

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-5.390**

**CONTROL OF EMISSIONS FROM MANUFACTURE OF PAINTS, VARNISHES,
LACQUERS, ENAMELS AND OTHER ALLIED SURFACE COATING PRODUCTS**

This amendment will change the rule title, rule purpose, and sections (1)–(3); move current sections (4)–(6) to new subsections (3)(A)–(3)(C); and add new sections (4) and (5).

The rule title and rule purpose are being amended for clarification.

Section (1) is being amended for clarification and to eliminate the unnecessary use of restrictive words.

Section (2) is being amended to add definitions specific to this rule.

Section (3) is being amended for clarification and to reorganize the rule into the standard rule organization format.

Section (4) is being renumbered as subsection (3)(A) to reorganize the rule into the standard rule organization format, and amended for clarification, and to eliminate the unnecessary use of restrictive words.

Section (5) is being renumbered as subsection (3)(B) to reorganize the rule into the standard rule organization format.

Section (6) is being renumbered as subsection (3)(C) to reorganize the rule into the standard rule organization format and amended for clarification.

New section (4) is being added to reorganize the rule into the standard rule organization format.

New section (5) is being added to reorganize the rule into the standard rule organization format and specify additional test methods that can be used to demonstrate compliance with this rule.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

Division 10—Air Conservation Commission

Chapter 5—Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan Area

PROPOSED AMENDMENT

10 CSR 10-5.390 Control of Emissions From ~~[Manufacture]~~the Manufacturing of Paints, Varnishes, Lacquers, Enamels, and Other Allied Surface Coating Products. The commission proposes to amend the title, rule purpose, and sections (1)–(3); move current sections (4)–(6) to new subsections (3)(A)–(3)(C); and add new sections (4) and (5). If the commission adopts this rule action, the department intends to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources’ Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources’ Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: The purpose of this proposed amendment is to restructure the rule into the standard rule organization format, add definitions of terms used in the rule to the definitions section (including terms being removed from the stand alone definitions rule), add alternative test methods, clarify rule language, change the title to match the Kansas City counterpart rule, and remove the unnecessary use of restrictive words. The evidence supporting the need for this proposed amendment, per 536.016, RSMo, is Executive Order 17-03 Red Tape Reduction Review and related comments.

PURPOSE: This rule specifies operating equipment requirements and operating procedures for the reduction of volatile organic compounds from the ~~[manufacture]~~manufacturing of paints, varnishes, lacquers, enamels, and other allied surface coating products in the St. Louis ~~[metropolitan]~~1997 eight (8)-hour ozone nonattainment area.

- (1) ~~[Application]~~**Applicability.**
 - (A) This rule ~~[shall apply]~~**applies** throughout St. Louis City and Jefferson, St. Charles, Franklin, and St. Louis Counties.
 - (B) This rule applies to all installations which have the uncontrolled potential to emit more than two hundred fifty kilograms (250 kg) per day or one hundred (100) tons per year of volatile organic compounds (VOCs) from the ~~[manufacture]~~**manufacturing** of paints, varnishes, lacquers, enamels, and other allied surface coating products.
- (2) Definitions~~[of certain terms specified in this rule may be found in 10 CSR 10-6.020].~~
 - (A) **Add-on control device—An air pollution control device, such as a thermal oxidizer or carbon adsorber, that reduces pollution in an air stream by destruction or removal before discharge to the atmosphere.**
 - (B) **Condenser—Any heat transfer device used to liquefy vapors by removing their latent heats of vaporization including, but not limited to, shell and tube, coil, surface, or contact condensers.**

- (C) **Control device**—Any equipment that reduces the quantity of a pollutant that is emitted to the air. The device may destroy or secure the pollutant for subsequent recovery. Includes, but is not limited to, incinerators, carbon adsorbers, and condensers.
- (D) **Director**—Director of the Missouri Department of Natural Resources or a representative designated to carry out the duties as described in 643.060, RSMo.
- (E) **Installation**—All source operations including activities that result in fugitive emissions, that belong to the same industrial grouping (that have the same two (2)-digit code as described in the Standard Industrial Classification Manual, 1987), and any marine vessels while docked at the installation, located on one (1) or more contiguous or adjacent properties and under the control of the same person (or persons under common control).
- (F) **Paints and allied products**—Materials such as paints, inks, adhesives, stains, varnishes, shellacs, putties, sealers, caulks, and other coatings from raw materials that are intended to be applied to a substrate and consists of a mixture of resins, pigments, solvents, and/or other additives.
- (G) **Paints, varnishes, lacquers, enamels, and other allied surface coating products manufacturing**—The production of paints and allied products, the intended use of which is to leave a dried film of solid material on a substrate. Typically, the manufacturing processes that produce these materials are described by Standard Industry Classification (SIC) codes 285 or 289 and North American Industry Classification System (NAICS) codes 3255 and 3259 and are produced by physical means, such as blending and mixing, as opposed to chemical synthesis means, such as reactions and distillation. Paints, varnishes, lacquers, enamels, and other allied surface coating products manufacturing does not include:
1. The manufacture of products that do not leave a dried film of solid material on the substrate, such as thinners, paint removers, brush cleaners, and mold release agents;
 2. The manufacture of electroplated and electroless metal films;
 3. The manufacture of raw materials, such as resins, pigments, and solvents used in the production of paints and coatings; and
 4. Activities by end users of paints or allied products to ready those materials for application.
- (H) **Potential to emit**—The emission rates of any pollutant at maximum design capacity. Annual potential shall be based on the maximum annual-rated capacity of the facility assuming continuous year-round operation. Federally enforceable permit conditions on the type of materials combusted or processed, operating rates, hours of operation, and the application of air pollution control equipment shall be used in determining the annual potential. Secondary emissions do not count in determining annual potential.
- (I) **Volatile organic compound (VOC)**—See definition in 10 CSR 10-6.020.
- (J) **Definitions of certain terms in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.**

(3) General **Provisions.** ~~[No owner or operator of a manufacturing installation subject to this rule and producing the products listed in section (1) shall cause or allow the manufacture of these products unless the operating equipment meets the requirements contained in this rule and without adhering to operating procedures specified in this rule and operating procedures recommended by the equipment manufacturer and approved by the director.]~~

[

(4) (A) Operating Equipment and Operating Procedure Requirements.

- ~~[(A)]~~ 1. Tanks storing VOCs with a vapor pressure greater than or equal to ~~[10]ten~~ kilopascals (**10 kPa**) or **one and one-half pounds per square inch** (1.5 psi) at twenty degrees Celsius (20 °C), shall be equipped with pressure/vacuum conservation vents set at **plus or minus two-tenths kilopascals** (± 0.2 kPa) or **twenty-nine-thousandths pounds per square inch** (± 0.029 psi), except where more effective air pollution control is used and has been approved by the director. Stationary VOC storage containers with a capacity greater than two hundred fifty (250) gallons shall be equipped with a submerged-fill pipe or bottom fill, except where more effective air pollution control is used and has been approved by the director.
- ~~[(B)]~~ 2. Covers shall be installed on all open-top tanks used for the production of ~~[nonwaterbase]~~**non-water-based** coating products~~[-.These covers shall]~~ **and** remain closed except when production, sampling, maintenance, or inspection procedures require operator access.
- ~~[(C)]~~ 3. Covers shall be installed on all tanks containing VOCs used for cleaning equipment~~[-.These covers shall]~~ **and** remain closed except when operator access is required.
- ~~[(D)]~~ 4. All vapors from varnish cooking operations shall be collected and passed through a control device which removes at least eighty-five percent (85%) ~~[on a daily basis]~~ of the VOCs from these vapors before they are discharged to the atmosphere.
- ~~[(E)]~~ 5. All grinding mills shall be operated and maintained in accordance with manufacturers' specifications. The manufacturers' specifications shall be kept on file and made available to the director upon ~~[his/her]~~ request.
- ~~[(F)]~~ 6. The polymerization of synthetic varnish or resin shall be done in a completely enclosed operation with the VOC emissions controlled by the use of surface condensers or equivalent controls.
- ~~[(1-)]~~ A. If surface condensers are used, they must be maintained to ensure a ninety-five percent (95%) overall removal efficiency for total VOC emissions when condensing total VOC of a vapor pressure greater than **twenty-six millimeters of Mercury** (26 mmHg) (as measured at ~~[20]twenty~~ degrees Celsius (**20 °C**)).
- ~~[(2-)]~~ B. If equivalent controls are used, the VOC emissions must be reduced by an amount equivalent to the reduction which would be achieved under **subparagraph ~~[(4)(F)](3)(A)6.A. of this rule.~~** Any owner or operator desiring to use equivalent controls to comply with this subsection shall submit proof of equivalency as part of the control plan required under ~~[subsection (5)(A)]~~**paragraph (3)(B)1.** of this rule. Equivalent controls may not be used

~~[unless]~~ **until proof of equivalency has been submitted to the department and approved by the director.**

[
~~(5)~~]

(B) Compliance Dates.

- ~~[(A)]~~ 1. The owner or operator of a paint, varnish, lacquer, enamel, or other allied surface coating production manufacturing installation subject to this rule shall submit a final control plan to the director for his/her approval no later than six (6) months after the effective date of this rule (September 11, 1984). This plan shall include a time schedule for compliance containing an engineering design, increments of progress, and a final compliance date.
- ~~[(B)]~~ 2. Compliance with this rule shall be accomplished by any installation as expeditiously as practicable but in no case later than August 12, 1985.

[
~~(6)~~]

(C) Compliance ~~[Methods and Recordkeeping]~~ Determination.

- ~~[(A)]~~ 1. The control efficienc[y]ies specified in ~~[subsections (4)(D) and (F)]~~ **paragraphs (3)(A)4. and (3)(A)6. of this rule** shall be determined by ~~[the testing method referenced at 10 CSR 10-6.030(14)(A)]~~ **a test method in section (5) of this rule.**
- ~~[(B)]~~ 2. Owners or operators utilizing add-on control ~~[technology]~~ **devices** shall monitor the following parameters continuously while the affected equipment is in operation:
- ~~[1.]~~ A. Exit stream temperature on all condensers; and
- ~~[2.]~~ B. Any other parameter which the director determines is necessary to quantify emissions or otherwise determine compliance with this rule.

~~[(C)]~~ ~~Records shall be kept on production rates sufficient to determine daily VOC emissions.~~

~~[(D)]~~ ~~The owner or operator shall record all information derived from monitoring required under subsections (6)(B) and (C) and shall keep records for a period of not less than two (2) years. All these records shall be made available to the director upon request.]~~

(4) Reporting and Record Keeping.

- (A) Records shall be kept on production rates sufficient to determine daily VOC emissions and any test results performed in accordance with this rule.**
- (B) Owners or operators shall record all information derived from monitoring required under paragraph (3)(C)2. of this rule.**
- (C) The records described under subsections (4)(A) and (4)(B) of this rule shall be kept for a period of two (2) years and made available to the director upon request.**

(5) Test Methods. The following test methods may be used to demonstrate compliance with this rule as appropriate, based on gas stream composition:

- (A) Method 18—Measurement of Gaseous Organic Compound Emissions By Gas Chromatography of 40 CFR 60, Appendix A-6, as specified in 10 CSR 10-6.030(22);**

- (B) **Method 25–Determination of Total Gaseous Nonmethane Organic Emissions as Carbon of 40 CFR 60, Appendix A-7, as specified in 10 CSR 10-6.030(22);**
- (C) **Method 25A–Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer as Carbon of 40 CFR 60, Appendix A-7, as specified in 10 CSR 10-6.030(22); or**
- (D) ***Test Method 320–Measurement of Vapor Phase Organic and Inorganic Emissions by Extractive Fourier Transform Infrared (FTIR) Spectroscopy of 40 CFR 63, Appendix A, promulgated as of July 1, 2019 and hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington DC 20401. This rule does not incorporate any subsequent amendments or additions.***

AUTHORITY: section 643.050, RSMo [~~Supp 1999~~]2016. Original rule filed Oct. 13, 1983, effective March 11, 1984. Amended: Filed Oct. 4, 1988, effective March 11, 1989. Amended: Filed Jan. 3, 2000, effective Aug. 30, 2000. Amended: Filed Jan. 15, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.061
CONSTRUCTION PERMIT EXEMPTIONS**

This amendment will change the rule purpose; sections (1), (2), (3), and (5); and delete subsection (3)(C).

The rule purpose is being amended for clarification.

Sections (1) and (3) are being amended to clarify rule language and remove the unnecessary use of restrictive words.

Section (2) is being amended to add definitions specific to this rule.

Subsection (3)(C) is being removed because it is redundant.

Section (5) is being amended to correct a typographical error.

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**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.061 Construction Permit Exemptions. The commission proposes to amend the purpose; sections (1), (2), (3), and (5); and delete subsection (3)(C). If the commission adopts this rule action, the department intends to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this

rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: The purpose of this amendment is to continue to move the definitions from the stand alone definitions rule to their applicable rule, update incorporations by reference, make other language clarifications and typographical corrections, and remove the unnecessary use of restrictive words. The evidence supporting the need for this proposed amendment, per 536.016, RSMo, is Executive Order 17-03 and related comments.

*PURPOSE: This rule lists specific construction or modification projects that are ~~[not required]~~ **exempt from the requirement** to obtain permits to construct under 10 CSR 10-6.060. ~~[The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is the February 20, 2002 Recommendations from the "Managing For Results" presentation, the Air Program Advisory Forum 2001 and 2002 Recommendations and a January 28, 2003 memorandum to the department's Air Pollution Control Program recommending exemption language changes.]~~*

- (1) Applicability. This rule ~~[shall apply to all installations in]~~ **applies throughout the state of Missouri. Notwithstanding [The]the provisions of [section (3)-of-]this rule [notwithstanding],** 10 CSR 10-6.060 ~~[shall apply]~~ **applies** to any construction, reconstruction, alteration, or modification which—
 - (A) Is expressly required by an operating permit; or
 - (B) Is subject to federally-mandated construction permitting requirements set forth in sections (7), (8),~~[or]~~ (9), or any combination of these, of 10 CSR 10-6.060.
- (2) Definitions. ~~[Definitions for certain terms specified in this rule may be found in 10 CSR 10-6.020.]~~
 - (A) **Actual emissions—The actual rate of emissions of a pollutant from a source operation is determined as follows:**
 1. **Actual emissions as of a particular date shall equal the average rate, in tons per year, at which the source operation or installation actually emitted the pollutant during the previous two (2)-year period and which represents normal operation. A different time period for averaging may be used if the director determines it to be more representative. Actual emissions shall be calculated using actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period;**
 2. **The director may presume that source-specific allowable emissions for a source operation or installation are equivalent to the actual emissions of the source operation or installation; and**
 3. **For source operations or installations, which have not begun normal operations on the particular date, actual emissions shall equal the potential emissions of the source operation or installation on that date.**
 - (B) **Air pollutant—Agent, or combination of agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and by-product material) substance, or matter which is emitted into or otherwise enters the ambient air. Such term includes any precursors to the formation of any air pollutant, to the extent the administrator of the**

U.S. Environmental Protection Agency, or the administrator's duly authorized representative has identified such precursor(s) for the particular purpose for which the term air pollutant is used.

- (C) **Animal feeding operations**—The terms in subparagraph (3)(A)2.D. of this rule pertaining to animal feeding operations are defined in 40 CFR 122.23(b) promulgated as of July 1, 2017, and hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington DC 20401. This rule does not incorporate any subsequent amendments or additions.
 - (D) **Emissions unit**—Any part or activity of a facility that emits or has the potential to emit any regulated air pollutant.
 - (E) **Facility**—All contiguous or adjoining property that is under common ownership or control, including properties that are separated only by a road or other public right-of-way.
 - (F) **Liquefied petroleum gas**—A gas consisting of propane, propylene, butane, and butylenes.
 - (G) **Natural gas**—A naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions.
 - (H) **Definitions of certain terms in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.**
- (3) General Provisions. The following construction or modifications are ~~not required~~ **exempt from the requirement** to obtain a permit under 10 CSR 10-6.060:
- (A) ~~[Exempt Emission Units]~~ **Sources of Emissions.**
 - 1. The following combustion equipment~~[-is exempt from 10 CSR 10-6.060 if the equipment]~~ **that** emits only combustion products~~[-]~~ and ~~[the equipment]~~ produces less than one hundred fifty (150) pounds per day of any air contaminant:
 - A. ~~[Any-e]~~ Combustion equipment using exclusively natural gas,~~[-or]~~ liquefied petroleum gas, or any combination of these with a **heat input** capacity of less than ten (10) million British thermal units (Btus) per hour~~[-heat input]~~;
 - B. ~~[Any-e]~~ Combustion equipment with a **heat input** capacity of less than one (1) million Btus per hour~~[-heat input]~~;
 - C. Drying or heat treating ovens with less than ten (10) million Btus per hour **heat input** capacity provided the oven does not emit pollutants other than the combustion products and the oven is fired exclusively by natural gas, liquefied petroleum gas, or any combination thereof; and
 - D. ~~[Any-e]~~ Oven with a total production of yeast~~[-]~~-leavened bakery products of less than ten thousand (10,000) pounds per operating day heated either electrically or exclusively by natural gas firing with a maximum **heat input** capacity of less than ten (10) million Btus per hour.

2. The following establishments, systems, equipment, and operations ~~are exempt from 10 CSR 10-6.060~~:
- A. Office and commercial buildings, where emissions result solely from space heating by natural or liquefied petroleum gas **with a heat input capacity** of less than twenty (20) million Btus per hour ~~heat input~~. Incinerators operated in conjunction with these sources are not exempt unless the incinerator operations are exempt under another section of this rule;
 - B. Comfort air conditioning or comfort ventilating systems not designed or used to ~~remove air contaminants generated by, or released from, specific units of equipment~~ **control air pollutant emissions**;
 - C. Equipment used for any mode of transportation;
 - D. Livestock markets and livestock operations, including animal feeding operations and concentrated animal feeding operations, ~~as those terms are defined by 40 CFR 122.23~~ and all manure storage and application systems associated with livestock markets or livestock operations, that were constructed on or before November 30, 2003. This exemption includes any change, installation, construction, or reconstruction of a process, process equipment, emission unit, or air cleaning device after November 30, 2003, unless such change, installation, construction, or reconstruction involves an increase in the operation's capacity to house or grow animals~~;~~;
 - E. ~~Any g~~ Grain handling, storage, and drying facility which—
 - (I) Is in noncommercial use only (used only to handle, dry, or store grain produced by the owner) if—
 - (a) The total storage capacity does not exceed seven hundred fifty thousand (750,000) bushels;
 - (b) The grain handling capacity does not exceed four thousand (4,000) bushels per hour; and
 - (c) The facility is located at least five hundred feet (500') from any recreational area, residence, or business not occupied or used solely by the owner;
 - (II) Is in commercial or noncommercial use and—
 - (a) The total storage capacity of the new and any existing facility(ies) does not exceed one hundred ninety thousand (190,000) bushels;
 - (b) Has an installation of additional grain storage capacity in which there is no increase in hourly grain handling capacity and that utilizes existing grain receiving and loadout equipment; or
 - (c) Is a temporary installation used for temporary storage as a result of exceptional events (e.g., natural disasters or abundant harvests exceeding available storage capacity) that meets the following criteria:

- I. Outside storage structures shall have a crushed lime or concrete floor with retaining walls of either constructed metal or concrete block. These structures may be either oval or round and must be covered with tarps while storing grain. These structures may be filled by portable conveyor or by spouts added from existing equipment;
 - II. Existing buildings may be filled by portable conveyors directly or by overhead fill conveyors that are already in the buildings;
 - III. The potential to emit from the storage structures is less than one hundred (100) tons of each pollutant;
 - IV. The attainment or maintenance of ambient air quality standards is not threatened; and
 - V. There is no significant impact on any Class I area[-];
- F. Restaurants and other retail establishments for the purpose of preparing food for employee and guest consumption;
- G. ~~[Any w]Wet sand and gravel production facility that obtains its material from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from natural disintegration of rock and stone and whose maximum production rate is less than five hundred (500) tons per hour. All permanent in-plant roads shall be paved and cleaned, or watered, or properly treated with dust suppressant chemicals as necessary to achieve good engineering control of dust emissions. Only natural gas shall be used as a fuel when drying;~~
- (I) Processed materials are obtained from subterranean and subaqueous beds where the deposits of sand and gravel are consolidated granular materials resulting from natural disintegration of rock and stone;**
 - (II) Maximum production rate is less than five hundred (500) tons per hour;**
 - (III) All permanent roads within the facility are paved and cleaned, or watered, or properly treated with dust-suppressant chemicals as necessary to achieve good engineering control of dust emissions; and**
 - (IV) Only natural gas is used as a fuel when drying;**
- H. Equipment solely installed for the purpose of controlling fugitive dust;
- I. Equipment or control equipment which eliminates all emissions to the ambient air;
- J. Equipment, including air pollution control equipment, but not including an anaerobic lagoon, that emits odors but no regulated

- air pollutants;
- K. Residential wood heaters, cookstoves, or fireplaces;
 - L. Laboratory equipment used exclusively for chemical and physical analysis or experimentation, except equipment used for controlling radioactive air contaminants;
 - M. Recreational fireplaces;
 - N. Stacks or vents to prevent the escape of sewer gases through plumbing traps for systems handling domestic sewage only. Systems which include any industrial waste do not qualify for this exemption;
 - O. Noncommercial incineration of dead animals, the on-site incineration of resident animals for which no consideration is received or commercial profit is realized as authorized in section 269.020.6, RSMo[~~2000~~];
 - P. The following miscellaneous activities:
 - (I) Use of office equipment and products, not including printing establishments or businesses primarily involved in photographic reproduction. This exemption is solely for office equipment that is not part of the manufacturing or production process at the installation;
 - (II) Tobacco smoking rooms and areas;
 - (III) Hand-held applicator equipment for hot melt adhesives with no volatile organic compound (VOC) in the adhesive formula;
 - (IV) Paper trimmers and binders;
 - (V) Blacksmith forges, drop hammers, and hydraulic presses;
 - (VI) Hydraulic and hydrostatic testing equipment; and
 - (VII) Environmental chambers, shock chambers, humidity chambers, and solar simulators provided no hazardous air pollutants are emitted by the process;
 - Q. The following internal combustion engines:
 - (I) Portable electrical generators that can be moved by hand without the assistance of any motorized or non-motorized vehicle, conveyance, or device;
 - (II) Spark ignition or diesel fired internal combustion engines used in conjunction with pumps, compressors, pile drivers, welding, cranes, and wood chippers or internal combustion engines or gas turbines of less than two hundred fifty (250) horsepower rating; and
 - (III) Laboratory engines used in research, testing, or teaching;
 - R. The following quarries, mineral processing, and biomass facilities:
 - (I) Drilling or blasting activities;
 - (II) Concrete or aggregate product mixers or pug mills with a maximum rated capacity of less than fifteen (15) cubic yards per hour;
 - (III) Riprap production processes consisting only of a grizzly feeder, conveyors, and storage, not including additional

- hauling activities associated with riprap production;
- (IV) Sources at biomass recycling, composting, landfill, publicly owned treatment works (POTW), or related facilities specializing in the operation of, but not limited to, tub grinders powered by a motor with a maximum output rating of ten (10) horsepower[-]; hoggers, [~~and~~]shredders, and similar equipment powered by a motor with a maximum output rating of twenty-five (25) horsepower[-]; and other sources at such facilities with a total throughput less than five hundred (500) tons per year; and
- (V) Land farming of soils contaminated only with petroleum fuel products where the farming beds are located a minimum of three hundred feet (300') from the property boundary;
- S. The following kilns and ovens:
 - (I) Kilns with a firing capacity of less than ten (10) million Btus per hour used for firing ceramic ware, heated exclusively by natural gas, liquefied petroleum gas, electricity, or any combination thereof; and
 - (II) Electric ovens or kilns used exclusively for curing or heat-treating provided no hazardous air pollutants (HAPs) or VOCs are emitted;
- T. The following food and agricultural equipment:
 - (I) [~~Any e~~]Equipment used in agricultural operations to grow crops;
 - (II) Equipment used exclusively to slaughter animals. This exemption does not apply to other slaughterhouse equipment such as rendering cookers, boilers, heating plants, incinerators, and electrical power generating equipment;
 - (III) Commercial smokehouses or barbecue units in which the maximum horizontal inside cross-sectional area does not exceed twenty (20) square feet;
 - (IV) Equipment used exclusively to grind, blend, package, or store tea, cocoa, spices, or coffee;
 - (V) Equipment with the potential to dry, mill, blend, grind, or package less than one thousand (1,000) pounds per year of dry food products such as seeds, grains, corn, meal, flour, sugar, and starch;
 - (VI) Equipment with the potential to convey, transfer, clean, or separate less than one thousand (1,000) tons per year of dry food products or waste from food production operations;
 - (VII) Storage equipment or facilities containing dry food products that are not vented to the outside atmosphere or which have the potential to handle less than one thousand (1,000) tons per year;
 - (VIII) Coffee, cocoa, and nut roasters with a roasting capacity of

- less than fifteen (15) pounds of beans or nuts per hour, and
[~~any~~]-stoners or coolers operated with these roasters;
- (IX) Containers, reservoirs, tanks, or loading equipment used exclusively for the storage or loading of beer, wine, or other alcoholic beverages produced for human consumption;
 - (X) Brewing operations at facilities with the potential to produce less than three (3) million gallons of beer per year; and
 - (XI) Fruit sulfuring operations at facilities with the potential to produce less than ten (10) tons per year of sulfured fruits and vegetables;
- U. Batch solvent recycling equipment provided the recovered solvent is used primarily on-site, the maximum heat input is less than one (1) million Btus per hour, the batch capacity is less than one hundred fifty (150) gallons, and there are no solvent vapor leaks from the equipment which exceed five hundred (500) parts per million;
- V. The following surface coating and printing operations:
- (I) ~~Batch mixing of inks, coatings, or paints provided—[good housekeeping is practiced, spills are cleaned up as soon as possible, equipment is maintained according to manufacturer's instruction and property is kept clean. In addition, all waste inks, coating, and paints shall be disposed of properly. Prior to disposal, all liquid waste shall be stored in covered containers. This exemption does not apply to ink, coatings, or paint manufacturing facilities;]~~
 - (II) Any powder coating operation, or radiation cured coating operation where ultraviolet or electron beam energy is used to initiate a reaction to form a polymer network;
 - (III) Any surface-coating source that employs solely non-refillable hand-held aerosol cans; and
 - (IV) Surface coating operations utilizing powder coating materials with the powder applied by an electrostatic powder spray gun or an electrostatic fluidized bed;
 - (a) The operations do not occur at an ink, coatings, or paint manufacturing facility;**
 - (b) Good housekeeping is practiced, spills are cleaned up as soon as possible, equipment is maintained according to manufacturer's instruction, and property is kept clean;**
 - (c) All waste inks, coating, and paints are disposed of properly; and**
 - (d) Prior to disposal, all liquid waste is stored in covered containers;**
- W. The following metal working and handling equipment:

- (I) Carbon dioxide (CO₂) lasers, used only on metals and other materials that do not emit a HAP or VOC in the process;
 - (II) Laser trimmers equipped with dust collection attachments;
 - (III) Equipment used for pressing or storing sawdust, wood chips, or wood shavings;
 - (IV) Equipment used exclusively to mill or grind coatings and molding compounds in a paste form provided the solution contains less than one percent (1%) VOC by weight;
 - (V) Tumblers used for cleaning or deburring metal products without abrasive blasting;
 - (VI) Batch mixers with a rated capacity of fifty-five (55) gallons or less provided the process will not emit hazardous air pollutants;
 - (VII) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives provided the process will not emit hazardous air pollutants;
 - (VIII) Equipment used exclusively for the packaging of lubricants or greases;
 - (IX) Platen presses used for laminating provided the process will not emit hazardous air pollutants;
 - (X) Roll mills or calendars for rubber or plastics provided the process will not emit hazardous air pollutants;
 - (XI) Equipment used exclusively for the melting and applying of wax containing less than one percent (1%) VOC by weight;
 - (XII) Equipment used exclusively for the conveying and storing of plastic pellets; and
 - (XIII) Solid waste transfer stations that receive or load out less than fifty (50) tons per day of nonhazardous solid waste;
- X. The following liquid storage and loading equipment:
- (I) Storage tanks and vessels having a capacity of less than five hundred (500) gallons; and
 - (II) Tanks, vessels, and pumping equipment used exclusively for the storage and dispensing of any aqueous solution which contains less than one percent (1%) by weight of organic compounds. Tanks and vessels storing the following materials are not exempt:
 - (a) Sulfuric or phosphoric acid with an acid strength of more than ninety-nine percent (99.0%) by weight;
 - (b) Nitric acid with an acid strength of more than seventy percent (70.0%) by weight;
 - (c) Hydrochloric or hydrofluoric acid with an acid strength of more than thirty percent (30.0%) by weight; or
 - (d) More than one (1) liquid phase, where the top phase contains more than one percent (1%) VOC by weight;

- Y. The following chemical processing equipment or operations:
 - (I) Storage tanks, reservoirs, pumping, and handling equipment, and mixing and packaging equipment containing or processing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized; and
 - (II) Batch loading and unloading of solid phase catalysts;
- Z. Body repair and refinishing of motorcycles, passenger cars, vans, light trucks, ~~and~~ heavy trucks, and other vehicle body parts, bodies, and cabs, provided—
 - (I) Good housekeeping is practiced; spills are cleaned up as soon as possible, equipment is maintained according to manufacturers' instructions, and property is kept clean. ~~In addition, all~~ **All** waste coatings, solvents, and spent automotive fluids including, but not limited to, fuels, engine oil, gear oil, transmission fluid, brake fluid, antifreeze, fresh or waste fuels, and spray booth filters or water wash sludge are disposed of properly. Prior to disposal, all liquid waste shall be stored in covered containers. ~~All~~ **In addition, all** solvents and cleaning materials shall be stored in closed containers;
 - (II) All spray coating operations shall be performed in a totally enclosed filtered spray booth or totally enclosed filtered spray area with an air intake area of less than one hundred (100) square feet. All spray areas shall be equipped with a **running** fan ~~which shall be operated~~ during spraying, and the exhaust air shall either be vented through a stack to the atmosphere or ~~the air shall be~~ recirculated back into the shop through a carbon adsorption system. All carbon adsorption systems shall be properly maintained according to the manufacturer's operating instructions, and the carbon shall be replaced at the manufacturer's recommended intervals to minimize solvent emissions; and
 - (III) Spray booth, spray area, and preparation area stacks shall be located at least eighty feet (80') away from any residence, recreation area, church, school, child care facility, or medical or dental facility;
- AA. Sawmills processing no more than twenty-five (25) million board feet, green lumber tally of wood per year, in which no mechanical drying of lumber is performed, in which fine particle emissions are controlled through the use of properly engineered baghouses or cyclones, and which meet all of the following provisions:
 - (I) The mill shall be located at least five hundred feet (500') from any recreational area, school, residence, or other structure not occupied or used solely by the owner of the facility or the owner of the property upon which the installation is located;

- (II) All sawmill residues (sawdust, shavings, chips, bark) from debarking, planing, saw areas, etc., shall be removed or contained to minimize fugitive particulate emissions. Spillage of wood residues shall be cleaned up as soon as possible and contained such that dust emissions from wind erosion and/or vehicle traffic are minimized. Disposal of collected sawmill residues must be accomplished in a manner that minimizes residues becoming airborne. Disposal by means of burning is prohibited unless it is conducted in a permitted incinerator; and
 - (III) All open-bodied vehicles transporting sawmill residues (sawdust, shavings, chips, bark) shall be covered with a tarp to achieve maximum control of particulate emissions;
 - BB. Internal combustion engines and gas turbine driven compressors, electric generator sets, and water pumps, used only for portable or emergency services, provided that the maximum annual operating hours shall not exceed five hundred (500) hours. Emergency generators are exempt only if their sole function is to provide back-up power when electric power from the local utility is interrupted. This exemption only applies if the emergency generators are **equipped with a non-resettable meter, and** operated only during emergency situations and for short periods of time to perform maintenance and operational readiness testing~~[-The emergency generator shall be equipped with a non-resettable meter];~~
 - CC. Commercial dry cleaners; and
 - DD. Carving, cutting, routing, turning, drilling, machining, sawing, sanding, planing, buffing, or polishing solid materials, other than materials containing any asbestos, beryllium, or lead greater than one percent (1%) by weight as determined by Material Safety Data Sheets (MSDS), vendor material specifications and/or purchase order specifications, where equipment—
 - (I) Directs a stream of liquid at the point where material is processed;
 - (II) Is used only for maintenance or support activity not conducted as part of the installation's primary business activity;
 - (III) Is exhausted inside a building; or
 - (IV) Is ventilated externally to an operating cyclonic inertial separator (cyclone), baghouse, or dry media filter. Other particulate control devices such as electrostatic precipitators or scrubbers are subject to construction permitting or a permit-by-rule, unless otherwise exempted.
3. Construction or modifications~~[are exempt from 10 CSR 10-6.060 if they]~~ **that** meet the requirements of subparagraph (3)(A)3.B. of this rule for each hazardous air pollutant and the requirements of subparagraph (3)(A)3.A., (3)(A)3.C., or (3)(A)3.D. of this rule for each criteria pollutant. The director may require review of construction or

modifications otherwise exempt under paragraph (3)(A)3. of this rule if the emissions of the proposed construction or modification will appreciably affect air quality or the air quality standards are appreciably exceeded or complaints involving air pollution have been filed in the vicinity of the proposed construction or modification.

- A. At maximum design capacity the proposed construction or modification shall emit each pollutant at a rate of no more than the amount specified in Table 1.

TABLE 1. Insignificant Emission Exemption Levels

Pollutant	Insignificance Level (lbs per hr)
Particulate Matter 10 Micron (PM ₁₀) (Emitted solely by equipment)	1.0
Sulfur Oxides (SO _x)	2.75
Nitrogen Oxides (NO _x)	2.75
Volatile Organic Compounds (VOCs)	2.75
Carbon Monoxide (CO)	6.88

- B. At maximum design capacity, the proposed construction or modification will emit a hazardous air pollutant at a rate of no more than one-half (0.5) pound per hour, or the hazardous emission threshold as established in subsection (12)(J) of 10 CSR 10-6.060, whichever is less.
 - C. Actual emissions of each criteria pollutant, except lead, will be no more than eight hundred seventy-six (876) pounds per year.
 - D. Actual emissions of volatile organic compounds that do not contain hazardous air pollutants will be no more than four (4) tons per year.
- (B) ~~[Excluded]~~ Activities. ~~[10 CSR 10-6.060 does not apply to]~~ **Any activity that is—**
1. Routine maintenance, parts replacement, or relocation of emission units within the same installation which do not involve either any appreciable change either in the quality or nature, or any increase in either the potential to emit or the effect on air quality, of the emissions of any air contaminant. Some examples are as follows:
 - A. Replacing the bags in a baghouse;
 - B. Replacing wires, plates, rappers, controls, or electric circuitry in an electrostatic precipitator which does not measurably decrease the design efficiency of the unit;
 - C. ~~[Replacement of]~~ **Replacing** fans, pumps, or motors which ~~[does]~~ **do** not alter the operation of a source or performance of a control device;
 - D. ~~[Replacement of]~~ **Replacing** boiler tubes;
 - E. ~~[Replacement of]~~ **Replacing** piping, hoods, and ductwork; and

- F. ~~[Replacement of]~~ **Replacing** engines, compressors, or turbines as part of a normal maintenance program;
2. Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emissions unit or associated air cleaning devices, and that do not involve either any appreciable change either in the quality or nature, or any increase in either the potential to emit or the effect on air quality of the emissions of any air contaminant. Some examples are as follows:
 - A. ~~[Change in]~~ **Changing** supplier or formulation of similar raw materials, fuels, paints, and other coatings;
 - B. ~~[Change in]~~ **Changing** the sequence of the process;
 - C. ~~[Change in]~~ **Changing** the method of raw material addition;
 - D. ~~[Change in]~~ **Changing** the method of product packaging;
 - E. ~~[Change in]~~ **Changing** the process operating parameters;
 - F. ~~[Replacement of]~~ **Replacing** an identical or more efficient cyclone precleaner which is used as a precleaner in a fabric filter control system;
 - G. ~~[Installation of]~~ **Installing** a floating roof on an open top petroleum storage tank;
 - H. ~~[Replacement of]~~ **Replacing** a fuel burner in a boiler with a more thermally efficient burner;
 - I. Lengthening a paint drying oven to provide additional curing time; and
 - J. Changes in the location, within the storage area, or configuration of a material storage pile or material handling equipment;
3. Replacement of like-kind emission units that do not involve either any appreciable change either in the quality or nature, or any increase either in the potential to emit or the effect on air quality, of the emissions of any air contaminant;
4. The exempt activities in paragraphs (3)(B)1.–3. of this rule reflect a presumption that existing emission units which are changed or replaced by like-kind units shall be treated as having begun normal operation for purposes of ~~[the definition of]~~ **determining** actual emissions ~~[in 10 CSR 10-6.020]~~;
5. The following miscellaneous activities:
 - A. Plant maintenance~~[,]~~ and upkeep activities such as routine cleaning, janitorial services, use of janitorial products, grounds keeping, general repairs, architectural or maintenance painting, welding repairs, plumbing, roof repair, installing insulation, using air compressors and pneumatically operated equipment, and paving parking lots, provided these activities are not conducted as part of the installation's primary business activity;
 - B. Batteries and battery charging stations;
 - C. Fire suppression equipment and emergency road flares;
 - D. Laundry activities, except dry-cleaning and steam boilers; and
 - E. Steam emissions from leaks, safety relief valves, steam cleaning operations, and steam sterilizers; and

6. The following miscellaneous surface preparation and cleaning activities:
 - A. Equipment and containers used for surface preparation, cleaning, or stripping by use of solvents or solutions that meet all of the following:
 - (I) Solvent used must have an initial boiling point of greater than three hundred two degrees Fahrenheit (302°F), and this initial boiling point must exceed the maximum operating temperature by at least one hundred eighty degrees Fahrenheit (180°F);
 - (II) The equipment or container has a capacity of less than thirty-five (35) gallons of liquid. For remote reservoir cold cleaners, capacity is the volume of the remote reservoir;
 - (III) The equipment or container has a liquid surface area less than seven (7) square feet, or for remote reservoir cold cleaners, the sink or working area has a horizontal surface less than seven (7) square feet;
 - (IV) Solvent flow must be limited to a continuous fluid stream type arrangement. Fine, atomized, or shower type sprays are not exempt; and
 - (V) All lids and closures are properly employed;
 - B. The exclusion in subparagraph (3)(B)6.A. of this rule does not apply to solvent wipe cleaning operations;
 - C. Abrasive blasting sources that have a confined volume of less than one hundred (100) cubic feet and are controlled by a particulate filter;
 - D. Blast cleaning equipment using a suspension of abrasive in water;
 - E. Portable blast cleaning equipment for use at any single location for less than sixty (60) days; and
 - F. Any solvent cleaning or surface preparation source that employs only non-refillable handheld aerosol cans.

~~[(C) — Exceptions to Excluded Activities. The exclusion provisions of subsection (3)(B) of this rule notwithstanding, 10 CSR 10-6.060 shall apply to any construction, reconstruction, alteration or modification which —~~

- ~~1. Is expressly required by an operating permit; or~~
- ~~2. Is subject to federally mandated construction permitting requirements set forth in sections (7), (8), or (9), or any combination of these, of 10 CSR 10-6.060.]~~

- (4) Reporting and Record Keeping. The operator shall maintain records in sufficient detail to show compliance with the exemptions in paragraph (3)(A)3. of this rule. Any noncompliance with the requirements in this paragraph constitutes a violation and is grounds for enforcement action and the exemption will no longer apply. Operators of installations found to be not in compliance with the requirements of this paragraph shall be required to apply for a construction permit under 10 CSR 10-6.060. The exemptions shall be documented as follows:
 - (A) Record keeping shall begin on the date the construction, reconstruction, modification or operation commencement and records shall be maintained to

prove potential emissions are below *de minimis* levels and that actual emissions are below the exemption threshold levels in paragraph (3)(A)3. of this rule. Records shall be maintained using Emission Inventory Questionnaire (EIQ) methods in accordance with EIQ emission calculation hierarchy; or

- (B) In lieu of records, the owner or operator shall demonstrate through engineering calculations that emissions are not in excess of the exemption levels established in paragraph (3)(A)3. of this rule.

(5) Test Methods. [~~Not Applicable~~](**Not Applicable**)

AUTHORITY: section 643.050, RSMo [2000]2016. Original rule filed March 5, 2003, effective Oct. 30, 2003. Amended: Filed July 1, 2004, effective Feb. 28, 2005. Amended: Filed Dec. 1, 2005, effective July 30, 2006. Amended: Filed Oct. 1, 2008, effective May 30, 2009. Amended: Filed November 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.070**

NEW SOURCE PERFORMANCE REGULATIONS

This amendment will change subsection (3)(A).

Subsection (3)(A) is being amended to incorporate by reference new emission standards, updates, and clarifications to federal rules under 40 CFR 60 that were promulgated from July 2, 2018 through July 1, 2019.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.070 New Source Performance Regulations. The commission proposes to amend subsection (3)(A). If the commission adopts this rule action, the department intends to advise the U.S. Environmental Protection Agency that we will accept delegation of enforcement authority for these federal regulations. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule incorporates by reference the new source performance standards in 40 CFR 60. This provides the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations. This amendment incorporates by reference new emission standards, updates, and clarifications to federal rule 40 CFR 60 that were promulgated from July 2, 2018 through July 1, 2019. The evidence supporting

the need for this proposed amendment, per 536.016, RSMo, is the Title V Operating Permit Program requirements, 40 CFR 70, and State/EPA Workplan.

PURPOSE: This rule incorporates by reference the new source performance standards in 40 CFR 60. This provides the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations.

- (1) Applicability. This rule applies to sources subject to 40 CFR 60 subparts incorporated by reference in subsection (3)(A) of this rule.
- (2) Definitions. Certain terms used in 40 CFR 60 refer to federal officers, agencies, and publications. The following terms are substituted when applicable to Missouri where appropriate for the federal counterparts:
 - (A) Director is substituted for Administrator;
 - (B) Missouri Department of Natural Resources is substituted for EPA, EPA Regional Office, or Environmental Protection Agency; and
 - (C) *Missouri Register* is substituted for *Federal Register*.
- (3) General Provisions.
 - (A) Incorporations by Reference.
 - 1. The provisions of 40 CFR 60, promulgated as of July 1, [2018]2019, are hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.
 - 2. Exceptions to paragraph (3)(A)1. of this rule are—
 - A. Those provisions which are not delegable by the U.S. Environmental Protection Agency (EPA);
 - B. Sections 60.4, 60.9, and 60.10 of subpart A;
 - C. Subpart B;
 - D. Subpart AAA;
 - E. Subpart QQQQ; and
 - F. Incinerators subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O, as incorporated in 10 CSR 25-7.264, are not subject to this rule. The sources exempted in 40 CFR 264.340(b), as incorporated in 10 CSR 25-7.264, are subject to this rule. All other applicable requirements of Division 25 remain in effect.

- (B) The subparts of 40 CFR 60 incorporated by reference in subsection (3)(A) of this rule are—

Subpart	Title
D	Standards of Performance for Fossil-Fuel-Fired Steam Generators
Da	Standards of Performance for Electric Utility Steam Generating Units

Db	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units
Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
E	Standards of Performance for Incinerators
Ea	Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994
Eb	Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
Ec	Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators
F	Standards of Performance for Portland Cement Plants
G	Standards of Performance for Nitric Acid Plants
Ga	Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011
H	Standards of Performance for Sulfuric Acid Plants
I	Standards of Performance for Hot Mix Asphalt Facilities
J	Standards of Performance for Petroleum Refineries
Ja	Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
K	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
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
L	Standards of Performance for Secondary Lead Smelters
M	Standards of Performance for Secondary Brass and Bronze Production Plants
N	Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973

Na	Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
O	Standards of Performance for Sewage Treatment Plants
P	Standards of Performance for Primary Copper Smelters
Q	Standards of Performance for Primary Zinc Smelters
R	Standards of Performance for Primary Lead Smelters
S	Standards of Performance for Primary Aluminum Reduction Plants
T	Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
U	Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants
V	Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants
W	Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants
X	Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
Y	Standards of Performance for Coal Preparation and Processing Plants
Z	Standards of Performance for Ferroalloy Production Facilities
AA	Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983
AAa	Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983
BB	Standards of Performance for Kraft Pulp Mills
BBa	Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013
CC	Standards of Performance for Glass Manufacturing Plants
DD	Standards of Performance for Grain Elevators
EE	Standards of Performance for Surface Coating of Metal Furniture
GG	Standards of Performance for Stationary Gas Turbines
HH	Standards of Performance for Lime Manufacturing Plants
KK	Standards of Performance for Lead-Acid Battery Manufacturing Plants
LL	Standards of Performance for Metallic Mineral Processing Plants
MM	Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations

NN	Standards of Performance for Phosphate Rock Plants
PP	Standards of Performance for Ammonium Sulfate Manufacture
QQ	Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing
RR	Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations
SS	Standards of Performance for Industrial Surface Coating: Large Appliances
TT	Standards of Performance for Metal Coil Surface Coating
UU	Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture
VV	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006
VVa	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
WW	Standards of Performance for the Beverage Can Surface Coating Industry
XX	Standards of Performance for Bulk Gasoline Terminals
BBB	Standards of Performance for the Rubber Tire Manufacturing Industry
DDD	Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
FFF	Standards of Performance for Flexible Vinyl and Urethane Coating and Printing
GGG	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006
GGGa	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
HHH	Standards of Performance for Synthetic Fiber Production Facilities
III	Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
JJJ	Standards of Performance for Petroleum Dry Cleaners

KKK	Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011
LLL	Standards of Performance for SO ₂ Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011
NNN	Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
OOO	Standards of Performance for Nonmetallic Mineral Processing Plants
PPP	Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants
QQQ	Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems
RRR	Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes
SSS	Standards of Performance for Magnetic Tape Coating Facilities
TTT	Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
UUU	Standards of Performance for Calciners and Dryers in Mineral Industries
VVV	Standards of Performance for Polymeric Coating of Supporting Substrates Facilities
WWW	Standards of Performance for Municipal Solid Waste Landfills
XXX	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
AAAA	Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
CCCC	Standards of Performance for Commercial and Industrial Solid Waste Incineration Units
EEEE	Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006

III	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
JJJ	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
KKKK	Standards of Performance for Stationary Combustion Turbines
LLLL	Standards of Performance for New Sewage Sludge Incineration Units
OOOO	Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015
OOOOa	Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015

(4) Reporting. Reporting requirements are specified in each federal regulation incorporated by reference.

(5) Test Methods. The test methods are specified in 40 CFR 60, Appendices A-1 through A-8 and 10 CSR 10-6.030.

AUTHORITY: section 643.050, RSMo 2016. Original rule filed Dec. 10, 1979, effective April 11, 1980. Amended: Filed Feb. 9, 1981, effective July 11, 1981. Amended: Filed Dec. 10, 1981, effective June 11, 1982. Amended: Filed Dec. 15, 1982, effective May 12, 1983. Amended: Filed Jan. 12, 1983, effective June 11, 1983. Amended: Filed Feb. 14, 1984, effective July 12, 1984. Amended: Filed March 14, 1985, effective Aug. 26, 1985. Amended: Filed June 5, 1986, effective Sept. 26, 1986. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed March 2, 1988, effective June 27, 1988. Amended: Filed June 6, 1989, effective Oct. 27, 1989. Amended: Filed March 31, 1992, effective Feb. 26, 1993. Amended: Filed March 25, 1993, effective Nov. 8, 1993. Amended: Filed June 30, 1994, effective Feb. 26, 1995. Amended: Filed Sept. 14, 1995, effective May 30, 1996. Amended: Filed July 15, 1997, effective Feb. 28, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006, effective Dec. 30, 2006. Amended: Filed Dec. 6, 2006, effective Aug. 30, 2007. Amended: Filed March 25, 2008, effective Nov. 30, 2008. Amended: Filed Sept. 24, 2009, effective May 30, 2010. Amended: Filed June 18, 2010, effective Feb. 28, 2011. Amended: Filed July 1, 2011, effective Feb. 29, 2012. Amended: Filed May 15, 2012, effective Dec. 30, 2012. Amended: Filed May 7, 2013, effective Dec. 30, 2013. Amended: Filed May 15, 2018, effective Feb. 28, 2019. Amended: Filed Nov. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The private entity fiscal cost impacts for compliance with the federal standards are accounted for in the federal rulemakings.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.075**

MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY REGULATIONS

This amendment will change subsection (3)(A).

Subsection (3)(A) is being amended to incorporate by reference new emission standards, updates, and clarifications to federal rules under 40 CFR 63 that were promulgated from July 2, 2018 through July 1, 2019.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations. The commission proposes to amend subsection (3)(A). If the commission adopts this rule action, the department intends to advise the U.S. Environmental Protection Agency that we will accept delegation of enforcement authority for these federal regulations. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule incorporates by reference the maximum achievable control technology regulations in 40 CFR 63, providing the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations. Since EPA enforces some subparts of 40 CFR 63 within Missouri, this rule also specifies whether EPA or the department is the enforcing authority for each subpart. This amendment incorporates

by reference new emission standards, updates, and clarifications to federal rule 40 CFR 63 that were promulgated from July 2, 2018 through July 1, 2019. The evidence supporting the need for this proposed amendment, per 536.016, RSMo, is the Title V Operating Permit Program requirements, 40 CFR 70, and State/EPA Workplan.

PURPOSE: This rule incorporates by reference the maximum achievable control technology regulations in 40 CFR 63, providing the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations. Since EPA enforces some subparts of 40 CFR 63 within Missouri, this rule also specifies whether EPA or the department is the enforcing authority for each subpart.

- (1) Applicability. This rule applies to sources subject to 40 CFR 63 subparts incorporated by reference in subsection (3)(A) of this rule.
- (2) Definitions. Certain terms used in 40 CFR 63 refer to federal officers, agencies, and publications. The following terms are substituted when applicable to Missouri where appropriate for the federal counterparts:
 - (A) Director is substituted for Administrator;
 - (B) Missouri Department of Natural Resources is substituted for EPA, EPA Regional Office, or Environmental Protection Agency; and
 - (C) *Missouri Register* is substituted for *Federal Register*.

(3) General Provisions.

- (A) Incorporations by Reference.
 - 1. The provisions of 40 CFR 63, promulgated as of July 1, [2018]2019, are hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.
 - 2. Exceptions to paragraph (3)(A)1. of this rule are—
 - A. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA); and
 - B. Sections 63.13 and 63.15(a)(2) of subpart A.
- (B) The Missouri Department of Natural Resources (MoDNR) maintains authority for implementation of all standards incorporated by reference in subsection (3)(A) of this rule. The table below lists the subparts of 40 CFR 63 incorporated by reference in subsection (3)(A) of this rule, including the primary agency responsible for enforcement of the standard:

Subpart	Title	Primary Regulating Agency
F	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry	MoDNR
G	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic	MoDNR

	Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater	
H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks	MoDNR
I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks	MoDNR
J	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production	MoDNR
L	National Emission Standards for Coke Oven Batteries	MoDNR
M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities	MoDNR
N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks	MoDNR
O	Ethylene Oxide Emissions Standards for Sterilization Facilities	MoDNR
Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers	MoDNR
R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	MoDNR
S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry	MoDNR
T	National Emission Standards for Halogenated Solvent Cleaning	MoDNR
U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins	MoDNR
W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production	MoDNR
X	National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting	MoDNR
Y	National Emission Standards for Marine Tank Vessel Loading Operations	MoDNR
AA	National Emission Standards for Hazardous	MoDNR

	Air Pollutants from Phosphoric Acid Manufacturing Plants	
BB	National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants	MoDNR
CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries	MoDNR
DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations	MoDNR
EE	National Emission Standards for Magnetic Tape Manufacturing Operations	MoDNR
GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities	MoDNR
HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities	MoDNR
II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)	MoDNR
JJ	National Emission Standards for Wood Furniture Manufacturing Operations	MoDNR
KK	National Emission Standards for the Printing and Publishing Industry	MoDNR
LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants	MoDNR
MM	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills	MoDNR
NN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources	EPA
OO	National Emission Standards for Tanks— Level 1	MoDNR
PP	National Emission Standards for Containers	MoDNR
QQ	National Emission Standards for Surface Impoundments	MoDNR
RR	National Emission Standards for Individual Drain Systems	MoDNR
SS	National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	MoDNR
TT	National Emission Standards for Equipment	MoDNR

	Leaks—Control Level 1	
UU	National Emission Standards for Equipment Leaks—Control Level 2 Standards	MoDNR
VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators	MoDNR
WW	National Emission Standards for Storage Vessels (Tanks)—Control Level 2	MoDNR
XX	National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations	MoDNR
YY	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards	MoDNR
CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants	MoDNR
DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production	MoDNR
EEE	National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors	MoDNR
GGG	National Emission Standards for Pharmaceuticals Production	MoDNR
HHH	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities	MoDNR
III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production	MoDNR
JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins	MoDNR
LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry	MoDNR
MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production	MoDNR
NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing	MoDNR
OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins	MoDNR

PPP	National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production	MoDNR
QQQ	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting	MoDNR
RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production	MoDNR
TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting	MoDNR
UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units	MoDNR
VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works	MoDNR
XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese	MoDNR
AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills	MoDNR
CCCC	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast	MoDNR
DDDD	National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products	MoDNR
EEEE	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)	MoDNR
FFFF	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing	MoDNR
GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production	MoDNR
HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production	MoDNR
IIII	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks	MoDNR
JJJJ	National Emission Standards for Hazardous Air Pollutants: Paper and Other Web	MoDNR

	Coating	
KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans	MoDNR
MMMM	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products	MoDNR
NNNN	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances	MoDNR
OOOO	National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles	MoDNR
PPPP	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products	MoDNR
QQQQ	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products	MoDNR
RRRR	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture	MoDNR
SSSS	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil	MoDNR
TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations	MoDNR
UUUU	National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing	MoDNR
VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing	MoDNR
WWWW	National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production	MoDNR
XXXX	National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing	MoDNR
YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines	MoDNR
ZZZZ	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines	EPA (Area Sources) MoDNR (Major Sources)

AAAAA	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants	MoDNR
BBBBB	National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing	MoDNR
CCCCC	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks	MoDNR
DDDDD	National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters	MoDNR
EEEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries	MoDNR
FFFFF	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities	MoDNR
GGGGG	National Emission Standards for Hazardous Air Pollutants: Site Remediation	MoDNR
HHHHH	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing	MoDNR
IIIII	National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants	MoDNR
JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing	MoDNR
KKKKK	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing	MoDNR
LLLLL	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing	MoDNR
MMMMM	National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations	MoDNR
NNNNN	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production	MoDNR
PPPPP	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards	MoDNR
QQQQQ	National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities	MoDNR

RRRRR	National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing	MoDNR
SSSSS	National Emissions Standards for Hazardous Air Pollutants for Refractory Products Manufacturing	MoDNR
TTTTT	National Emissions Standards for Hazardous Air Pollutants for Primary Magnesium Refining	MoDNR
UUUUU	National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units	MoDNR
WWWWW	National Emission Standards for Hospital Ethylene Oxide Sterilizers	EPA
YYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities	EPA
ZZZZZ	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources	EPA
BBBBBB	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	EPA
CCCCCC	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities	EPA
DDDDDD	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources	EPA
EEEEEE	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources	EPA
FFFFFF	National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources	EPA
GGGGGG	National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium	EPA
HHHHHH	National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources	EPA
JJJJJJ	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources	EPA

LLLLLL	National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources	EPA
MMMMMM	National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources	EPA
NNNNNN	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds	EPA
OOOOOO	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources	EPA
PPPPPP	National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources	EPA
QQQQQQ	National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources	EPA
RRRRRR	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources	EPA
SSSSSS	National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources	EPA
TTTTTT	National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources	EPA
VVVVVV	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources	EPA
WWWWWW	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations	EPA
XXXXXX	National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories	EPA
YYYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities	EPA
ZZZZZZ	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries	EPA
AAAAAAA	National Emission Standards for Hazardous	EPA

	Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing	
BBBBBBB	National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry	EPA
CCCCCCC	National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing	EPA
DDDDDDD	National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing	EPA
EEEEEEE	National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category	EPA
HHHHHHH	National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production	MoDNR

- (4) Reporting. Reporting requirements are specified in each federal regulation incorporated by reference.
- (5) Test Methods. Test methods are specified in each federal regulation incorporated by reference.

AUTHORITY: section 643.050, RSMo 2016. Original rule filed May 1, 1996, effective Dec. 30, 1996. Amended: Filed April 14, 1998, effective Nov. 30, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006, effective Dec. 30, 2006. Amended Filed Dec. 6, 2006, effective Aug. 30, 2007. Amended: Filed March 25, 2008, effective Nov. 30, 2008. Amended: Filed Sept. 24, 2009, effective May 30, 2010. Amended: Filed June 18, 2010, effective Feb. 28, 2011. Amended: Filed July 1, 2011, effective Feb. 29, 2012. Amended: Filed May 15, 2012, effective Dec. 30, 2012. Amended: Filed May 7, 2013, effective Dec. 30, 2013. Amended: Filed Oct. 7, 2016, effective July 30, 2017. Amended: Filed May 15, 2018, effective Feb. 28, 2019. Amended: Filed Nov. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The private entity fiscal cost impacts for compliance with the federal standards are accounted for in the federal rulemakings.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be

held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.080**

EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

This amendment will change subsection (3)(A).

Subsection (3)(A) is being amended to incorporate by reference new emission standards, updates, and clarifications to federal rules under 40 CFR 61 that were promulgated from July 2, 2018 through July 1, 2019.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * *Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * *Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The commission proposes to amend subsection (3)(A). If the commission adopts this rule action, the department intends to advise the U.S. Environmental Protection Agency that we will accept delegation of enforcement authority for these federal regulations. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule incorporates by reference the maximum achievable control technology regulations in 40 CFR 61. This provides the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations. This amendment incorporates by reference new emission standards, updates, and clarifications to federal rule 40 CFR 61 that were promulgated from July 2, 2018 through July 1, 2019. The

evidence supporting the need for this proposed amendment, per 536.016, RSMo, is the Title V Operating Permit Program requirements, 40 CFR 70, and State/EPA Workplan.

PURPOSE: This rule incorporates by reference the maximum achievable control technology regulations in 40 CFR 61. This provides the Missouri Department of Natural Resources the authority to implement and enforce these U.S. Environmental Protection Agency regulations.

- (1) **Applicability.** This rule applies to sources subject to 40 CFR 61 subparts incorporated by reference in subsection (3)(A) of this rule.
- (2) **Definitions.** Certain terms used in 40 CFR 61 refer to federal officers, agencies, and publications. The following terms are substituted when applicable to Missouri where appropriate for the federal counterparts:
 - (A) Director is substituted for Administrator;
 - (B) Missouri Department of Natural Resources is substituted for EPA, EPA Regional Office, or Environmental Protection Agency; and
 - (C) *Missouri Register* is substituted for *Federal Register*.

(3) **General Provisions.**

- (A) **Incorporations by Reference.**
 - 1. The provisions of 40 CFR 61 promulgated as of July 1, [2018]2019, are hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.
 - 2. Exceptions to paragraph (3)(A)1. of this rule are—
 - A. Those provisions which are not delegable by the U.S. Environmental Protection Agency (EPA);
 - B. Sections 61.04, 61.16, and 61.17 of subpart A;
 - C. Subpart B;
 - D. Subpart H;
 - E. Subpart I;
 - F. Subpart K;
 - G. Subpart Q;
 - H. Subpart R;
 - I. Subpart T; and
 - J. Subpart W.

- (B) The subparts of 40 CFR 61 incorporated by reference in subsection (3)(A) of this rule are—

Subpart	Title
C	National Emission Standard for Beryllium
D	National Emission Standard for Beryllium Rocket Motor Firing
E	National Emission Standard for Mercury
F	National Emission Standard for Vinyl Chloride
J	National Emission Standard for Equipment Leaks (Fugitive)

	Emission Sources) of Benzene
L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
M	National Emission Standard for Asbestos
N	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
O	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
P	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
Y	National Emission Standard for Benzene Emissions From Benzene Storage Vessels
BB	National Emission Standard for Benzene Emissions From Benzene Transfer Operations
FF	National Emission Standard for Benzene Waste Operations

- (4) Reporting. Reporting requirements are specified in each federal regulation incorporated by reference.
- (5) Test Methods. Test methods are specified in each federal regulation incorporated by reference.

AUTHORITY: section 643.050, RSMo 2016. Original rule filed Dec. 10, 1979, effective April 11, 1980. Amended: Filed Feb. 9, 1981, effective July 11, 1981. Amended: Filed Dec. 10, 1981, effective June 11, 1982. Amended: Filed Jan. 12, 1983, effective June 11, 1983. Amended: Filed Feb. 14, 1984, effective July 12, 1984. Amended: Filed June 4, 1985, effective Oct. 26, 1985. Amended: Filed June 5, 1986, effective Sept. 26, 1986. Amended: Filed Feb. 4, 1987, effective May 28, 1987. Amended: Filed April 2, 1987, effective Aug. 27, 1987. Amended: Filed March 2, 1988, effective June 27, 1988. Amended: Filed June 6, 1989, effective Oct. 27, 1989. Amended: Filed May 1, 1992, effective Feb. 26, 1993. Amended: Filed March 25, 1993, effective Nov. 8, 1993. Amended: Filed June 30, 1994, effective Feb. 26, 1995. Amended: Filed Sept. 14, 1995, effective May 30, 1996. Amended: Filed July 15, 1997, effective Feb. 28, 1998. Amended: Filed March 15, 1999, effective Oct. 30, 1999. Amended: Filed July 30, 1999, effective March 30, 2000. Amended: Filed May 15, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 31, 2002, effective Sept. 30, 2002. Amended: Filed Feb. 14, 2003, effective Oct. 30, 2003. Amended: Filed Feb. 17, 2005, effective Nov. 30, 2005. Amended: Filed May 2, 2006, effective Dec. 30, 2006. Amended: Filed Dec. 6, 2006, effective Aug. 30, 2007. Amended: Filed March 25, 2008, effective Nov. 30, 2008. Amended: Filed Sept. 24, 2009, effective May 30, 2010. Amended: Filed June 18, 2010, effective Feb. 28, 2011. Amended: Filed July 1, 2011, effective Feb. 29, 2012. Amended: Filed May 15, 2012, effective Dec. 30, 2012. Amended: Filed May 7, 2013, effective Dec. 30, 2013. Amended: Filed Oct. 7, 2016, effective July 30, 2017. Amended: Filed May 15, 2018, effective Feb. 28, 2019. Amended: Filed Nov. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions

more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The private entity fiscal cost impacts for compliance with the federal standards are accounted for in the federal rulemakings.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.270**

ACID RAIN SOURCE PERMITS REQUIRED

This amendment will change sections (1)–(3) and add sections (4) and (5).

Sections (1)–(3) are being amended to restructure the rule into the standard rule organization format and update incorporation by reference information.

Sections (4) and (5) are being added to restructure the rule into the standard rule organization format.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.270 Acid Rain Source Permits Required. The commission proposes to amend sections (1)–(3) and add sections (4) and (5). If the commission adopts this rule action, the department does not intend to submit this rule amendment to the U.S. Environmental Protection Agency because it is not a federally approved regulation and the rule has never been approved as part of the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: This rule establishes certain general provisions and operating permit program requirements for affected sources and affected sources under the federal Acid Rain Program.

This amendment will reorganize the rule into the standard rule organization format and update the incorporation by reference information. The evidence supporting the need for this proposed amendment, per 536.016, RSMo, is Executive Order 17-03 Red Tape Reduction Review and related comments.

PURPOSE: *This rule establishes certain general provisions and operating permit program requirements for affected sources and affected units under the federal Acid Rain Program.*

- (1) ~~[Definitions—Terms and phrases used in this rule may be found in 10 CSR 10-6.020 Definitions and Common Reference Tables.]~~**Applicability. This rule applies to the sources and affected units subject to the federal Acid Rain Program described under 40 CFR 72.6 as specified in section (3) of this rule.**
- (2) ~~[The Missouri Department of Natural Resources hereby adopts and incorporates by reference the provisions of 40 CFR part 72, then 40 CFR part 73, 40 CFR part 75, 40 CFR part 76, 40 CFR part 77, and 40 CFR part 78 as in effect in the *Code of Federal Regulations* on or after July 1993, for the purpose of establishing certain general provisions and operating permit program requirements for affected sources and affected units under the federal Acid Rain Program.]~~**Definitions. Definitions of terms that apply to the Acid Rain Program may be found in 40 CFR 72.2 and 40 CFR 76.2 as specified in section (3) of this rule.**
- (3) ~~[If the provisions or requirements of 40 CFR part 72 and 40 CFR part 75 conflict with or are not included in Missouri state rule 10 CSR 10-6.065 Operating Permits Required, the parts 72 and 75, provisions and requirements shall take precedence.]~~**General Provisions.**
 - (A) **The provisions under 40 CFR 72, 40 CFR 73, 40 CFR 75, 40 CFR 76, 40 CFR 77, and 40 CFR 78, promulgated as of July 1, 2019 shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington DC 20401. This rule does not incorporate any subsequent amendments or additions.**
 - (B) **If the provisions or requirements of 40 CFR 72 and 40 CFR 75 conflict with or are not included in Missouri state rule 10 CSR 10-6.065 Operating Permits Required, the provisions and requirements of 40 CFR 72 and 40 CFR 75 take precedence.**
- (4) **Reporting and Record Keeping. Reporting and record keeping requirements are specified in the federal regulations incorporated by reference under section (3) of this rule.**
- (5) **Test Methods. Test methods are specified in the federal regulations incorporated by reference under section (3) of this rule.**

AUTHORITY: section 643.050, RSMo [Supp. 1997] 2016. Original rule filed June 2, 1994, effective Dec. 30, 1994. Amended: Filed Oct. 9, 1998, effective Aug. 30, 1999. Amended: Filed Nov. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED AMENDMENT TO
10 CSR 10-6.405**

**RESTRICTION OF PARTICULATE MATTER EMISSIONS FROM FUEL BURNING
EQUIPMENT USED FOR INDIRECT HEATING**

This amendment will change the rule purpose; and subsections (1)(B), (1)(C), (1)(E), (2)(A), (3)(B), (3)(F), and (5)(F).

The rule purpose is being amended to remove obsolete proposed rulemaking necessity evidence information.

Subsections (1)(B), (2)(A), (3)(B), and (3)(F) are being amended to remove the unnecessary use of restrictive words.

Subsections (1)(C) and (1)(E) are being amended to clarify where incorporation by reference information for various reference methods can be found in 10 CSR 10-6.040.

Subsection (5)(F) is being amended to add incorporation by reference information for documents specifying emission factors that can be used to demonstrate compliance with this rule.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

- * Shaded Text - Rule sections or subsections not proposed for amendment. This text is only for reference.*
- * Unshaded Text - Rule sections or subsections that are proposed for change.*

NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.405 Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating. The commission proposes to amend the rule purpose; and subsections (1)(B), (1)(C), (1)(E), (2)(A), (3)(B), (3)(F), and (5)(F). If the commission adopts this rule action, the department intends to submit this rule amendment to the U.S.

Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Proposed Rules website www.dnr.mo.gov/proposed-rules.

PURPOSE: The purpose of this proposed amendment is to update incorporation by reference information, make typographical corrections, and remove the unnecessary use of restrictive words. The evidence supporting the need for this proposed amendment, per 536.016, RSMo, is Executive Order 17-03 Red Tape Reduction Review and related comments.

PURPOSE: This rule restricts the emission of particulate matter from fuel burning equipment used for indirect heating except where 10 CSR 10-6.070 would be applied. [~~The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is a necessity evidence memorandum dated March 5, 2008.~~]

(1) Applicability.

- (A) This rule applies throughout the state with additional conditions applicable to the metropolitan areas of Kansas City, Springfield, and St. Louis as found in sections (2) and (3) of this rule.
- (B) This rule applies to installations in which fuel is burned for the primary purpose of producing steam, hot water, or hot air or other indirect heating of liquids, gases, or solids and, in the course of doing so, the products of combustion do not come into direct contact with process materials. Fuels may include, but are not limited to, coal, tire derived fuel, coke, lignite, coke breeze, gas, fuel oil, biomass, and wood, but do not include refuse. When any products or byproducts of a manufacturing process are burned for the same purpose or in conjunction with any fuel, the same maximum emission rate limitations [~~shall~~] apply.
- (C) An emission unit that is subject to 10 CSR 10-6.070 and in compliance with applicable provisions; or an emission unit fueled by landfill gas, propane, natural gas, fuel oils #2 through #6 (with less than one and two-tenths percent (1.2%) sulfur), and/or other gases (with hydrogen sulfide levels less than or equal to four (4) parts per million volume as measured using ASTM D4084, **as specified in 10 CSR 10-6.040(23)**, or equivalent and mercury concentrations less than forty (40) micrograms per cubic meter as measured using ASTM D5954, **as specified in 10 CSR 10-6.040(30)**, or ASTM D6350, **as specified in 10 CSR 10-6.040(32)**, or equivalent) would be deemed in compliance with 10 CSR 10-6.405.
- (D) The heat input from emission units in subsection (1)(C) of this rule must be included in the calculation of Q, the installation's total heat input as defined in subsections (3)(D) and (3)(E) of this rule.
- (E) An installation is exempt from this rule if all of the installation's applicable units are fueled only by landfill gas, propane, natural gas, fuel oils #2 through #6 (with less than one and two-tenths percent (1.2%) sulfur), or other gases (with hydrogen sulfide levels less than or equal to four (4) parts per million volume as measured using ASTM D4084, **as specified in 10 CSR 10-6.040(23)**, or equivalent and mercury concentrations less than forty (40) micrograms per cubic meter as

measured using ASTM D5954, **as specified in 10 CSR 10-6.040(30)**, or ASTM D6350, **as specified in 10 CSR 10-6.040(32)**, or equivalent) or any combination of these fuels.

(2) Definitions.

(A) Existing—Any source which was in being, installed, or under construction on the date provided in the following table:

Area of State	Construction date began on or before
Kansas City Metropolitan Area	February 15, 1979*
St. Louis Metropolitan Area	February 15, 1979*
Springfield-Greene County Area	September 24, 1971
Outstate Area	February 24, 1971

*Exception: If any source **is** subsequently [~~is~~] altered, repaired, or rebuilt at a cost of thirty percent (30%) or more of its replacement cost, exclusive of routine maintenance, it [~~shall~~]**is** no longer [~~be~~] existing [~~but shall be~~]**and** considered [~~as~~] new.

(B) New—Any source which is not an existing source, as defined in subsection (2)(A) of this rule.

(C) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) The heat content of solid fuels shall be determined as specified in 10 CSR 10-6.040(2). The heat content of liquid hydrocarbon fuels shall be determined as specified in 10 CSR 10-6.040(3).

(B) For purposes of this rule, the heat input [~~shall be~~]**is** the aggregate heat content of all fuels whose products of combustion pass through a stack(s). The hourly heat input value used shall be the equipment manufacturer's or designer's guaranteed maximum input, whichever is greater, except in the case of boilers of ten (10) million British thermal units (mmBtu) or less the heat input can also be determined by the higher heating value (HHV) of the fuel used at maximum operating conditions. The total heat input of all fuel burning units used for indirect heating at a plant or on a premises [~~shall be~~]**is** used for determining the maximum allowable amount of particulate matter which may be emitted.

(C) Indirect heating sources requiring permits under 10 CSR 10-6.060 that in turn may require particular air pollution control measures to meet more stringent emission rate limitations than in this rule shall meet the requirements of the permits issued under 10 CSR 10-6.060 Construction Permits Required.

(D) Emission Rate Limitations for Existing Indirect Heating Sources. No person may cause, allow, or permit the emission of particulate matter from existing indirect heating sources in excess of that specified in the following table:

Area of State	Heat Input (mmBtu/hour)	Rate Limits for Existing Sources
---------------	-------------------------	----------------------------------

		(pounds/mmBtu)
Kansas City & St. Louis Metropolitan	<10	0.60
	≥10 and ≤5,000	$E=1.09Q^{-0.259}$
	>5,000	0.12
Springfield-Greene County & Outstate Missouri	≤10	0.60
	>10 and <10,000	$E=0.90Q^{-0.174}$
	≥10,000	0.18

Where:

E = the maximum allowable particulate emission rate limit for existing sources in pounds per mmBtu of heat input, rounded off to two (2) decimal places; and

Q = the summation of heat input in mmBtu/hour from all affected fuel burning equipment at a source (including existing equipment, new equipment, NSPS units, and other clean units identified in subsection (1)(C) of this rule).

- (E) Emission Rate Limitations for New Indirect Heating Sources. No person may cause, allow, or permit the emission of particulate matter in excess of that specified in the following table:

Area of State	Heat Input (mmBtu/hour)	Rate Limits for New Sources (pounds/mmBtu)
Kansas City & St. Louis Metropolitan	<10	0.40
	≥10 and ≤1,000	$E=0.80Q^{-0.301}$
	>1,000	0.10
Springfield-Greene County & Outstate Missouri	≤10	0.60
	>10 and <2,000	$E=1.31Q^{-0.338}$
	≥2,000	0.10

Where:

E = the maximum allowable particulate emission rate limit for new sources in pounds per mmBtu of heat input, rounded off to two (2) decimal places; and

Q = the summation of heat input in mmBtu/hour from all affected fuel burning equipment at a source (including existing equipment, new equipment, NSPS units, and other clean units identified in subsection (1)(C) of this rule).

- (F) Alternate Method of Compliance.
- Compliance with this rule also may be demonstrated if the weighted average emission rate (WAER) of two (2) or more indirect heating sources is less than or equal to the maximum allowable particulate E determined in subsection (3)(D) or (3)(E) of this rule. The WAER for the indirect heating sources to be averaged ~~shall be~~ is calculated by the following

formula:

$$\text{WAER} = \frac{\sum_{i=1}^n (\text{Ea}_i \times \text{Q}_i)}{\sum_{i=1}^n \text{Q}_i}$$

Where:

WAER = the weighted average emission rate in pounds per mmBtu;

Ea_i = the actual emission rate of the *i*th indirect heating source in pounds per mmBtu;

Q_i = the rated heat input of the *i*th indirect heating source in mmBtu per hour; and

n = the number of indirect heating sources in the average.

2. Installations demonstrating compliance with this rule in accordance with the requirements of subsection (3)(F) of this rule ~~shall~~ do so by making written application to the director. The application shall include the calculations performed in paragraph (3)(F)1. of this rule and all necessary information relative to making this demonstration.
3. Subsection (3)(F) of this rule only ~~shall apply~~ **applies** if the WAER determined by paragraph (3)(F)2. of this rule for indirect heating sources does not exceed the maximum allowable particulate E determined for that source from subsection (3)(D) or (3)(E) of this rule when using the rated heat input, Q_i, for the individual indirect heating source as if that individual indirect heating source was the only such source at the installation.

- (4) Reporting and Record Keeping. All records must be kept on-site for a period of five (5) years and made available to the department upon request. The owner or operator shall maintain records of the following information for each year the unit is operated:
 - (A) The identification of each affected unit and the name and address of the plant where the unit is located for each unit subject to this rule;
 - (B) The calendar date of the record;
 - (C) The emission rate in pounds per mmBtu for each unit on an annual basis for those units complying with the limit in subsections (3)(D) and (3)(E) of this rule; and
 - (D) The emission rate in pounds per mmBtu for each facility on an annual basis for those units complying with subsection (3)(F) of this rule.

- (5) Test Methods. The following hierarchy of methods shall be used to determine compliance with subsections (3)(D) and (3)(E) of this rule:

- (A) Continuous Emission Monitoring System (CEMS);
- (B) Stack tests, as specified in 10 CSR 10-6.030(5)(A) or (5)(B);
- (C) Other EPA documents;
- (D) Compliance Assurance Monitoring (CAM) Plans as found in a facility operating

permit may be used to provide a reasonable assurance of compliance with subsections (3)(D) and (3)(E) of this rule;

- (E) Sound engineering calculations;
- (F) Any other method, such as AP-42 (U.S. Environmental Protection Agency (EPA) *Compilation of Air [Pollution] Pollutant Emission Factors*) or Factor Information and Retrieval System (FIRE), approved for the source by incorporation into a construction or operating permit, settlement agreement, or other federally enforceable document. **AP-42 (Environmental Protection Agency (EPA) *Compilation of Air Pollutant Emission Factors*) and Factor Information and Retrieval System (FIRE) as published by EPA January 1995 and August 1995 are hereby incorporated by reference in this rule. Copies can be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161. This rule does not incorporate any subsequent amendments or additions;** or
- (G) Other alternate emission estimation methods not listed in this section when pre-approval is obtained from the department and EPA before using such methods to estimate emissions.

AUTHORITY: section 643.050, RSMo [2000]2016. Original rule filed Feb. 25, 2011, effective Oct. 30, 2011. Amended: Filed Nov. 25, 2019.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 W High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

**PUBLIC HEARING ON
PROPOSED RESCISSION OF
10 CSR 10-2.330**

CONTROL OF GASOLINE REID VAPOR PRESSURE

This rescission is for a state rule that is no longer necessary.

NOTE 1 - Legend for rule actions to be presented at public hearing is as follows:

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NOTE 2 - All unshaded text below this line is printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 2—Air Quality Standards and Air Pollution Control Rules Specific to the Kansas
City Metropolitan Area**

PROPOSED RESCISSION

10 CSR 10-2.330 Control of Gasoline Reid Vapor Pressure. This rule limited the volatility of motor vehicle gasoline in the Kansas City maintenance area. By reducing the amount of gasoline that evaporated into the atmosphere, emissions of volatile organic compounds were reduced. Since volatile organic compounds are precursors to ozone formation, ambient ozone levels were reduced. This rule intended to reduce emissions in the maintenance area as quickly as possible to reduce the risk of further ozone violations, which have prompted redesignation and/or sanctions from the U.S. Environmental Protection Agency (EPA).

PURPOSE: The purpose of this rulemaking is to rescind a state rule that is no longer necessary. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is a staff review of the state rule as part of a Periodic Rule Review performed in 2016, per 536.175, RSMo, that found that the rule is no longer necessary to reduce volatile organic compound emissions in the Kansas City Metropolitan Area.

PURPOSE: This rule limits the volatility of motor vehicle gasoline in the Kansas City maintenance area. By reducing the amount of gasoline that evaporates into the atmosphere, emissions of volatile organic compounds will be reduced. Since volatile organic compounds are precursors to ozone formation, ambient ozone levels will be reduced. This rule is intended to

reduce emissions in the maintenance area as quickly as possible to reduce the risk of further ozone violations, which may prompt redesignation and/or sanctions from the U.S. Environmental Protection Agency (EPA).

- (1) Applicability. This rule shall apply throughout Clay, Platte, and Jackson counties.
- (2) Definitions. Definitions of certain terms used in this rule can be found in 10 CSR 10-6.020.
- (3) General Provisions and Effective Dates of Compliance.
 - (A) No person shall sell, dispense, supply, offer for sale, offer for supply, transport, or exchange in trade for use gasoline intended for final use in the applicable areas that exceeds the Reid Vapor Pressure (RVP) limit in subsection (3)(B).
 - (B) The RVP of gasoline subject to this rule shall be restricted starting in 2001 as follows:

RVP

(psi)	Facility	Time Period
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7.0 psi	All facilities	June 1
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or less		through
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		September 15
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- (C) Gasoline blends having at least nine percent (9%) but not more than ten percent (10%) ethyl alcohol by volume of the blended mixture shall have an RVP limit of one (1) pound per square inch (psi) higher than the limit contained in subsection (3)(B).
- (4) Gasoline Sampling Procedures. Gasoline sampling shall follow the procedures outlined in ASTM D4057-06(2011) *Standard Practice for Manual Sampling of Petroleum and Petroleum Products*, as published August 2011 (Approved June 1, 2011). This standard is incorporated by reference in this rule, as published by American Society for Testing and Materials (ASTM) International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions.
- (5) Gasoline Testing Procedures for RVP and Determination of Compliance.
 - (A) Gasoline testing shall follow the procedures contained in either ASTM D6378-10 *Standard Test Method for Determination of Vapor Pressure (VPX) of Petroleum Products, Hydrocarbons, and Hydrocarbon-Oxygenate Mixtures (Triple Expansion Method)*, as published November 2010 (Approved October 1, 2010) or ASTM D5191-10b *Standard Test Method for Vapor Pressure of Petroleum Products (Mini Method)*, as published November 2010 (Approved October 1, 2010). These standards are incorporated by reference in this rule, as published by American Society for Testing and Materials (ASTM) International, 100 Barr

Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions.

- (B) To determine compliance when field analysis indicates the RVP is between seven and zero-tenths (7.0) psi and seven and three-tenths (7.3) psi for conventional gasoline or between eight and zero-tenths (8.0) psi and eight and three-tenths (8.3) psi for nine to ten percent (9%–10%) ethyl alcohol blends, Missouri Department of Natural Resources (MDNR) will conduct additional testing. Additional testing shall include independent analysis by three (3) separate laboratories of three (3) independent samples taken sequentially, in accordance with sections (4) and (5) of this rule. If all of the measured RVP of the samples are above seven and zero-tenths (7.0) psi for conventional gasoline or above eight and zero-tenths (8.0) psi for nine to ten percent (9%–10%) ethyl alcohol blends, the department may take enforcement action.
- (6) Record Keeping.
- (A) All persons subject to this rule shall maintain records of any RVP testing and test results during the compliance period specified in section (3). These records shall be kept for at least two (2) years after the date of a completed RVP test. These records shall be made available immediately upon request for review or duplication by Department of Natural Resources personnel and city and county personnel certified under 643.140, RSMo.
 - (B) Each bill of lading, invoice, loading ticket, delivery ticket, and other document that accompanies a shipment of gasoline (which includes gasoline blended with ethyl alcohol) shall contain a legible and conspicuous statement that the RVP of the gasoline does not exceed seven and zero-tenths (7.0) psi, in accordance with this rule for conventional gasoline, or that the RVP does not exceed eight and zero-tenths (8.0) psi for nine to ten percent (9%–10%) ethyl alcohol blends.
 - (C) Each bill of lading, invoice, loading ticket, delivery ticket, and other document which accompanies a shipment of gasoline containing ethyl alcohol shall contain a legible and conspicuous statement that the gasoline being shipped contains ethyl alcohol and that the percentage concentration of ethyl alcohol is between nine percent to ten percent (9%–10%), as required under subsection (3)(C) of this rule.
 - (D) All persons subject to this rule shall keep records of the bill of lading, invoice, loading ticket, delivery ticket, and other documents accompanying a shipment of gasoline during the compliance period specified in section (3). These records shall be kept for at least two (2) years after the date of delivery. These records shall be made available immediately upon request for review or duplication by Department of Natural Resources personnel and city and county personnel certified under 643.140, RSMo.
 - (E) The director may require additional record keeping on a case-by-case basis. The director may require records be kept for additional periods of time for enforcement compliance.
- (7) Violations and Penalties. Persons violating this rule shall be subject to enforcement action as authorized in 643.085 and 643.151, RSMo.
- (8) Exemptions.

- (A) Gasoline that exceeds the RVP limits will not violate this rule if the gasoline is separately stored, sealed, clearly labeled and not used until it is in compliance with this rule. The label shall state that the gasoline is prohibited by Missouri law from being sold, dispensed, supplied, offered for sale, offered for supply, transported or exchanged in trade until the specific date that the gasoline shall be in compliance with this rule.
- (B) An individual consumer of gasoline who dispenses gasoline into his/her personal motor vehicle is exempt from this rule.
- (C) Gasoline used only to fuel agricultural vehicles on property zoned for agricultural use is exempt from this rule.
- (D) Owners and operators of facilities that only dispense gasoline into individual motor vehicles are not required to conduct the RVP testing specified in section (5).
- (E) Federal specification reformulated gasoline (RFG) fully satisfies the requirements of section (3) of this rule.

AUTHORITY: section 643.050, RSMo Supp. 2012. Original rule filed Jan. 3, 1991, effective Aug. 30, 1991. Rescinded: Filed March 15, 1995, effective Nov. 30, 1995. Readopted: Filed March 17, 1997, effective Oct. 30, 1997. Amended: Filed Sept. 26, 2000, effective May 30, 2001. Amended: Filed Oct. 25, 2012, effective July 30, 2013. Rescinded: Filed January 14, 2020.

PUBLIC COST: This proposed rescission will not cost public entities or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., March 26, 2020. The public hearing will be held at the Harry S Truman State Office Building, 301 West High Street, Room 400, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a statement of their views until 5:00 p.m., April 2, 2020. Send online comments via the proposed rules web page www.dnr.mo.gov/proposed-rules, email comments to apcprulespn@dnr.mo.gov, or written comments to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176.

PUBLIC HEARING ON

PROPOSED AREA BOUNDARY RECOMMENDATIONS FOR THE 2010 SULFUR DIOXIDE STANDARD: DECEMBER 2020 DESIGNATIONS

The Missouri Department of Natural Resources' Air Pollution Control Program (air program) is proposing to submit area boundary recommendations to the U.S. Environmental Protection Agency (EPA).

The air program submitted area boundary recommendations (e.g. attainment, nonattainment, unclassifiable) to EPA in 2013 for the 2010 1-hour sulfur dioxide (SO₂) standard. The air program is updating these recommendations for two counties in accordance with EPA guidance for round four designations under this standard. The updated recommendations address two areas of the state containing a total of three sources identified as meeting criteria specified in the federal Data Requirements Rule for round four of SO₂ designations. The proposed recommendations are based on technical evaluations of these areas using air quality monitoring data. The evaluation also includes air quality modeling to inform the recommended boundary for the area containing the violating monitors.

The air program intends to submit these recommendations to EPA by May 1, 2020 for consideration during the designation process. EPA must finalize designations for these areas by December 31, 2020. This action will not be submitted for inclusion in the Missouri State Implementation Plan.

The complete recommendations have not been reprinted in the briefing document due to their volume. However, the purpose statement and summary of the area boundary recommendations have been included for reference. The entire recommendations are available for review at the Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, Jefferson City, Missouri 65101, (573) 751-4817. It is also available online at <http://dnr.mo.gov/env/apcp/stateplanrevisions.htm>

If the commission adopts these area boundary recommendations, the department intends to submit them to the U.S. Environmental Protection Agency.

PURPOSE

The purpose of this document is to provide Missouri’s updated recommendations for area boundary designations under the 2010 1-hour sulfur dioxide (SO₂) standard for two areas of the state. The Missouri Department of Natural Resources’ Air Pollution Control Program (air program) recommends a nonattainment area boundary designation in a portion of New Madrid County surrounding Magnitude 7 Metals (M7M) and the Associated Electric Cooperative Inc. - New Madrid Power Plant (NMPP). The air program recommends attainment/unclassifiable designations for the remainder of New Madrid County and all of Iron County, which contains the Doe Run – Buick Resource Recycling Facility (Buick).

The air program is submitting these updated boundary recommendations pursuant to the federal Data Requirements Rule (DRR) based on refined technical evaluations for two areas that remain undesignated under the 2010 SO₂ standard. In the DRR for the 2010 SO₂ standard, EPA established an approach for evaluating SO₂ concentrations in areas that remained undesignated. The DRR required evaluation of air quality in areas surrounding sources that emitted more than 2,000 tons of SO₂ in the most recent emission year at the time (2014). The two areas discussed in this document contain the three sources in the state that exceed the emissions threshold, have not yet been designated under the 2010 SO₂ standard, and have elected to characterize the air quality surrounding their facilities through air monitoring. Per a court ordered consent decree, signed March 2, 2015, this fourth and final round of designations must occur by December 31, 2020.

SUMMARY OF AREA BOUNDARY RECOMMENDATIONS

The air program is recommending a nonattainment boundary for the area surrounding M7M and NMPP that chose monitoring as their preferred method of characterization. The air program determined the nonattainment boundary for the area based on the process outlined in EPA’s boundary designations guidance. The air program used air dispersion modeling to inform the extent of the recommended nonattainment area. The air program is also proposing to recommend an attainment/unclassifiable designation for the remainder of New Madrid County and the entirety of Iron County based on the analysis provided in this document.

Table 1 summarizes the area boundary designation recommendations for the 2010 1-hour SO₂ standard discussed in this document and appendices. The respective appendices discuss in more detail the data and analysis used to support the recommendations. The map in Figure 1 graphically depicts the recommended nonattainment area boundary and the attainment/unclassifiable areas.

Table 1 – Missouri’s Boundary Recommendation Summary for the 2010 SO₂ Standard Round - 4 Designations

Affected Source	Area Boundary	Area Designation Recommendation
Magnitude 7 Metals and New Madrid Power Plant	Area encompassing the property boundaries of these two facilities	Nonattainment
	Remainder of New Madrid County	Attainment/unclassifiable
Doe Run – Buick Resource Recycling Facility	Iron County	Attainment/unclassifiable

Figure 1 – 2010 1-hour SO₂ Standard New Madrid County Nonattainment Area Boundary Recommendation for December 2020 Round of Designations

