



STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

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SEP 14 2006

Mr. Ric Neubert, President
Delta Asphalt Inc. – Cape Girardeau
1200 Marquette Drive
PO Box 880
Cape Girardeau, MO 63702-0880

Re: Delta Asphalt Inc. – Cape Girardeau, 031-0002
Permit Number: **OP2006-067**

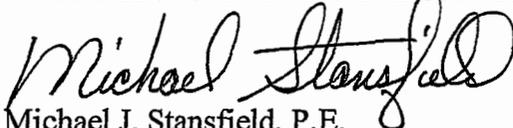
Dear Mr. Neubert:

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM



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

MJS: csk

Enclosures

c: Ms. Tamara Freeman, US EPA Region VII
Ms. Amy Baker, Southeast Regional Office
PAMS File: 2005-07-066



INTERMEDIATE STATE PERMIT TO OPERATE

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

Intermediate Operating Permit Number: OP2006-067
Expiration Date: SEP 13 2011
Installation ID: 031-0002
Project Number: 2005-07-066

Installation Name and Address

Delta Asphalt Inc. – Cape Girardeau
1200 Marquette Drive
PO Box 880
Cape Girardeau, MO 63702-0880
Cape Girardeau County

Parent Company's Name and Address

Delta Companies Inc.
114 Silver Springs Road
PO Box 880
Cape Girardeau, MO 63702-0880

Installation Description:

Delta Asphalt Inc. - Cape Girardeau is a batch mix asphalt plant. Major processes at the facility include storage piles; material conveying, loading and unloading; a 109.9 MMBtu rotary dryer (natural gas or fuel oil-fired); material screening, weighing, and mixing; electric tank heaters, and product storage tanks.

SEP 14 2006

Effective Date

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Delta Asphalt Inc. - Cape Girardeau is a batch mix asphalt plant. Major processes at the facility include storage piles; material conveying, loading and unloading; a 109.9 MMBtu rotary dryer (natural gas or fuel oil-fired); material screening, weighing, and mixing; electric tank heaters, and product storage tanks.

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2005	9.92	0.53	2.63	1.83	35.79	0.00	0.00
2004	5.40	0.50	2.70	0.89	43.22	0.00	0.00
2003	5.40	0.50	2.70	0.89	43.22	0.00	0.00
2002	2.95	0.09	1.03	0.34	16.43	0.00	0.00
2001	7.60	0.19	2.04	0.79	32.72	0.00	0.00

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit	2005 EIQ EP#
<i>Main Processing</i>		
EU0010	Rotary Dryer	EP-03A
EU0020	Hot Bucket Elevator	EP-03B
EU0030	Batch Tower	EP-03B
<i>Load Mineral Filler Storage Silo</i>		
EU0040	Load Mineral Filler Storage Silo	EP-06
<i>Fugitive Emission Sources</i>		
EU0050	Storage piles for aggregate, sand, and recycled asphalt product (RAP), fugitive	EP-01
EU0060	Seven cold aggregate feed bins, fugitive	EP-02B
EU0070	RAP system bin, fugitive	
EU0080	Haul road for aggregates, fugitive	EP-04
EU0090	Cold aggregate conveyor, fugitive	Formerly EP-05
EU0100	Haul road for hot mix asphalt (HMA), fugitive	EP-07
EU0110	RAP system conveyor, fugitive	
EU0120	RAP system screening unit, fugitive	
EU0130	Enclosed slat main conveyor, fugitive	
EU0140	Enclosed silo cross conveyor (east), fugitive	
EU0150	Enclosed silo cross conveyor (west), fugitive	
EU0160	Batch tower load-out, fugitive	EP-13

EMISSION UNITS WITHOUT LIMITATIONS

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

<u>Description of Emission Source</u>	<u>2005 EIQ EP#</u>
Loader transfer of material to cold feed bin, fugitive	EP-02A
Loader transfer of material to RAP system bin, fugitive	
Three hot mix silos, 200 tons each	EP-12
12,000-gallon diesel storage tank	
16,470-gallon asphalt cement storage tank	
Four 14,900-gallon asphalt cement storage tanks	
19,000-gallon recycled fuel oil storage tank	
Two electric tank heaters, replacements for diesel-fired heaters	EP-08, EP-11

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

None

II. Plant Wide Emission Limitations

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

PERMIT CONDITION PW001

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

Emission Limitation:

- 1) The permittee shall emit into the atmosphere less than 100 tons of particulate matter less than 10 microns in diameter (PM₁₀) from the entire installation in any consecutive 12-month period.
- 2) The permittee shall emit into the atmosphere less than 100 tons of sulfur oxides (SO_x) from the entire installation in any consecutive 12-month period.
- 3) The permittee shall emit into the atmosphere less than 100 tons of nitrogen oxides (NO_x) from the entire installation in any consecutive 12-month period.
- 4) The permittee shall emit into the atmosphere less than 100 tons of carbon monoxide (CO) from the entire installation in any consecutive 12-month period.

Monitoring/Recordkeeping:

- 1) The permittee shall record the monthly and the sum of the most recent consecutive 12-months of PM₁₀ emissions (in tons) from this facility. (See Attachment A.)
- 2) The permittee shall record the monthly and the sum of the most recent consecutive 12-months of SO_x emissions (in tons) from this facility. (See Attachment B.)
- 3) The permittee shall record the monthly and the sum of the most recent consecutive 12-months of NO_x emissions (in tons) from this facility. (See Attachment C.)
- 4) The permittee shall record the monthly and the sum of the most recent consecutive 12-months of CO emissions (in tons) from this facility. (See Attachment D.)
- 5) Attachments A, B, C and D contain forms including these recordkeeping requirements. These forms, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 6) The permittee shall maintain these records for the most recent five (5) years. They must be maintained on-site for two (2) years. They may be kept in either written or electronic form.
- 7) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the end of the month during which the records indicate that the source exceeded any of these emission limitations.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted annually, in the annual monitoring report and compliance certification, as required by Section V of this permit.

III. Emission Unit Specific Emission Limitations

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

EU0010 THROUGH EU0030– MAIN EMISSION SOURCES			
Emission Unit	Description	Manufacturer/Model #	2005 EIQ Reference #
EU0010	Rotary Dryer: rotary dryer with burner; natural gas or fuel oil-fired; MHDR 109.9 MMBtu/hr, 285 ton/hr (in combination with EU0020 and EU0030); rotary dryer connected by way of vacuum ducting to cyclone/fabric filter/dry lime injection units in series; permitted April 1973, except fabric filter modified in 1974	Dryer: Barber Green/ DC-70 Burner: Hauck/ JB500109	EP-03A
EU0020	Hot Bucket Elevator: transfers material from rotary dryer to top of batch tower; MHDR 285 ton/hr (in combination with EU0010 and EU0030), hot bucket elevator connected by way of vacuum ducting to cyclone/fabric filter/dry lime injection units in series; permitted April 1973, except fabric filter modified in 1974	Barber Green	EP-03B
EU0030	Batch Tower: hot mix handling tower includes screening unit, hot bins, weigh hopper, and pug mill (mixer); MHDR 285 ton/hr (in combination with EU0010 and EU0020); batch tower connected by way of vacuum ducting to cyclone/fabric filter/dry lime injection units in series; permitted April 1973, except fabric filter modified in 1974 and screening unit added in 1993	Tower - Barber Green/ BE101 Screening unit - Deister/ 5 x 14	EP-03B

PERMIT CONDITION (EU0010 through EU0030)-001
 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants

Emission Limitation:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) The permittee shall conduct opacity readings on these emission units (EU0010 through EU0030) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the

weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.

- 2) The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two (2) weeks for a period of eight (8) weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-
 - c) Observations must be made semi-annually. If a violation is noted, monitoring reverts to weekly. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency. If the source has already performed the weekly and biweekly monitoring and is doing monitoring in compliance with a previous permit, the weekly and biweekly monitoring do not need to be repeated.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (See Attachment E1 or E2.), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions. (See Attachment F.)
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (See Attachment G.)
- 4) Attachments E1, E2, F and G contain logs including these recordkeeping requirements. These logs, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 5) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 6) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

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

PERMIT CONDITION EU0010-002

10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

Emission Limitation:

- 1) Emissions from any new source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide.

- 2) Stack gasses shall not contain more than thirty-five milligrams (35 mg) per cubic meter of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.
- 3) No person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards.

Pollutant	Concentration by Volume	Remarks
Sulfur Dioxide (SO ₂)	0.03 parts per million (ppm) (80 micrograms per cubic meter (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning either pipeline grade natural gas or fuel oil with a sulfur content of 0.5 percent by weight or less.

Monitoring/Recordkeeping:

- 1) The permittee shall maintain an accurate record of the sulfur content of fuel used. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.
- 2) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any deviation from or exceedance of any of the terms imposed by this regulation, or any malfunction which causes a deviation from or exceedance of this regulation.

PERMIT CONDITION (EU0010 through EU0030)-003
10 CSR 10-6.400 Restriction of Emission of Particulate Matter from Industrial Processes

Emission Limitation:

- 1) The permittee shall not emit particulate matter from EU0010 through EU0030 in excess of 62.4 lb/hr.
- 2) This emission rate was calculated using the following equation:
For process weight rates greater than 60,000 lb/hr:
$$E = 55.0(P)^{0.11} - 40$$
Where:
E = rate of emission in lb/hr
P = process weight rate in ton/hr
- 3) The permittee shall not emit particulate matter from any source in a concentration in excess of 0.30 grain per standard cubic feet of exhaust gases.

Monitoring:

- 1) The permittee shall monitor the cyclone (identified as CD-01 on the 2005 Emissions Inventory Questionnaire) as follows:
 - a) Maintain the cyclone such that the pressure drop remains in the normal operating range whenever the emission units are in operation.
 - b) Check the air flow rate and the total static pressure drop across the cyclone once per working day when the process is in operation. If the pressure drop is less than normal operational range, corrective action shall be taken as soon as practicable but within eight (8) hours to return the pressure drop above the minimum allowable value.
 - c) Inspect the solids discharge valve for proper operation weekly.
 - d) Inspect the structural components, including the cyclone ductwork and hoods, for leaks and component failures quarterly.
 - e) Check for leaks in the system to ensure airflow from the dirty side does not infiltrate the clean side annually.
 - f) Verify that the inlet and outlet ductwork is in proper operating condition annually.
 - g) Check the barrel and collecting tube for deposits and/or excess wear annually. Clean and repair as needed.
- 2) The permittee shall monitor the fabric filter (identified as CD-02 on the 2005 Emission Inventory Questionnaire) as follows:
 - a) Maintain the fabric filter such that the pressure drop remains in the normal operating range whenever the emission units are in operation. A pressure drop reading of less than two (2) inches may be observed for a period following the installation of a new bag.
 - b) Check and document the fabric filter's pressure drop daily, whenever the emission unit is in operation. If the pressure drop falls out of the normal operating range, corrective action shall be taken as soon as practicable but within eight (8) hours to return the pressure drop to normal.
 - c) Check and document the cleaning sequence of the fabric filter every six (6) months.
 - d) Inspect bags for leaks and wear every six (6) months.
 - e) Inspect all components that are not subject to wear or plugging, including structural components, housing, ducts and hoods, every six (6) months.
- 3) All instruments and control equipment shall be calibrated, maintained, and operated according to the manufacturer's specifications and recommendations.

Recordkeeping:

- 1) The permittee shall document all pressure drop readings. (See Attachment H.)
- 2) All inspections, corrective actions, and instrument calibration shall be recorded. (See Attachment F.)
- 3) Attachments F and H contain logs including these recordkeeping requirements. These logs, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 4) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 5) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after the permittee determined that the emission unit(s) exceeded the emission limitation(s) and/or normal pressure drop range.
- 2) Reports of any deviations from monitoring, other than the pressure drop range, recordkeeping and reporting requirements of this permit condition shall be submitted annually, in the annual monitoring report and compliance certification, as required by Section V of this permit.

EU0040 – LOAD MINERAL FILLER SILO			
Emission Unit	Description	Manufacturer/Model #	2005 EIQ Reference #
EU0040	Load Mineral Filler Silo; from trucks; MHDR 2 ton/hr; equipped with fabric filter; silo installed 1973, fabric filter installed 1995	Silo: Barber Green / model unknown Fabric Filter: Gentec / model 360	EP-06

PERMIT CONDITION EU0040-001 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants

Emission Limitation:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) The permittee shall conduct opacity readings on this emission unit (EU0040) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or

believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.

- 2) The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two (2) weeks for a period of eight (8) weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-
 - c) Observations must be made semi-annually. If a violation is noted, monitoring reverts to weekly. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency. If the source has already performed the weekly and biweekly monitoring and is doing monitoring in compliance with a previous permit, the weekly and biweekly monitoring do not need to be repeated.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (See Attachment E1 or E2.), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions. (See Attachment F.)
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (See Attachment G.)
- 4) Attachments E1, E2, F and G contain logs including these recordkeeping requirements. These logs, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 5) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 6) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

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

PERMIT CONDITION EU0040-002

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

Emission Limitation:

- 1) Particulate matter shall not be emitted from EU0040 in excess of 6.5 lb/hr.
- 2) This emission rate was calculated using the following equation:
For process weight rates of 60,000 lb/hr or less:
$$E = 4.10(P)^{0.67}$$

Where:

E = rate of emission in lb/hr

P = process weight rate in ton/hr

- 3) The concentration of particulate matter in the exhaust gases shall not exceed 0.30 grain per standard cubic feet of exhaust gases.

Monitoring/Recordkeeping/Reporting:

The permittee is assumed always to be in compliance with this regulation. Calculations demonstrating compliance are in Attachment I. The permittee shall keep this attachment with this permit. No monitoring, additional recordkeeping or reporting is required for this permit condition.

EU0050 THROUGH EU0160 – FUGITIVE EMISSION SOURCES		
Emission Unit	Description	2005 EIQ Reference #
EU0050	Storage piles for aggregate, sand, and recycled asphalt product (RAP), fugitive; installed 1973	EP-01
EU0060	Seven cold aggregate feed bins, fugitive; installed 1973	EP-02B
EU0070	RAP system bin, fugitive; installed 1973	
EU0080	Haul road for aggregates, fugitive; installed 1973	EP-04
EU0090	Cold aggregate conveyor, fugitive; installed 1973	Formerly EP-05
EU0100	Haul road for hot mix asphalt (HMA), fugitive; installed 1973	EP-07
EU0110	RAP system conveyor, fugitive; installed 1973	
EU0120	RAP system screening unit, fugitive; installed 1973	
EU0130	Enclosed slat main conveyor, fugitive; installed 1973	
EU0140	Enclosed silo cross conveyor (east), fugitive; installed 1973	
EU0150	Enclosed silo cross conveyor (west), fugitive; installed 1973	
EU0160	Batch tower load-out, fugitive; installed 1973	EP-13

PERMIT CONDITION EU0040-001
 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants

Emission Limitation:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) The permittee shall conduct opacity readings on these emission units (EU0050 through EU0160)) using the procedures contained in USEPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible

emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.

- 2) The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight (8) consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two (2) weeks for a period of eight (8) weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then-
 - c) Observations must be made semi-annually. If a violation is noted, monitoring reverts to weekly. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency. If the source has already performed the weekly and biweekly monitoring and is doing monitoring in compliance with a previous permit, the weekly and biweekly monitoring do not need to be repeated.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (See Attachment E1 or E2.), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions. (See Attachment F.)
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (See Attachment G.)
- 4) Attachments E1, E2, F and G contain logs including these recordkeeping requirements. These logs, or equivalent forms created by the permittee, must be used to certify compliance with this requirement.
- 5) All records shall be maintained for five (5) years. They shall be kept onsite for at least two (2) years. They may be kept in either hard-copy form or on computer media.
- 6) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

Reporting:

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

IV. Core Permit Requirements

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;
 - g) Air pollutants involved;
 - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
 - i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 3) The fees shall be due April 1 each year for emissions produced during the previous calendar year. The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the director.

10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential

This rule specifies the conditions that establish an air pollution alert (yellow/orange/red/purple), or emergency (maroon) and the associated procedures and emission reduction objectives for dealing with each. The permittee shall submit an appropriate emergency plan if required by the Director.

10 CSR 10-6.150 Circumvention

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin

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

- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-3.030 Open Burning Restrictions

- 1) The permittee shall not conduct, cause, permit or allow a salvage operation, the disposal of trade wastes or burning of refuse by open burning.
- 2) Exception - Open burning of trade waste or vegetation may be permitted only when it can be shown that open burning is the only feasible method of disposal or an emergency exists which requires open burning.
- 3) Any person intending to engage in open burning shall file a request to do so with the director. The request shall include the following:
 - a) The name, address and telephone number of the person submitting the application; The type of business or activity involved; A description of the proposed equipment and operating practices, the type, quantity and composition of trade wastes and expected composition and amount of air contaminants to be released to the atmosphere where known;
 - b) The schedule of burning operations;
 - c) The exact location where open burning will be used to dispose of the trade wastes;
 - d) Reasons why no method other than open burning is feasible; and
 - e) Evidence that the proposed open burning has been approved by the fire control authority which has jurisdiction.
- 4) Upon approval of the open burning permit application by the director, the person may proceed with the operation under the terms of the open burning permit. Be aware that such approval shall not exempt Delta Asphalt Inc. – Cape Girardeau from the provisions of any other law, ordinance or regulation.
- 5) The permittee shall maintain files with letters from the director approving the open burning operation and previous DNR inspection reports.

10 CSR 10-3.090 Restriction of Emission of Odors

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. **This requirement is not federally enforceable.**

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

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

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

10 CSR 10-6.280 Compliance Monitoring Usage

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

V. General Permit Requirements

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

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

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General Recordkeeping and Reporting Requirements

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

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

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

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

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

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

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

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

None

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

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions

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

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

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

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

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

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

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

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

This permit may be reopened for cause if:

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

10 CSR 10-6.065 §(5)(E)1.A and §(6)(E)1.C Statement of Basis

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

VI. ATTACHMENTS

Attachments follow.

ATTACHMENT A
PM₁₀ Emission Tracking Record for Permit Condition PW001

This sheet covers the month of _____ in the year _____.

Column A EIQ # / Unit	Column B Monthly Throughput (units)	Column C PM ₁₀ Emission Factor (lb/unit)	Column D Overall Control Efficiency (%)	Column E PM ₁₀ Emissions (tons)
EP-01/Storage piles, activity			0	
EP-01/Storage piles, wind erosion			0	
EP-02/Cold aggregate feed bins			0	
EP-03/Rotary Dryer etc., fuel				
EP-03/Rotary Dryer etc., product				
EP-04/Haul road – aggregates			0	
EP-06/Load Mineral Filler Storage Silo				
EP-07/Haul road - HMA			0	
(F) Current month's total PM ₁₀ emissions, in tons:				
(G) Last month's 12-month running total PM ₁₀ emissions, in tons:				
(H) Last year's same month's total PM ₁₀ emissions, in tons				
(I) Current 12-month running total PM ₁₀ emissions, in tons: [(F) + (G) - (H)]				

Instructions:

- 1) Fill in Monthly Throughputs [Column B]. Use appropriate units.
 - a) For EP-01/Storage piles, activity, use 1/12 of the annual amount stored, in tons
 - b) For EP-01/Storage piles, wind erosion: use 1/12 of actual area covered, in acres.
 - c) For EP-03/Rotary dryer, fuel: use 10³ gal when firing fuel oil and 10⁶ scf when firing natural gas.
 - d) For everything else, use tons.
- 2) Fill in appropriate PM₁₀ Emission Factors [Column C] from latest Emissions Inventory Questionnaire:
 - a) For EP-03 / Rotary dryer, fuel:
 - i) When firing fuel oil, factor is 2 lb/10³ gal [From AP-42 Table 1.3-1]
 - ii) When firing natural gas, factor is 0.6 lb/10⁶ scf [From AP-42 Table 1.4-2].
- 3) Fill in Overall Control Efficiencies [Column D].
- 4) PM₁₀ Emissions [Column E] = [Column B] X [Column C] X [1-(Column D/100)] X 0.0005 ton/lb
- 5) Line F = Sum of PM₁₀ Emissions [Column E]
- 6) Line G = Line I from Attachment A for last month
- 7) Line H = Line F from Attachment A for same month last year
- 8) Line I = Line F + Line G – Line H. **Installation is in compliance if current 12-month running total PM₁₀ emissions (Line I) is less than 100 tons.**

ATTACHMENT B
SO_x Emission Tracking Record for Permit Condition PW001

This sheet covers the month of _____ in the year _____.

- (A) _____ Monthly hot mix asphalt production (ton)
- (B) 0.4 SO_x emission factor (lb/ton), from Table 11-1-5 in AP-42
- (C) _____ Current month's total SO_x emissions (lb). (C) = (A) X (B)
- (D) _____ Current month's total SO_x emissions (ton). (D) = (C) / 2000
- (E) _____ Last month's 12-month running total SO_x emissions (ton). This is line (G) from Attachment B for last month.
- (F) _____ Last year's same month's total SO_x emissions (ton). This is line (D) from Attachment B for same month last year.
- (G) _____ Current 12-month running total SO_x emissions (ton). (G) = (D) + (E) – (F).
As a check, this should equal the total of the (D) lines from this month and the previous eleven months.

Installation is in compliance if current 12-month running total SO_x emissions (Line G) is less than 100 tons.

ATTACHMENT C
NO_x Emission Tracking Record for Permit Condition PW001

This sheet covers the month of _____ in the year _____.

- (A) _____ Monthly hot mix asphalt production (ton)
- (B) 0.12 NO_x emission factor (lb/ton), from Table 11-1-5 in AP-42. (This is the higher of the two emission factors given for natural gas and fuel oil.)
- (C) _____ Current month's total NO_x emissions (lb). (C) = (A) X (B)
- (D) _____ Current month's total NO_x emissions (ton). (D) = (C) / 2000
- (E) _____ Last month's 12-month running total NO_x emissions (ton). This is line (G) from Attachment C for last month.
- (F) _____ Last year's same month's total NO_x emissions (ton). This is line (D) from Attachment C for same month last year.
- (G) _____ Current 12-month running total NO_x emissions (ton). (G) = (D) + (E) – (F).
- As a check, this should equal the total of the (D) lines from this month and the previous eleven months.

Installation is in compliance if current 12-month running total NO_x emissions (Line G) is less than 100 tons.

ATTACHMENT D
CO Emission Tracking Record for Permit Condition PW001

This sheet covers the month of _____ in the year _____.

- (A) _____ Monthly hot mix asphalt production (ton)
- (B) 0.088 CO emission factor (lb/ton), from Table 11-1-5 in AP-42. (This is the higher of the two emission factors given for natural gas and fuel oil.)
- (C) _____ Current month's total CO emissions (lb). $(C) = (A) \times (B)$
- (D) _____ Current month's total CO emissions (ton). $(D) = (C) / 2000$
- (E) _____ Last month's 12-month running total CO emissions (ton). This is line (G) from Attachment D for last month.
- (F) _____ Last year's same month's total CO emissions (ton). This is line (D) from Attachment D for same month last year.
- (G) _____ Current 12-month running total CO emissions (ton). $(G) = (D) + (E) - (F)$.
As a check, this should equal the total of the (D) lines from this month and the previous eleven months.

Installation is in compliance if current 12-month running total CO emissions (Line G) is less than 100 tons.

ATTACHMENT I
10 CSR 10-6.400 Compliance Demonstration

This attachment may be used to demonstrate that Load Mineral Filler Silo (EU0040) is in compliance with 10 CSR 10-6.400, Restriction of Emission of Particulate Matter from Industrial Processes.

Allowable PM Emission Rate (E)

For process weight rates of 60,000 lb/hr or less:

$$E \text{ (lb/hr)} = 4.10(P)^{0.67}$$

Where:

P = process weight rate in ton/hr = 2 ton/hr

$$E = 4.10(2.0)^{0.67} = 6.52 \text{ lb/hr}$$

Potential Uncontrolled PM Emission Rate (PTE)

PTE = MHDR * PM Emission Factor

Where:

MHDR = Maximum Hourly Design Rate = 2.0 ton/hr

PM Emission Factor = 0.72 lb/ton [Source: US EPA FIRE 6.25, SCC 30501107]

PTE = Potential To Emit

$$PTE = 2.0 \text{ ton/hr} \times 0.72 \text{ lb/ton} = 1.44 \text{ lb/hr}$$

Since the uncontrolled potential to emit rate of 1.44 lb/hr is well below the allowable emission rate of 6.52 lb/hr, the unit is in compliance

STATEMENT OF BASIS

Voluntary Limitations

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

Permit Reference Documents

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

- 1) Intermediate Operating Permit Application, received 7/11/2005;
- 2) 2005 Emissions Inventory Questionnaire, received 3/29/2005; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

Historical Note

The load pug mill feed hopper (EP-09) and convey aggregate to pug-mill unit (EP-10) were included in the previous operating permit, OP2000-007, with a permit condition limiting the PM₁₀ emissions from these units to less than 15 tons in any consecutive twelve month period. On February 6, 2006, the Air Pollution Control Program received a letter from Carol A. Hudak, Delta Asphalt Environmental Coordinator, stating that these emission units were no longer in operation and had been removed from the facility. Therefore these units are not included in this operating permit.

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

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

10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*, 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*, and 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes* were not listed in the permit application as applicable rules. The renewal operating permit application submitted by the permittee was a past version of the permit application issued by the APCP labeled "General Intermediate Hot Mix Asphalt Plant Application, revised 05/06/2003." This version did not list the above rules or the Core Permit Requirements. The above rules as well as the Core Permit Requirements are applicable and are included in this permit.

Other Air Regulations Determined Not to Apply to the Operating Permit

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

- 1) 10 CSR 10-3.050, *Restriction of Emission of Particulate Matter from Industrial Processes* was included in the previous operating permit. This rule is not included in this operating permit because the rule was rescinded on March 30, 2001 and replaced by 10 CSR 10-6.400, which is included.
- 2) 10 CSR 10-3.080, *Restriction of Emission of Visible Air Contaminants* was included in the previous operating permit. This rule is not included in this operating permit because the rule was rescinded on May 30, 2000 and replaced by 10 CSR 10-6.220, which is included.
- 3) 10 CSR 10-6.100, *Alternate Emission Limits* does not apply to this installation because the facility is in an ozone attainment area.

Construction Permit Revisions

The following revision was made to construction permits for this installation:

Construction Permit 1196-004, issued October 3, 1996, authorized the installation of a Pug-Mill, diesel tank heater and a HY-LHTS conveyor. On February 6, 2006, the Air Pollution Control Program received a letter from Carol A. Hudak stating that these emission units were no longer in operation and had been removed from the facility. Therefore, these emission units and the conditions set forth by this construction permit are not included in this operating permit.

New Source Performance Standards Applicability

- 1) 40 CFR Part 60 Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978*; Subpart Ka, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984*; and Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984* are not applicable to this facility. None of the storage tanks at this facility meet the installation date and volume criteria in these standards.
- 2) 40 CFR Part 60 Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities*, applies to any combination of the following for which construction or modification commenced after June 11, 1973: [§60.90(a)]
 - a) Dryers;
 - b) Systems for screening, handling, storing, and weighing hot aggregate;
 - c) Systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and,
 - d) Loading, transfer, and storage systems associated with emission control systems.Although the facility has installed individual emission units since June 11, 1973, they have not installed any combination of processes described in §60.90(a) after June 11, 1973. Therefore, the facility does not fit the definition of an affected facility and this rule does not apply.
- 3) 40 CFR Part 60 Subpart UU, *Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture* applies to asphalt roofing plants (plants which produce asphalt roofing products), asphalt processing plants (plants which blow asphalt for use in the manufacture of asphalt products),

and petroleum refineries. The facility does not fit the definition of an affected facility and this rule does not apply.

None of the other NSPS standards apply to this facility.

Maximum Available Control Technology Applicability

The facility does not emit any single hazardous air pollutant (HAP) in an amount greater than 10 tons per year nor does the facility emit any combination of HAP in an amount greater than 25 tons per year. Therefore, MACT regulations are not applicable to this facility.

National Emission Standards for Hazardous Air Pollutants Applicability

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

None of the other NESHAP standards apply to this installation.

Other Regulatory Determinations

- 1) 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*, §(1)(G) specifies that truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher are exempt; so the following emission units are exempt from this regulation:
Loader transfer of material to cold feed bin, fugitive (EP-02A)
Loader transfer of material to RAP system bin, fugitive
- 2) 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds* is applicable to the Rotary Dryer (EU0010). The following calculations verify that EU0010 is in compliance with the 500 ppmv SO₂ emission limit in this rule. SO₂ emission factors for both natural gas and fuel oil combustion are in Table 11.1-5 of EPA document AP-42. Emission rates are calculated below for the worse case scenario, which is fuel oil.
 - a) Given: Molecular weight SO₂ = 64
Molecular weight air = 28.96
Density air = 0.075 lb/ft³
MHDR = 285 ton/hr
SO₂ emission factor for fuel oil = 0.088 lb/ton
Stack Temperature = 230 °F
Stack Flow Rate = 55,000 ACFM = 42,087 SCFM

b) Calculate ppmv

$$\text{ppmv} = \left(\frac{285 \text{ ton}}{\text{hr}} \right) \left(\frac{0.088 \text{ lb}}{\text{ton}} \right) \left(\frac{\text{min}}{42,087 \text{ scf}} \right) \left(\frac{28.96}{64} \right) \left(\frac{\text{scf}}{0.075 \text{ lb}} \right) \left(\frac{\text{hr}}{60 \text{ min}} \right) (10^6)$$

$$= 59.9 \ll 500 \text{ ppmv therefore in compliance}$$

This regulation is included in this in the permit, but only for the purpose of restricting this unit to burning exclusively natural gas, fuel oil, or any combination of these two fuels.

3) 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes* is applicable to the Rotary Dryer, Hot Bucket Elevator, and Batch Tower (EU0010 through EU0030). The following calculations verify that EU0010 through EU0030 are in compliance with both the PM Emission Rate and the PM Concentration provided that the required control devices are in operation and working properly:

Emission Rate Limit

Emission Rate Limit (lb/hr) $E = 55.0(P)^{0.11} - 40$

Where: P = process weight rate

Emission Rate Limit (lb/hr) $E = 55.0(285)^{0.11} - 40 = 62.42 \text{ lb/hr.}$

PM Emission Rate

Emission Rate (lb/hr) = MHDR (ton/hr) x PM Emission Factor (lb/ton)

EU #	MHDR (ton/hr)	PM Emission Factor (lb/ton)	Overall Control Efficiency (%)	Uncontrolled Emission Rate (lb/hr)	Controlled Emission Rate (lb/hr)	Allowable Emission Rate (lb/hr)
EU0010	285	32	99%	9120	91.20	3 x 62.42 = 187.26
EU0020	285					
EU0030	285					

Notes:

- 1) PM emission factor source is EPA document AP-42, Table 11.1-1; emission factor given for combination of dryer, elevator, and batch tower. Per bullet (g) of Table 11.1-1, the fuel type does not significantly effect PM emissions.
- 2) According to Carol Hudak, Delta Asphalt Environmental Coordinator, EU0010 through EU0030 are controlled by a centrifugal collector, a fabric filter and a dry lime injection unit in series, with an overall PM control efficiency of 99%.

PM Concentration

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

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

EU #	Controlled Emission Rate (lb/hr)	Stack Temp. °F	Stack Flow		Emission Rate (gr/scf)	Allowable Emission Rate (gr/scf)
			ACFM	SCFM		
EU0010/20/30	91.20	230	55,000	42,087	0.253	0.3

This regulation is included in this permit, but only for the purpose of verifying that the required control devices are in operation and operating correctly.

- 4) 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter from Industrial Processes*, §(1)(B)7 specifies that fugitive emissions are exempt; therefore, the following emission units are exempt from this regulation:
- Storage piles: aggregate, sand, & recycled asphalt product (RAP) (EP-01)
 - Seven cold aggregate feed bins (EP-02B)
 - RAP system bin
 - Haul road for aggregates (EP-04)
 - Cold aggregate conveyor (Formerly EP-05)
 - Haul road for hot mix asphalt (HMA) (EP-07)
 - RAP system conveyor
 - RAP system screening unit
 - Enclosed slat main conveyor
 - Enclosed silo cross conveyor (east)
 - Enclosed silo cross conveyor (west)
 - Batch tower load-out (EP-13)
 - Loader transfer of material to cold feed bin
 - Loader transfer of material to RAP system bin
- 5) The following units are included in the list of “Emission Units Without Limitations” for the following reasons.
- a) Loader transfer of material to cold feed bin, fugitive (EP-02A) and
Loader transfer of material to RAP system bin, fugitive
No regulations apply to these emission sources. (See 1) and 4) above.)
 - b) Three hot mix silos, 200 tons each (EP-12)
Emission point EP-12 is for filling up the hot mix asphalt silos. These silos are enclosed. Air emissions are insignificant, although an emission factor just above zero is used on the annual Emission Inventory Questionnaire to get the point into the MOEIS automated system.
 - c) 12,000-gallon diesel storage Four
16,470-gallon asphalt cement storage tank
14,900-gallon asphalt cement storage tanks
19,000-gallon recycled fuel oil storage tank
No regulations apply to these emission sources. (See 1) in “New Source Performance Standards Applicability” section above.)
 - d) Two electric tank heaters (EP-08, EP-11)
These tank heaters have no air emissions. They have emission point numbers only because they replaced two diesel-fired heaters.

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

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

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

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

Prepared by:



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