit condition are inadequate in that only semiannual reporting is required. This should be changed to monthly reporting requirements so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Permit Condition EU0010-003 and EU0030-003

This permit condition applies to the restriction of emission of visible air contaminants. Draft permit, pp. 9-10. Emissions from these sources are not to exceed 20% opacity. The monitoring and reporting requirements that are laid out in the core permit requirements are not adequate to determine compliance with the opacity limitations set in this permit condition. According to 10 CSR 10-6.220, the permittee must conduct weekly tests for eight consecutive weeks after the permit is issued. Draft permit, p. 32. Should no violation be noted, observations are to be made once every two weeks for a period of eight weeks. If no violations are observed during this time frame, observations need be made only monthly. Simply put, this monitoring program is inadequate because it fails to capture data 96% of the time. This is not sufficient to ensure compliance with the 20% opacity limit. Using the three steps from the Sierra Club case mentioned above to determine appropriate monitoring standards for the emission units, it is clear that step 3 requires the permit writer to impose monitoring that will assure compliance with this permit condition. This permit condition should require that opacity monitoring be conducted

continuously using a continuous opacity monitoring system (COMS) to ensure opacity limitations are not exceeded. If installing a COMS is not feasible, then monitoring requirements sufficient to ensure compliance with this permit condition should be required.

This permit condition does not have adequate reporting requirements, in that reports are to be submitted only after an exceedance of the emission limitation has occurred and on a semiannual basis. Monitoring results should be reported at least monthly, so that government agencies and the public can ensure this facility is in compliance with the law.

Response to Comment #14: Attachment H contains a worksheet calculation demonstrating that EU0010 and EU0030 will always be in compliance with the emission limitations in permit condition EU0010-002 and EU0030-003 by complying with the operational limitations, therefore monthly reporting is not necessary.

The monitoring schedule included within Permit Conditions EU001-0003 and EU0030-003 has been employed by the Missouri Air Pollution Control Program for many years. The schedule provides an incentive (i.e. reduced monitoring) for remaining in compliance. The schedule begins with weekly monitoring to ensure compliance with the opacity limitation. After 8 readings (8 weeks ~ 2 months) demonstrating compliance at this monitoring frequency, the installation is allowed to decrease monitoring to once every two weeks. After 4 readings (8 weeks ~ 2 months) demonstrating compliance at this monitoring frequency, the installation is allowed to decrease monitoring to once each month. If at any time the installation exceeds the opacity standard they are required to revert back to weekly monitoring beginning the schedule again. This schedule has been proven effective by its many years of practical implementation. Increased monitoring would reduce the incentive to remain in compliance and prove unnecessarily burdensome to the installation. The installation does not have a history of habitually violating this schedule for these emission units. If the installation should demonstrate frequent violations the Missouri Air Pollution Control Program's Enforcement Section has the right to issue Notice of Violations and require a compliance plan. The department does not have the authority to require the facility to install a COMS on these units to monitor opacity because they are not coal-fired units.

Comment #15:

Permit Condition EU0010-004 and EU0030-004

This permit condition applies to Maximum Achievable Control Technology regulations as they apply to the facility's boilers. Draft permit pp 10-12. This permit condition has inadequate reporting requirements in that reports are to be submitted only on a semiannual basis. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Permit Condition EU0020-001 and EU0025-001

This permit condition applies to Boilers #6 and #8. Draft permit, pp. 13-14. This condition has inadequate reporting requirements in that reports are to be submitted only after an exceedance of the limitation has occurred and on a semiannual basis. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Response to Comment #15: Permit Condition EU0010-004 and EU0030-004 contains the monitoring, recordkeeping and reporting requirements required by 40 CFR Part 63 Subpart DDDDD which has a compliance date of March 21, 2014. These requirements are deemed appropriate by the department in order to ensure compliance with the MACT regulation as the compliance date nears. Permit Condition EU0020-001 and EU0025-001 requires that the facility

report any discovery of non-compliance with the requirements of the permit condition within 72 hours as well as semi-annual compliance reporting.

Comment #16:

Permit Condition EU0020-002 and EU0025-002

This permit condition applies to the restriction of emission of sulfur compounds. Draft permit pp. 15-16. Sulfur dioxide (SO₂) has three limitations delineated in this permit condition:

1) a 3-hour average not to be exceeded more than once per year; 2) a 24-hour average not to be exceeded more than once per year; and 3) an annual arithmetic mean. These limitations are inadequate because they do not incorporate the new 1-hour standard for SO₂ EPA has established. The draft permit incorporates SIP regulations that govern SO₂ emissions and preclude certain sources of SO₂ emissions, including the Veolia facility, from causing or contributing to concentrations exceeding the sulfur-related ambient air quality standards. On June 22, 2010, EPA revised the primary National Ambient Air Quality Standard (NAAQS) for SO₂ by establishing a new 1-hour standard at a level of 75 parts per billion (ppb). Based upon the reasoning above, the facility's permit should be revised to include the new 1-hour SO₂ NAAQS in the provisions that preclude the plant from causing or contributing to ambient air quality exceedances.

In addition to inadequate emission limitations, this permit condition has inadequate reporting requirements in that reports are to be submitted after an exceedance of the limitation has occurred and on a semiannual basis. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Response to Comment #15: The new SO₂ NAAQS has been incorporated into the draft operating permit. The new SO₂ NAAQS does not by itself impose any obligation on the installation. Missouri must first evaluate the state and determine which areas are in attainment and nonattainment. Areas designated as nonattainment by Missouri and approved by the EPA will be subject to SO₂ emission reduction standards as promulgated by Missouri for incorporation into Missouri's EPA-approved State Implementation Plan. If Missouri promulgates any new standards to reach attainment with the new SO₂ NAAQS which are applicable to the installation the permit shall be reopened/revised no later than 18 months after the standards promulgation unless the effective date of the newly applicable requirement is later than the date on which the permit is due to expire per the requirements of §70.7(f)(1)(i).

The Missouri Air Pollution Control Program would also like to note that the SO₂, H₂S, and H₂SO₄ NAAQS were included in the operating permit due to the requirements of 10 CSR 10-6.260(3)(B): "Restriction of Concentration of Sulfur Compounds in the Ambient Air. In addition to the limitations specified in subsections (3)(A), (3)(C), and (3)(D) of this rule, no person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards. Except as may be specified elsewhere in this rule, the methods for measuring ambient sulfur compound concentrations are specified in 10 CSR 10-6.040." 10 CSR 10-6.260(3)(B) is not SIP approved and; therefore, not federally enforceable.

Comment #16:

Permit Condition EU0020-003 and EU0025-001

This permit condition applies to particulate emissions generated from fuel burning equipment and for indirect heating. Draft permit, p. 15-19. The reporting requirements for this condition are insufficient. Table 1 requires only monthly reporting of information on the number,

duration and cause for any excursions and COMS downtime. Draft permit, p. 18. Any deviations from other requirements of this permit condition are only required to be reported on a semiannual basis. This should be changed to require at least monthly reporting so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Permit Condition EU0020-005 and EU0025-005

This permit condition applies to the emission standards for hazardous air pollutants for the facility's boilers. Draft permit pp. 21-21. The reporting requirements for this permit condition are inadequate in that only semiannual reporting is required. This should be changed to monthly reporting requirements, so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Permit Condition EU0040-001

This permit condition applies to the control of emissions from solvent metal cleaners. Draft permit pp. 24-25. The reporting requirements for this permit condition are inadequate in that only semiannual reporting is required. This should be changed to monthly reporting requirements, so that government agencies and the public can effectively monitor whether this facility is in compliance with the law.

Response to Comment #16: The monitoring schedules included within the above Permit Conditions have been employed by the Missouri Air Pollution Control Program for many years. These schedules have been proven effective by many years of practical implementation. Increased reporting would prove unnecessarily burdensome to the installation. The installation does not have a history of habitually violating the limitations for these emission units. If the installation should demonstrate frequent violations the Missouri Air Pollution Control Program's Enforcement Section has the right to issue Notice of Violations and require a compliance plan.

Comment #17:

The DNR Should Require Practical Enforceability of all Permit Operations

Listed below are the terms or phrases included in the draft permit that are vague and therefore, lack practical enforceability. A failure to establish clear legal obligations for the facility restrains citizens' rights to enforce violations of the facility's permit, and therefore the following language must be revised to enable enforceability.

A. These Provisions are Unenforceable

1. Manufacturer's Recommended Procedures/Requirements/Instructions

Any standard that is based on what the manufacturer or industry specifies is practically unenforceable because the compliance criteria are not in the permit, not necessarily available to the public, and subject to change at the manufacturer's will. The following permit conditions must be changed to include specific procedures, requirements or instructions in the permit itself:

- p. 7, Permit Condition PW-001, Monitoring/Recordkeeping;
- p. 13, Permit Condition EU0020-001 and EU0025-001, Monitoring/Recordkeeping; and
- p. 16, Permit Condition EU0020-003 and EU0025-003, Monitoring

2. Normal

A number of provisions provide standards that require the permittee to take some action that is "normal." This standard is so vague that it is practically unenforceable. The following permit conditions must be clarified in the permit or statement of basis to include a more specific definition of what is a "normal" operating condition:

- p. 17, Permit Condition EU0020-003 and EU0025-003, Monitoring;

- p. 18, Permit Condition EU0020-003 and EU0025-003, Monitoring;
- p. 29, Core Permit Requirements 10 CSR 10-6.050;
- p. 31. Core Permit Requirements 10 CSR 10-6.170, Recordkeeping;and
- p. 32, Core Permit Requirements 10 CSR 10-6.220, Recordkeeping.

3. As Soon as Practicable/As Expeditiously as Practical

Several provisions in the draft permit require practices to be reported "as soon as practicable" or "as expeditiously as practical." This parameter is practically unenforceable for lack of definition. The permittee could set its own timeline without accountability if one is not specifically laid out in the permit. The following permit conditions must be changed in the permit or statement of basis to include enforceable time frames:

- p. 18, Permit Condition EU0020-003 and EU0020-003, Monitoring;
- p. 28, Core Permit Requirements 10 CSR 10-6.050; and
- p. 36, General Permit Requirements 10 CSR 10-6.065(6)(C)1.C.

4. Reasonable Steps

At two different locations in the draft permit the facility is required to report having taken "reasonable steps" in the case of an emergency. This phrase is vague and unenforceable. The following sections of the draft permit should be changed in the permit or statement of basis to describe with specificity, what "reasonable steps" are required:

- p. 35, General Permit Requirements to CSR 10-6.065(6)(C)1.C;
- p. 38, General Permit Requirements 10 CSR 10-6.065(6)(C)7.

5. Good Air Pollution Control Practices/Good Professional Practice

The phrases "good air pollution control practices" and "good professional practice" should reference some specific, enforceable -standard of "good "practices. The following sections of the draft permit should be changed accordingly to reference an enforceable standard:

- p. 10. Permit Condition EU0010-004 and EU0030-004, Emission Limitations;
- p. 17. Permit Condition EU0020-003 and EU0025-003, Monitoring;
- p. 18. Permit Condition EU0020-003 and EU0025-003, Monitoring;
- p. 21: Permit Condition EU0020-005 and EU0025-005, Emission Limitations; and
- p. 31. Core Permit Requirements 10 CSR 10-6-180.

6. Approved by the Director

One of the Core Permit Requirements, Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin, states "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:" Draft permit, p. 30, 10 CSR 10-6.170, Emission Limitation paragraph 1. For the test method to be practically enforceable, it must be specified in the permit and made clear to the permittee, federal and state regulators, and the public. The provision, as written in contrast, allows the DNR to change the compliance method without notifying the public, without amending the permit, and undermining the enforceability of the underlying requirement.

Response to Comment #17: The Missouri Air Pollution Control Program has been using the permit language in question for close to 30 years without any detrimental effect to the quality of Missouri's air. Practical implementation over the past 30 years has proven the effectiveness of the wording and proven to be protective of the standards they were intended for;

however, if inspectors should note improper adherence within any of the provisions, the permit can be reopened to incorporate more specific wording.