



## 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: ~~OP2009-003~~  
Expiration Date: 01 - 26 - 2014  
Installation ID: 187-0054  
Project Number: 2005-08-070

### Installation Name and Address

Lead Belt Materials Co., Inc.  
6649 Old Bonne Terre Road  
Bonne Terre, MO 63628  
St. Francois County

### Parent Company's Name and Address

Lead Belt Materials Co., Inc.  
P.O. Box 607  
Park Hills, MO 63601

### **Installation Description:**

Lead Belt Materials operates three plants at this site: the Boliden-Allis rock crushing plant, the Eagle rock crushing plant and an asphalt plant.  
The permittee has accepted a voluntary limitation on particulate matter less than 10 microns in diameter (PM<sub>10</sub>) to obtain this Intermediate Operating Permit.

JAN 27 2009

Effective Date

*Steven Jella*  
Director or Designee  
Department of Natural Resources



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## I. Installation Description and Equipment Listing

### INSTALLATION DESCRIPTION

Lead Belt Materials operates three plants at this site: the Boliden-Allis rock crushing plant, the Eagle rock crushing plant and an asphalt plant.

The permittee has accepted a voluntary limitation on particulate matter less than 10 microns in diameter (PM<sub>10</sub>) to become eligible for this Intermediate Operating Permit

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO <sub>x</sub> )	Nitrogen Oxides (NO <sub>x</sub> )	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2007	5.06	4.05	10.68	0.81	17.92	--	--
2006	4.71	3.24	8.72	0.66	14.31	--	--
2005	5.57	3.98	11.9	0.91	15.53	--	--
2004	3.56	3.43	4.68	0.32	15.59	--	--
2003	5.65	5.27	6.89	0.47	22.73	--	--

Note: The installation reports HAP usage as VOC or PM10 in accordance with 10 CSR 10-6.110.

### EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit	
<b><i>Boliden Allis Rock Crushing Plant</i></b>		
EU0010	Secondary Impact Crusher	EP-06C
EU0020	Scalping Screen	EP-05C
EU0030	Conveyor	EP-04C
EU0040	Conveyor	EP-07C
EU0050	Conveyor	EP-09C
EU0060	Conveyor	EP-16C
EU0070	Conveyor	EP-17C
EU0080	Conveyor	EP-21C
EU0090	Primary Crusher	EP-03C
EU0100	Screen	EP-08C
EU0110	Limestone Stockpile	EP-11C
EU0120	Conveyor	EP-19C
EU0130	Conveyor	EP-20C

***Asphalt Plant***

EU0140	Aggregate Storage Pile	EP-01D
EU0150	Cold Bins & 3 conveyors	EP-02D
EU0170	Hot Asphalt Silo	EP-08D
EU0180	Hot Asphalt Loadout	EP-09D
EU0190	Asphalt Oil Heater	EP-04D
EU0200	Mineral Filler Silo	EP-10D
EU0210	Asphalt Storage Tank	EP-05D

EU0220	Secondary Impact Crusher	EP-02G
EU0230	Crusher Engine	EP-07G
EU0240	Screen	EP-04G
EU0250	Vibrating Grizzly Feeder	EP-06G
EU0260	Limestone Stockpile	EP-09G
EU0270	Conveyor	EP-03G1
EU0280	Conveyor	EP-03G2
EU0290	Conveyor	EP-03G3
EU0300	Conveyor	EP-03G4
EU0310	Conveyor	EP-03G5
EU0320	Conveyor	EP-03G6
EU0330	Conveyor	EP-03G7
EU0340	Conveyor	EP-03G8
EU0350	Conveyor	EP-03G9
EU0360	Generator Engine	EP-07G
EU0370	Secondary Impact Crusher	EP-01F
EU0380	Conveyor	EP-02F
EU0390	Conveyor	EP-03F

**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.

Description of Emission Source

***Boliden Allis Rock Crushing Plant***

Haul Road	EP-15C
Haul Road	EP-22C
Haul Road	EP-23C
Truck Unloading	EP-24C
Drilling	EP-01C

***Asphalt Plant***

Haul Road	EP-06D
Haul Road	EP-07D
Asphalt Plant Dryer	EP-03D
Storage Tanks	EP-05D

#2 Fuel Oil Storage Tanks:  
1 Vertical Fixed Roof; 12,325 gallon capacity  
1 Horizontal Fixed Roof, 275 gallon capacity  
1 Horizontal Fixed Roof; 125 gallon capacity

***Eagle Rock Crushing Plant***

Haul Road	EP-05G
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**DOCUMENTS INCORPORATED BY REFERENCE**

This permit incorporates the following documents by reference:

1. Construction Permit 102005-012A, Issued November 19, 2007
2. Construction Permit 102005-013A, Issued November 19, 2007
3. Construction Permit 102005-014A, Issued November 19, 2007

## II. Plant Wide Emission Limitations

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

### PERMIT CONDITION PW001

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

#### **Emission Limitation:**

1. The permittee shall emit less than 100 tons of particulate matter less than 10 microns (PM<sub>10</sub>) in any consecutive twelve month period
2. The permittee shall emit less than 100 tons of nitrogen oxides (NO<sub>x</sub>) in any consecutive twelve month period.
3. The permittee shall emit less than 100 tons of carbon monoxide (CO) in any consecutive twelve month period

#### **Monitoring:**

The permittee shall monitor the PM<sub>10</sub>, NO<sub>x</sub>, and CO emissions.

#### **Recordkeeping:**

1. The permittee shall maintain an accurate record of the PM<sub>10</sub> emissions. Attachment E1, or an equivalent shall be used to demonstrate compliance with the emission limit.
2. The permittee shall maintain an accurate record of the NO<sub>x</sub> emissions. Attachment E2, or an equivalent shall be used to demonstrate compliance with the emission limit.
3. The permittee shall maintain an accurate record of the CO emissions. Attachment E3, or an equivalent shall be used to demonstrate compliance with the emission limit.
4. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
5. All records shall be maintained for five years.

#### **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 days after any exceedance of any limitation established by this permit condition.

### III. Emission Unit Specific Emission Limitations

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

<i>Boliden Allis Rock Crushing Plant</i>			
Emission Unit #	Description	Manufacturer/Model/Serial Number	2007 EIQ Reference
EU0010	Secondary Impact Crusher, Constructed 1992, MHDR=216 tons/hr	Mfr: Universal, Model# Impactor II 130/150, S/N: 619x178	EP-06C
EU0020	Scalping Screen, 4'x10' single-deck, Constructed 1979, MHDR=180 tons/hr	Mfr: ABCO, S/N: E34810-20	EP-05C
EU0030	Conveyor, Constructed pre-1960, MHDR=180 tons/hr	Mfr: Pioneer	EP-04C
EU0040	Conveyor, Constructed pre-1970, MHDR=216 tons/hr	Mfr: Hewett Robbins	EP-07C
EU0050	Conveyor, Constructed pre-1960, MHDR= 100 tons/hr	Mfr: Pioneer	EP-09C
EU0060	Conveyor, Constructed pre-1980, MHDR= 36 tons/hr	Mfr: Homemade	EP-16C
EU0070	Conveyor, Constructed pre-1960, MHDR=36 tons/hr	Mfr: Pioneer	EP-17C
EU0080	Conveyor, Constructed pre-1980, MHDR=36 tons/hr	Mfr: Homemade	EP-21C
EU0090	Primary Crusher, Constructed 1987, MHDR=180 tons/hr	Mfr: Boliden-Allis, Model #3042 S/N:C53961	EP-03C
EU0100	Screen, 5'x16', Constructed 1987, MHDR=252 tons/hr	Mfr: Cedarapids, S/N: 40916	EP-08C
EU0110	Limestone Stockpile- 180 tons/hr, 3 acres		EP-11C
EU0120	Conveyor, Constructed 1996, MHDR=100 tons/hr	Mfr: Grace, S/N: 9608252	EP-19C
EU0130	Conveyor, Constructed 1996, MHDR=100 tons/hr	Mfr: PEP, S/N: 961147	EP-20C

#### **BOLIDEN-ALLIS PLANT WIDE PERMIT CONDITION (PWBA-1)**

10 CSR 10-6.060 Construction Permits Required  
 Construction Permit #102005-012A, Issued November 19, 2007

#### **Emission/Operational Limitations:**

- Best Management Practices  
 The Boliden-Allis rock crushing plant shall control fugitive emissions from all of the haul roads and stockpiles at this site by performing *Best Management Practices*, which include the use of paving, chemical dust suppressants, or documented watering, as defined in Attachment I. [Special Condition #1.]
- National Ambient Air Quality Standards (NAAQS) Limitation for Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>) [Special Condition #2.]

- A. The permittee shall ensure, while operating at this site, that the ambient impact of PM<sub>10</sub> at or beyond the nearest property boundary does not exceed 150 µg/m<sup>3</sup> in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6). [Special Condition #2.A.]
- B. The permittee is permitted to operate under the following scenarios: [Special Condition #2.B.]
  - i. *Solitary (Attachment F)* – Operations when the plant is located at this site by itself. The permittee must track its own daily PM<sub>10</sub> ambient impact to ensure compliance with NAAQS. [Special Condition #2.B.i.]
  - ii. *Concurrent, Same Owners (Attachment F)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by Lead Belt Materials are located at this site. The permittee shall track the daily PM<sub>10</sub> ambient impact of all plants at the site to ensure compliance with NAAQS. [Special Condition #2.B.ii.]
  - iii. *Concurrent, Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site. The ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iii.]
  - iv. *Concurrent, Same and Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site at the same time as such plants owned by Lead Belt Materials. The plant shall track the daily PM<sub>10</sub> ambient impact of all of Lead Belt Materials' plants at the site to ensure compliance with NAAQS. The total ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iv.]
- C. To demonstrate compliance, the permittee shall maintain a daily record of material processed. Attachments F and G, *Daily Ambient PM<sub>10</sub> Impact Tracking Record*, or other equivalent forms, will be used for this purpose. [Special Condition #2.C.]
3. Annual Emission Limit of Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>)  
The permittee shall ensure that the Boliden-Allis plant emits less than 50 tons of PM<sub>10</sub> into the atmosphere in any 12-month period. To demonstrate compliance, the permittee shall maintain a daily record of material processed and PM<sub>10</sub>. Attachment H, *Monthly PM<sub>10</sub> Emissions Tracking Record*, or other equivalent form(s) shall be used for this purpose. [Special Condition #3.]
4. Moisture Content Testing Requirement for Inherent Moisture Content  
The permittee has provided acceptable moisture content testing results from the previous three consecutive years (2005, 2006, 2007) that show that the inherent moisture content of the crushed rock exceeds 1.5%. This allowed controlled emission factors to be used in the potential emissions analysis. Since the test results have been consistently greater than 1.5%, no further testing is required and this site shall be deemed to have met this condition on all subsequent permits. (Additional test results for higher storage pile moisture content are no longer required, as higher inherent moisture content is now assumed to demonstrate a higher storage pile moisture content.) [Special Condition #4.]
5. Restriction on Process Configuration of Primary Emission Point  
The maximum hourly design rate of the plant is equal to that of the primary emission point, which has been designated by the permittee as the primary crusher (EP-03C). The primary emission point shall not be bypassed for processing. [Special Condition #5.]
6. Restriction on Minimum Distance to Nearest Property Boundary  
The primary emission point of the rock-crushing plant, which is the primary crusher (EP-03C) shall be located at least 990 feet from the nearest property boundary whenever it is operating at this site. [Special Condition #6.]

7. Power Generation

The permittee shall power the plant using primary electrical power. If The permittee decides to switch to diesel engine(s), a new construction permit review will be required. [Special Condition #7.]

**Record Keeping**

The permittee shall maintain all records required by this permit for not less than five (5) years and shall make them available to any Missouri Department of Natural Resources personnel upon request. [Special Condition #8.]

**Reporting Requirement**

The permittee shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. [Special Condition #9.]

**PERMIT CONDITION (EU0010, EU0090, EU0100, EU0120, and EU0130)-001**

40 CFR part 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants  
10 CSR 10-6.070, New Source Performance Standards

**Emission Limitation:**

1. On and after the date on which the performance test required to be conducted under §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility stack emissions which: (§60.672(a))
  - a) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and (§60.672(a)(1))
  - b) Exhibit greater than 7% opacity. (§60.672(a)(2))
2. On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10% opacity, except as provided in §60.672(c), (d), and (e). (§60.672 (b))
3. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section. (§60.672(d))
4. If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in §60.672(a), and (b). (§60.672(e))
5. Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in §60.670(a)(1) and (a)(2). (§60.672(g))

**Reporting and Recordkeeping:**

1. The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with §60.672(b) and reports of observations using Method 22 to demonstrate compliance with §60.672(e). (§60.676(f))
2. The subpart A requirement under §60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart. (§60.676(h))

3. A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator. (§60.676(i))
4. For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. (§60.676(i)(1))

**PERMIT CONDITION (EU0020 through EU0080)-001**

10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants

**Emission Limitation:**

1. For EU0020, EU0060, and EU0080: 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. For EU0030 through EU0050, and EU0070: No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any **existing** source any visible emissions with an opacity greater than 40%.
3. Exception for EU0020 through EU0080: 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/Record Keeping/Reporting:**

As detailed in Core Permit Requirements.

<i>Asphalt Plant</i>			
Emission Unit #	Description	Manufacturer/Model/Serial Number	2007 EIQ Reference
EU0140	Aggregate Storage Pile, 141 tons/hr, 3 acres		EP-01D
EU0150	Cold Bins & 4 conveyors, Constructed 1997, MHDR=141 tons/hr (each bin/conveyor set)	Mfr: Homemade	EP-02D
EU0170	Hot Asphalt Silo, Constructed 1997, MHDR= 150 tons/hr	Mfr: Gencor	EP-08D
EU0180	Hot Asphalt Loadout, Constructed 1997, MHDR= 150 tons/hr	Mfr: Gencor	EP-09D
EU0190	Asphalt Oil Heater, Constructed 1997, MHDR=1.3 MMBtu/hr, #2 Fuel Oil fired	Mfr: Hy-way, Model# Hycgo-100	EP-04D
EU0200	Mineral Filler Silo, MHDR=0.75 tons/hr		EP-10D
EU0210	Asphalt Storage Tank, Horizontal Fixed Roof; 25,000 gallon capacity		EP-05D

### ASPHALT PLANT WIDE PERMIT CONDITION (PWA-1)

10 CSR 10-6.060 Construction Permits Required

Construction Permit #102005-013A, Issued November 19, 2007

#### Emission/Operational Limitations:

1. Best Management Practices  
The permittees asphalt plant (187-0054) shall control fugitive emissions from all of the haul roads and stockpiles at this site by performing *Best Management Practices*, which include the use of paving, chemical dust suppressants, or documented watering, as defined in Attachment I. [Special Condition #1.]
2. National Ambient Air Quality Standards (NAAQS) Limitation for Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>) [Special Condition #2.]
  - A. The plant shall ensure, while operating at this site, that the ambient impact of PM<sub>10</sub> at or beyond the nearest property boundary does not exceed 150 µg/m<sup>3</sup> in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6). [Special Condition #2.A.]
  - B. The plant is permitted to operate under the following scenarios: [Special Condition #2.B.]
    - i. *Solitary (Attachment F)* – Operations when the plant is located at this site by itself. The plant must track its own daily PM<sub>10</sub> ambient impact to ensure compliance with NAAQS. [Special Condition #2.B.i.]
    - ii. *Concurrent, Same Owners (Attachment F)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by Lead Belt Materials are located at this site. The plant shall track the daily PM<sub>10</sub> ambient impact of all plants at the site to ensure compliance with NAAQS. [Special Condition #2.B.ii.]
    - iii. *Concurrent, Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site. The combined ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iii.]
    - iv. *Concurrent, Same and Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site at the same time as such plants owned by Lead Belt Materials. The plant shall track the daily PM<sub>10</sub> ambient impact of all of Lead Belt Materials' plants at the site to ensure compliance with NAAQS. The total ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iv.]
  - C. To demonstrate compliance, the plant shall maintain a daily record of material processed. Attachments F and G, *Daily Ambient PM<sub>10</sub> Impact Tracking Record*, or other equivalent forms, will be used for this purpose. [Special Condition #2.C.]
3. Annual Emission of Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>) [Special Condition #3.]
  - A. The permittee shall ensure that Lead Belt Materials Co.'s asphalt plant emits less than 50 tons of PM<sub>10</sub> into the atmosphere in any 12-month period. [Special Condition #3.A.]
  - B. To demonstrate compliance, the permittee shall maintain a daily record of material processed and PM<sub>10</sub>. Attachment J, *Monthly PM<sub>10</sub> Emissions Tracking Record*, or other equivalent form(s) shall be used for this purpose. [Special Condition #3.B.]
4. Moisture Content Testing of Aggregate Stockpiles  
The permittee has provided acceptable moisture content testing results from the previous three consecutive years (2005, 2006, 2007) that show that the inherent moisture content of the aggregate used in the asphalt plant exceeds 1.5%. This allowed controlled emission factors to be used in the

potential emissions analysis. Since the test results have been consistently greater than 1.5%, no further testing is required and this site shall be deemed to have met this condition on all subsequent permits. [Special Condition #4.]

5. Baghouse Control System Requirements

A. The permittee shall install and operate baghouse(s) to restrict the emission of particulate matter. The baghouse(s) must be used whenever the drum dryer (EP-03D) is in operation. [Special Condition #5.A.]

B. The permittee shall install instruments to monitor the operating pressure drop across the baghouse. All instruments and control equipment shall be calibrated, maintained and operated according to the manufacturer's preventative maintenance recommendations. The permittee shall check and record the pressure drop across the baghouse filter once per operating during drum dryer operation. The baghouse operating pressure drop shall be maintained according to manufacturer's specifications. [Special Condition #5.B.]

C. The permittee shall conduct and document a quarterly inspection and maintenance of the baghouse for structural component failures, leaks and wear, and for the cleaning sequence of the baghouse. Replacement bags shall be kept on site at all times to replace defective bags. The bags shall be made of fibers appropriate for the operating conditions expected to occur. All inspections, corrective actions, and instrument calibrations shall be recorded. To demonstrate compliance, the permittee shall maintain an inspection and maintenance record. Attachment D, or other equivalent form(s) shall be used for this purpose [Modified Special Condition #5.C.]

6. Restriction on Minimum Distance to Nearest Property Boundary

The primary emission point of the asphalt plant, which is the stack of the drum mix dryer, shall be located at least 500 feet from the nearest property boundary whenever it is operating at this site. [Special Condition #6.]

7. Restriction on the Use of Diesel Engines

The asphalt plant will run on primary electrical power and not diesel engines. If the permittee decides to use diesel engines, a new construction permit review will be required. [Special Condition #7]

**Record Keeping**

The permittee shall maintain all records required by this permit for not less than five (5) years and shall make them available to any Missouri Department of Natural Resources personnel upon request. [Special Condition #9.]

**Reporting Requirement**

The permittee shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. [Special Condition #10.]

**PERMIT CONDITION (EU0140 through EU0180, and EU0200 through EU0210)-001**

10 CSR 10-6.070 New Source Performance Regulations

40 CFR Part 60, Subpart A General Provisions and Subpart I, Standards of Performance for Hot Mix Asphalt Facilities

**Emission Limitation:**

The permittee shall not discharge or cause the discharge into the atmosphere from any affected facility any gases which:[§60.92(a)]

a) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf). [§60.92(a)(1)]

b) Exhibit 20 percent opacity, or greater. §60.92(a)(2)]

**Monitoring/Record Keeping/Reporting:**

As detailed in Core Permit Requirements for 10 CSR 10-6.220, Restriction of Emission of Visible Air Contaminants.

**PERMIT CONDITION EU0190-001**

10 CSR 10-6.220, Restriction of Emissions 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/Record Keeping/Reporting:**

As detailed in Core Permit Requirements.

**PERMIT CONDITION EU0190-002**

10 CSR 10-6.260, Restriction of Emission of Sulfur Compounds

**Emission Limitation:**

1. No person shall cause or permit emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of eight pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three hour time period
2. 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.
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. [10 CSR 10-6.260(3)(B) & 10 CSR 10-6.010 Ambient Air Quality Standards]

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

**Operational Limitation/Equipment Specifications:**

The emission unit shall be limited to fuel with a sulfur content of no more than 0.5% sulfur by weight.

**Monitoring:**

The permittee shall maintain records of the amount of fuel burned and verify the sulfur content. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.

**Record Keeping:**

1. The permittee shall maintain records on the premises of the analysis of all fuel used which shows weight percentage of sulfur in the fuel. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be maintained for five years.

**Reporting:**

The permittee shall report to the Air Pollution Control Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of the emission limit or sulfur content limit established by 10 CSR 10-6.260, or any malfunction which causes an exceedance.

**PERMIT CONDITION EU0190-003**

10 CSR 10-3.060, Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating

**Emission Limitation:**

The permittee shall not emit particulate matter in excess of 0.60 pounds per million BTU of heat input.

**Operation Limitation/Equipment Specifications:**

This emission unit shall be limited to burning #2 fuel oil.

**Monitoring/Record Keeping:**

1. The permittee shall maintain on the premises of the installation calculations demonstrating compliance with this rule (See Attachment L).
2. The calculation shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III)

Unit #	Description	Number	Reference
EU0220	Secondary Impact Crusher, Constructed 2005, MHDR=350 tons/hr	Mfr: Eagle, Model # 1400-45OC, S/N: 30187 (crusher) 30186	EP-02G
EU0230	Crusher Engine, MHDR= 0.25 MMBtu/hr, #2 Fuel Oil fired		EP-07G
EU0240	Screen, 6'x20', Constructed 2005, MHDR=450 tons/hr	Mfr: Cedarapids, Model # TOSH 6203-32, S/N: 53116	EP-04G
EU0250	Vibrating Grizzly Feeder, 57"x18', Constructed 2005, MHDR=350 tons/hr	Mfr: Eagle, S/N: 30186	EP-06G
EU0260	Limestone Stockpile- 270 tons/hr, 1 acre		EP-09G
EU0270	Conveyor, Constructed 2005, MHDR=450 tons/hr	Mfr: Superior S/N: 6126	EP-03G1
EU0280	Conveyor, Constructed 2005, MHDR=100 tons/hr	Mfr: Eagle, S/N: 30209	EP-03G2
EU0290	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Cedarapids, S/N: 25654 (plant frame)	EP-03G3
EU0300	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Cedarapids, S/N: 25654 (plant frame)	EP-03G4
EU0310	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Eagle, S/N: 30207	EP-03G5
EU0320	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Eagle, S/N: 30206	EP-03G6
EU0330	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Eagle, S/N: 30208	EP-03G7
EU0340	Conveyor, Constructed 2005, MHDR=450 tons/hr	Mfr: Eagle, S/N: 30188	EP-03G8
EU0350	Conveyor, Constructed 2005, MHDR=150 tons/hr	Mfr: Cedarapids, S/N: 25654 (plant frame)	EP-03G9
EU0360	Generator Engine, Constructed 2005, MHDR=1.297 MMBtu/hr, #2 Fuel Oil fired	Mfr: Cummins	EP-07G
EU0370	Secondary Impact Crusher, Constructed 2003, MHDR=100 tons/hr	Mfr: Eagle, Model # UM04, S/N: 22459 (crusher), 22460 (plant	EP-01F
EU0380	Conveyor, Constructed 2003. MHDR=100 tons/hr	Mfr: Eagle, S/N: 22460 (plant frame)	EP-02F
EU0390	Conveyor, Constructed 1999, MHDR=100 tons/hr	Mfr: Eagle, S/N: 3098	EP-03F

### **EAGLE CRUSHING PLANT WIDE PERMIT CONDITION (PWEA-1)**

10 CSR 10-6.060 Construction Permits Required

Construction Permit #102005-014A, Issued November 19, 2007

#### **Emission/Operational Limitations:**

1. Best Management Practices (BMPs), see Attachment I. [Special Condition #1.]
2. National Ambient Air Quality Standards (NAAQS) Limitation for Particulate Matter Less Than Ten Microns in Diameter (PM<sub>10</sub>) [Special Condition #2.]
  - A. The plant shall ensure, while operating at this site, that the ambient impact of PM<sub>10</sub> at or beyond the nearest property boundary does not exceed 150 µg/m<sup>3</sup> in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6). [Special Condition #2.A.]
  - B. The plant is permitted to operate under the following scenarios: [Special Condition #2.B.]
    - i. *Solitary (Attachment F)* – Operations when the plant is located at this site by itself. The plant must track its own daily PM<sub>10</sub> ambient impact to ensure compliance with NAAQS. [Special Condition #2.B.i.]
    - ii. *Concurrent, Same Owners (Attachment F)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by Lead Belt Materials are located at this site. The plant shall track the daily PM<sub>10</sub> ambient impact of all plants at the site to ensure compliance with NAAQS. [Special Condition #2.B.ii.]
    - iii. *Concurrent, Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site. The combined ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iii.]
    - iv. *Concurrent, Same and Separate Owners (Attachment G)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site at the same time as such plants owned by Lead Belt Materials. The plant shall track the daily PM<sub>10</sub> ambient impact of all of Lead Belt Materials' plants at the site to ensure compliance with NAAQS. The total ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. [Special Condition #2.B.iv.]
  - C. To demonstrate compliance, the plant shall maintain a daily record of material processed. Attachments F and G, *Daily Ambient PM<sub>10</sub> Impact Tracking Record*, or other equivalent forms, will be used for this purpose. [Special Condition #2.C.]
3. Moisture Content Testing for Inherent Moisture Content  
Lead Belt Materials has provided acceptable moisture content testing results from the previous three consecutive years (2005, 2006, 2007) that show that the inherent moisture content of the crushed rock from this plant exceeds 1.5%. This allowed controlled emission factors to be used in the potential emissions analysis. Since the test results have been consistently greater than 1.5%, no further testing is required and this site shall be deemed to have met this condition on all subsequent permits. (Additional test results for higher storage pile moisture content are no longer required, as higher inherent moisture content is now assumed to demonstrate a higher storage pile moisture content.) [Special Condition #3.]
4. Power Generation  
Lead Belt Materials rock-crushing plant shall power the plant using primary electrical power. If the plant decides to switch to diesel engine(s), a new construction permit review will be required. [Special Condition #4.]
5. Restriction on Process Configuration of Primary Emission Point  
The maximum hourly design rate of the plant is equal to that of the primary emission point, which

has been designated by Lead Belt Materials Co. as the primary crusher (EP-02G). The primary emission point shall not be bypassed for processing. [Special Condition #5.]

6. **Restriction on Minimum Distance to Property Boundary**

The primary emission point of the rock-crushing plant, which is the primary crusher (EP-02G) shall be located at least 1240 feet from the nearest property boundary whenever it is operating at this site. [Special Condition #6.]

**Record Keeping**

The permittee shall maintain all records required by this permit for not less than five (5) years and shall make them available to any Missouri Department of Natural Resources personnel upon request. [Special Condition #7.]

**Reporting Requirement**

The permittee shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. [Special Condition #8.]

**PERMIT CONDITION (EU0220, EU0240 through EU0250, EU0270 through EU0350, and EU0370 through EU0390)-001**

40 CFR part 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants  
10 CSR 10-6.070, New Source Performance Standards

See Permit Condition (EU0010, EU0090, EU0100, EU0120, and EU0130)-001

**PERMIT CONDITION (EU0230 and EU0360)-001**

10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants

See Permit Condition EU0190-001

**PERMIT CONDITION (EU0230 and EU0360)-001**

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. [10 CSR 10-6.260(3)(B) of May 30, 2004 version & 10 CSR 10-6.010 Ambient Air Quality Standards]

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

**Operational Limitation/Equipment Specifications:**

The emission unit shall be limited to burning number 2 fuel oil.

**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. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be maintained for five years.

**Reporting:**

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

## IV. Core Permit Requirements

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

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

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

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

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

### **10 CSR 10-6.065 Operating Permits**

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

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

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

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

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

### **10 CSR 10-6.150 Circumvention**

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

### **10 CSR 10-6.170**

#### **Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

##### **Emission Limitation:**

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

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

**Monitoring:**

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

The permittee shall maintain the following monitoring schedule:

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

**Recordkeeping:**

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

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

<b>10 CSR 10-6.180 Measurement of Emissions of Air Contaminants</b>
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- 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 10-6.045 Open Burning Requirements**

- (1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- (2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
  - (A) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
    1. Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
    2. Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
    3. St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
    4. St. Louis metropolitan area. The open burning of household refuse is prohibited;
  - (B) Yard waste, with the following exceptions:
    1. Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
    2. Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
    3. St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
      - a. A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
      - b. A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
      - c. The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
      - d. In each instance, the twenty-one (21)-day burning period shall be determined by the director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department director; and
    4. St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- (3) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may

be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

- (4) Lead Belt Materials Co., Inc. may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Lead Belt Materials Co., Inc. fails to comply with the provisions or any condition of the open burning permit.
  - (A) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- (5) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR part 60 Subpart CCCC promulgated as of September 22, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
- (6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR part 60, Appendix A, Method 9 promulgated as of December 23, 1971 is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

#### **10 CSR 10-3.090 Restriction of Emission of Odors**

**This requirement is not federally enforceable.**

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

#### **10 CSR 10-6.100 Alternate Emission Limits**

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

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

**Emission Limitation:**

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

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in USEPA Test Method 22. The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The permittee must maintain the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks after permit issuance.
  - b) Should the permittee observe no violations of this regulation during this period then-
    - i) The permittee may observe once every two (2) weeks for a period of eight (8) weeks.
    - ii) If a violation is noted, monitoring reverts to weekly.
    - iii) Should no violation of this regulation be observed during this period then-
      - (1) The permittee may observe once per month.
      - (2) If a violation is noted, monitoring reverts to weekly.
- 3) If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

**Recordkeeping:**

The permittee shall maintain records of all observation results using Attachments B, C, and D (or equivalents), noting:

- 1) Whether any air emissions (except for water vapor) were visible from the emission units;
- 2) All emission units from which visible emissions occurred;
- 3) Whether the visible emissions were normal for the process;
- 4) The permittee shall maintain records of any equipment malfunctions, which may contribute to visible emissions; and,
- 5) The permittee shall maintain records of all USEPA Method 9 opacity tests performed.

**10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61  
Subpart M National Emission Standard for Asbestos**

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

**10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business  
Exemption Requirements**

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos

abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

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

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

<b>10 CSR 10-6.280 Compliance Monitoring Usage</b>
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- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
  - c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
  - a) Applicable monitoring or testing methods, cited in:
    - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
    - ii) 10 CSR 10-6.040, "Reference Methods";
    - iii) 10 CSR 10-6.070, "New Source Performance Standards";
    - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
  - b) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above.

## V. General Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

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

None

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

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

## **VI. Attachments**

Attachments follow.





**Attachment C**

This attachment may be used to demonstrate compliance with 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*

Method 9 Opacity Emissions Observations								
Company					Observer			
Location					Observer Certification Date			
Date					Emission Unit			
Time					Control Device			
Hour	Minute	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							
SUMMARY OF AVERAGE OPACITY								
Set Number	Time				Opacity			
	Start	End		Sum	Average			

Readings ranged from \_\_\_\_\_ to \_\_\_\_\_ % opacity.

Was the emission unit in compliance at the time of evaluation? \_\_\_\_\_  
 YES NO Signature of Observer















## **Attachment I Best Management Practices (BMPs)- Construction Industry Fugitive Emissions**

Construction Industry Sites covered by the Interim Relief Policy shall maintain Best Management Control Practices (BMPs) for fugitive emission areas at their installations when in operation. Options for BMPs are at least one of the following:

### **For Haul Roads:**

1. Pavement of Road Surfaces –
  - A. The operator(s) may pave all or any portion of the haul roads with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement will be applied in accordance with industry standards for such pavement so as to achieve “Control of Fugitive Emissions<sup>1</sup>” while the plant is operating.
  - B. Maintenance and/or repair of the road surface will be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall periodically water, wash and/or otherwise clean all of the paved portions of the haul road(s) as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  
2. Usage of Chemical Dust Suppressants –
  - A. The operator(s) shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the unpaved portions of the haul roads. The suppressant will be applied in accordance with the manufacturer’s suggested application rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  - B. The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.
  
3. Usage of Documented Watering –
  - A. The operator(s) shall control the fugitive emissions from all the unpaved portions of the haul roads at the installation by consistently and correctly using the application of a water spray. Documented watering will be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of haul roads as necessary to achieve control of fugitive emissions from these areas while the plant is operating. For example, the operator(s) shall calculate the total square feet of unpaved vehicle activity area requiring control on any particular day, divide that product by 1,000, and multiply the quotient by 100 gallons for that day.
  - B. The operator(s) shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operation (e.g., meteorological situations, precipitation events, freezing, etc.)
  - C. Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
  - D. Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. The operator(s) shall record a brief description of such events in the same

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<sup>1</sup> For purposes of this document, Control of Fugitive Emissions means to control particulate matter that is not collected by a capture system and visible emissions to the extent necessary to prevent violations of the air pollution law or regulation. (Note: control of visible emission is not the only factor to consider in protection of ambient air quality.)

- log as the documented watering.
- E. The operator(s) shall record the date and the amount of water applied for each application on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.

**For Vehicle Activity Areas around Open Storage Piles:**

1. Pavement of Stockpile Vehicle Activity Surfaces –
  - A. The operator(s) may pave all or any portion of the vehicle activity areas around the storage piles with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement will be applied in accordance with industry standards for such pavement so as to achieve control of fugitive emissions while the plant is operating.
  - B. Maintenance and/or repair of the road surface will be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall periodically water, wash and/or otherwise clean all of the paved portions of the vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  
2. Usage of Chemical Dust Suppressants –
  - A. The operator(s) shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the vehicle activity areas around the open storage piles. The suppressant will be applied in accordance with the manufacturer's suggested application rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  - B. The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.
  
3. Usage of Documented Watering –
  - A. The operator(s) shall control the fugitive emissions from all the vehicle activity areas around the storage piles at the installation by consistently and correctly using the application of a water spray. Documented watering will be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating. (Refer to example for documented watering of haul roads.)
  - B. The operator(s) shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operations (e.g., meteorological situations, precipitation events, freezing, etc.)
  - C. Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
  - D. Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. The operator(s) shall record a brief description of such events in the same log as the documented watering.
  - E. The operator(s) shall record the date and the amount of water applied for each application on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.





**Attachment L**

This attachment may be used to demonstrate compliance with 10 CSR 10-3.060 *Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating*

The following table demonstrates compliance with the emission limit:

Emission Rate (lb/mmBtu) = MHDR\*Emission Factor/Heat Capacity (mmBtu/hr)

*Emission Unit #	Heat Capacity	Maximum Hourly Design Rate <sup>2</sup>	PM Emission Factor	Emission Factor Reference	Potential Emission Rate	Emission Rate Limit
EU0190 (#2 Fuel Oil)	1.3 (mmBtu/hr)	0.009 1000 gal/hr	2.0 lb/1000 gal	AP-42 Table 1.3-1	0.01 (lb/mmBtu)	0.60 (lb/mmBtu)

\* Heat capacity divided by heating value of fuel; 1050 mmBtu/mmft<sup>3</sup> for natural gas, 140 mmBtu/1000gal for fuel oil (AP-42, Appendix A)

# 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 08/29/2005; revised November 17, 2008;
- 2) 2007 Emissions Inventory Questionnaire, received 05/21/2008; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

## **Other Air Regulations Determined Not to Apply to the Operating Permit**

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

None

## **Construction Permit History**

The following construction permits have been issued to this installation:

- Boliden-Allis Plant: Construction Permit #0894-017  
Construction Permit #0296-015  
Construction Permit # 0296-015A  
Construction Permit # 082005-002  
Construction Permit # 102005-012  
Construction Permit #102005-012A: This permit supersedes all previously issued Construction Permits for the Boliden-Allis Plant and is therefore the only permit applied in this Operating Permit.
- Asphalt Plant: Construction Permit # 0697-005

Construction Permit # 082005-003  
Construction Permit # 102005-013  
Construction Permit # 102005-013A: : This permit supersedes all previously issued Construction Permits for the Asphalt Plant and is therefore the only permit applied in this Operating Permit.

Eagle Plant:  
Construction Permit # 082005-004  
Construction Permit # 102005-014  
Construction Permit # 102005-014A: : This permit supersedes all previously issued Construction Permits for the Eagle Plant and is therefore the only permit applied in this Operating Permit.

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

#### *40 CFR part 60, Subpart I-Standards of Performance for Hot Mix Asphalt Facilities*

This regulation applies to each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems which commences construction or modification after June 11, 1973.

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

The provisions of this subpart apply to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station that commences construction, reconstruction, or modification after August 31, 1983.

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

The installation is not a major source of HAP. Additionally, there are no area source provisions that apply to operations at this installation.

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

None

### **Other Regulatory Determinations**

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

This regulation applies to all sources of visible emissions in the state of Missouri, with the following exemption: 6.220(1)(H) emission sources that are regulated by 40 CFR part 60 and 10 CSR 10-6.070. As a matter of enforceability, this regulation is not applied to fugitive sources.

This permit applies this regulation to particulate matter sources with are not fugitive and/or are not subject to NSPS standards.

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

This regulation applies to any operation, process, or activity that emits particulate matter with the following exemptions:

6.400(1)(B)7. exempts emissions from fugitive sources, which are defined as those emissions which according to good engineering practice could not pass through a stack, chimney, vent, or other functionally equivalent opening.

6.400(1)(B)11 exempts emission units that at maximum design capacity have a potential to emit less than 0.5 lb PM/hr.

Units that are subject to NSPS standards are not subject to 6.400 because the NSPS standards are more stringent.

All of the units on site meet at least one of these exemptions. Therefore, 10 CSR 10-6.400 is not included in this Operating Permit.

EU0160 initially referred to the Asphalt Dryer. However, upon further review, it was decided that this is a direct fired unit. Therefore, this unit has been moved to emission units without limitations and any reference to EU0160 has been removed from the permit.

**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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